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ILLUSTRATIONS.

Illustrations in documents or reports are printed only on express authorization of the House. Volume **V**, section **7321**.

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The display of exhibits in debate by way of illustration is subject to the will of the House and any member may object. Volume **VIII**, section **2452**.

IMITATION DAIRY PRODUCTS.

The Committee on Agriculture has exercised a general but not exclusive jurisdiction of legislation relating to imitation dairy products, manufacture of lard, etc. Volume **IV**, section **4156**.

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Authorizations for sites and buildings for immigrant stations are within the jurisdiction of the Committee on Immigration and Naturalization. Volume **IV**, section **4312**.

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The Committee on Immigration and Naturalization exercises a general but not exclusive jurisdiction over the subject of immigration and has reported bills relating to contract labor. Volume **IV**, section **4310**.

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Recent history of the Committee on Immigration and Naturalization, Section 33 of Rule XI. Volume **VII**, section **2036**.

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Establishment of a Bureau of Immigration and Naturalization, and the provision and maintenance of personnel and equipment for administration of the immigration and naturalization laws, are subject within the jurisdiction of the Committee on Immigration and Naturalization. Volume **VII**, section **2038**.

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Charge that a Member has used his immunity as Representative to circulate libels was held to constitute a question of privilege. Volume **VI**, section **606**.

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- (1) Inception of, in the House.—Constitutional function.
- (2) Inception of, in the House.—Set in motion by action of a Member on the floor.
- (3) Inception of, in the House.—Charges preferred by memorial.
- (4) Inception of, in the House.—Set in motion by a message from the President.
- (5) Inception of, in the House.—Charges preferred by legislature, grand jury, etc.
- (6) Inception of, in the House.—Resulting from general investigations.
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- (17) Investigation by the House.—General principles of inquiry.
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 - (231) **Various investigations with view to.—of other officers.**
- (1) **Inception of, in the House.—Constitutional Function.**
 The sole power of impeachment is conferred on the House of Representatives by the Constitution. Volume **III**, section **2025**.
 The Commons are considered, in English practice, as having in impeachment cases the function of a grand jury. Volume **III**, section **2004**.
 In 1868 the Senate ceased in its rules to describe the House of Representatives, while acting in impeachment cases, as the grand inquest of the nation. Volume **III**, section **2126**.
 Summary of provisions of State constitutions relating to impeachment and removal by address. Volume **III**, section **2023**.
- (2) **Inception of, in House.—Set in Motion by Action of a Member on the Floor.**
 The impeachment of Mr. Justice Chase was set in motion on the responsibility of one Member of the House, sustained by the statement of another Member. Volume **III**, section **2342**.
 On January 7, 1867, President Johnson was formally impeached in the House on the responsibility of a Member. Volume **III**, section **2400**.
 A Member rising in his place, impeached Judge Swayne both on his own responsibility and on the strength of a legislative memorial. Volume **III**, section **2469**.
 Impeachment proceedings have been moved by a Delegate. Volume **III**, section **1303**.
 Form of impeachment of a civil officer by a Member on the floor of the House. Volume **III**, section **2398**.
 Although a report as to an impeachment be laid on the table, the right to move again an impeachment in the same case is not precluded. Volume **III**, section **2049**.

IMPEACHMENT—Continued.**(2) Inception of, in the House.—Set in Motion by Action of a Member on the Floor—**
Continued.

- The investigation of the conduct of Judge Jenkins was suggested by a resolution of offered by Member and referred to the Judiciary Committee. Volume **III**, section **2519**.
- A Member, rising in his place, impeached Judge Wright on his responsibility as a Member of the House. Volume **VI**, section **528**.
- A Member, rising in his place, impeached Judge Landis on his responsibility as a Member of the House. Volume **VI**, section **535**.
- A Member having risen in his place and impeached Judge Wilfley and offered a resolution providing for an investigation, the House referred the matter to the Judiciary Committee. Volume **VI**, section **525**.
- A Member on his authority as a Member of the House impeached Judge Hanford and offered a resolution providing for investigation of charges. Volume **VI**, section **526**.
- A Member by virtue of his office submitted articles of impeachment and offered a resolution referring them to a committee of the House. Volume **VI**, section **548**.
- Instance wherein a Member rising to a question of privilege, impeached the Attorney General on his responsibility as a Member of the House. Volume **VI**, section **536**.
- A Member having presented charges against Judge Dayton, the House ordered an investigation. Volume **VI**, section **529**.
- A Member proposing impeachment is required to present definite charges before proceeding in debate. Volume **VI**, section **536**.
- A special committee having been created to investigate charges, a Member supplemented the proceedings by rising to a question of privilege in the House and proposing impeachment. Volume **VI**, section **550**.
- An instance in which a Member proposed impeachment individually and collectively against members of an official board. Volume **VI**, section **469**.

(3) Inception of, in the House.—Charges Preferred by Memorial.

- On receipt of a petition containing charges against a judge, the House in 1796 instituted an investigation. Volume **III**, section **2486**.
- The impeachment proceedings in the case of Judge Peck were set in motion by a memorial. Volume **III**, section **2364**.
- The investigations into the conduct of Judge Thruston were set in motion by memorials. Volume **III**, section **2491**.
- The proceedings in the case of Judge Lawrence were set in motion by a memorial setting forth specific charges. Volume **III**, section **2494**.
- The memorials submitting the charges against Judge Watrous, in 1856, were accompanied by a large amount of documentary evidence. Volume **III**, section **2496**.
- The Bradford investigation was set in motion by a memorial in which charges were preferred. Volume **III**, section **2515**.
- The Seward investigation was set in motion by a memorial. Volume **III**, section **2514**.
- The investigation into the conduct of Judge Peck was revived by referring to a committee a memorial presented in a former Congress. Volume **III**, section **2364**.
- Memorials which had been before preceding Congresses were reintroduced as a basis of the Watrous investigation of 1860. Volume **III**, section **2499**.
- In 1857 memorials before the House in a preceding Congress were reintroduced as a basis for investigation of the conduct of Judge Watrous. Volume **III**, section **2497**.
- Instance wherein the Speaker presented a petition in which were preferred charges against a Federal judge. Volume **III**, section **2030**.
- An instance wherein impeachment proceedings were set in motion by memorials filed with the Speaker and by him transmitted to a committee of the House. Volume **VI**, section **552**.
- A memorial addressed to the Speaker and setting forth charges against a civil officer was referred to the Committee on the Judiciary, which recommended an investigation. Volume **VI**, section **543**.

IMPEACHMENT—Continued.**(3) Inception of, in the House.—Charges Preferred by Memorial**—Continued.

The House in 1852, on the strength of a memorial setting forth changes, investigated the conduct of Judge Watrous with a result favorable to him. Volume **III**, section **2495**.

Form of memorial praying for an investigation into the conduct of Judge Peck. Volume **III**, section **2364**.

Form of memorial praying for the impeachment of Judge Thruston in 1837. Volume **III**, section **2491**.

A petitioner who preferred charges against a Federal judge furnished the certificate of a notary to his signature (footnote). Volume **III**, section **2030**.

(4) Inception of, in the House.—Set in Motion by a Message From the President.

The proceedings of the Blount impeachment were set in motion by a confidential message from the President of the United States. Volume **III**, section **2294**.

The impeachment proceedings against Judge Pickering were set in motion by a message from the President. Volume **III**, section **2319**.

In response to a resolution of the House, the President transmitted to the Judiciary Committee of the House charges filed against Judge Archbald and all papers relating thereto with a message suggesting that they be not laid before the House until examined by the committee. Volume **VI**, section **498**.

(5) Inception of, in the House.—Charges Preferred by Legislature, Grand Jury, etc.

The investigation of Judge Bruin's conduct was set in motion by charges preferred by a Territorial legislature. Volume **III**, section **2487**.

A memorial from the legislature of Florida preferred charges against Judge Swayne. Volume **III**, section **2469**.

The inquiry as to Judge Toulmin was set in motion by action of a grand jury forwarded by a Territorial legislature. Volume **III**, section **2488**.

Instance wherein the local bar association initiated proceedings by recommending impeachment. Volume **VI**, section **513**.

The inquiry into the conduct of Judge Anderson was initiated by a resolution supplemented by a report from the Department of Justice. Volume **VI**, section **542**.

(6) Inception of, in the House.—Resulting from General Investigations.

The impeachment of President Johnson was first proposed indirectly through general investigations. Volume **III**, section **2299**.

The impeachment of President Johnson was set in motion by a resolution authorizing a general investigation as to the execution of the laws. Volume **III**, section **2408**.

The House referred to the Committee on Reconstruction the evidence taken by the Judiciary Committee in the first attempt to impeach President Johnson. Volume **III**, section **2408**.

The impeachment of Secretary Belknap was set in motion through the findings of a committee empowered to investigate generally. Volume **III**, section **2444**.

In 1892 the House referred to the Judiciary Committee the evidence taken in the Boarman investigation of 1890 as material in a new investigation. Volume **III**, section **2518**.

A Member of the House presented specific charges against Judge Boarman to the Judiciary Committee, which had been empowered to investigate the judiciary generally. Volume **III**, section **2517**.

Instance wherein the Senate transmitted to the House testimony adduced before one of its committees for consideration by the House with a view to impeachment. Volume **VI**, section **539**.

(7) Inception of, in the House.—Practice as to Preferring Charges.

Advice of Attorney-General Lee as to mode of instituting and continuing impeachment proceedings. Volume **III**, section **2486**.

IMPEACHMENT—Continued.**(7) Inception of, in the House.—Practice as to Preferring Charges—Continued.**

Instance wherein charges were presented against a judge in three Congresses. Volume **III**, section **2490**.

Mr. Speaker Colfax held that a Member, in debating a proposition to impeach the President, should abstain from language personally offensive. Volume **V**, section **5094**.

In debating a proposition to impeach the President of the United States a wide latitude was permitted to a Member in preferring charges. Volume **V**, section **5093**.

A resolution proposing investigation with a view to impeachment was considered by unanimous consent. Volume **VI**, section **527**.

(8) Inception of, in the House.—Grounds on Which Investigation May be Ordered.

The House sometimes refers for preliminary inquiry a memorial praying impeachment, and sometimes orders investigation at once. Volume **III**, section **2491**.

In instituting impeachment proceedings it is necessary first to present the charges on which the proposal is based. Volume **VI**, section **549**.

Discussion as to the degree of definiteness of charges required to justify the House in ordering an investigation. Volume **III**, section **2469**.

Discussion of methods of authorizing an investigation with a view to impeachment. Volume **VI**, section **550**.

In the absence of evidence to support charges the House declined to institute impeachment proceedings. Volume **VI**, section **469**.

Instance wherein the House ordered an investigation of the conduct of a judge without a statement of charges but in a case wherein common fame had made the facts known. Volume **III**, section **2506**.

It being declared by common fame that Judge Humphreys had joined the foes of the Government, the House voted to investigate his conduct. Volume **III**, section **2385**.

English precedents reviewed in the Chase case on the question of ordering an investigation on the strength of common rumor. Volume **III**, section **2342**.

The House declined to state by way of preamble its reason for investigation the conduct of Mr. Justice Chase and Judge Peters. Volume **III**, section **2342**.

Form of resolution instructing the Judiciary Committee to examine the charges against Judge Swayne. Volume **III**, section **2469**.

Minority views, although agreeing with the majority report in the findings of fact, held that the evidence warranted further proceedings toward impeachment. Volume **VI**, section **529**.

No judge is subject to impeachment on the complaint that he has rendered an erroneous decision. Volume **VI**, section **545**.

(9) Inception of, in the House.—Investigation Ordered Without Preliminary Examination.

In the case of Mr. Justice Chase the House, after long debate and a review of precedents, decided to order investigation, although Members could give only hearsay evidence as to the facts. Volume **III**, section **2342**.

The House voted to investigate the conduct of President Johnson on the strength of charges made by a Member on his own responsibility only. Volume **III**, section **2400**.

The House, in 1852, on the strength of a memorial setting forth charges, investigated the conduct of Judge Watrous, with a result favorable to him. Volume **III**, section **2495**.

The House ordered an investigation of the conduct of Judge Ricks on the strength of charges preferred in a memorial. Volume **III**, section **2520**.

In the case of Judge Blodgett the House ordered an investigation upon the presentation of a memorial specifying charges. Volume **III**, section **2516**.

On receipt of a petition containing charges against a judge the House, in 1796, instituted an investigation. Volume **III**, section **2486**.

IMPEACHMENT—Continued.**(9) Inception of, in the House.—Investigation Ordered Without Preliminary Examination—**
Continued.

In the Blount case the house voted to impeach on the strength of the matter contained in a letter proved to be in respondent's handwriting. Volume **III**, section **2294**.

The House declined to have the impeachment of Judge Swayne considered by a committee before ordering an investigation. Volume **III**, section **2469**.

The House decided to investigate the conduct of Judge Smith on assurance of a Territorial Delegate that the person making the charges was reliable. Volume **III**, section **2490**.

The House, on the strength of a newspaper statement, ordered an investigation looking toward the impeachment of a Justice of the Supreme Court. Volume **III**, section **2503**.

(10) Inception of, in the House.—Investigation not Ordered Until After Examination.

The House decided formally to investigate the conduct of Judge Peck only after the Judiciary Committee had examined the memorial. Volume **III**, section **2364**.

In the case of Judge Conkling the memorial preferring charges was referred to the Judiciary Committee for examination before an investigation was ordered. Volume **III**, section **2492**.

The memorial setting forth charges against Judge Lawrence was referred for examination before an investigation was ordered. Volume **III**, section **2494**.

Memorials containing charges against Judge Storey were referred to the Judiciary Committee for examination before the House voted a formal investigation. Volume **III**, section **2513**.

The House voted to investigate the conduct of Judge Delahay after the Judiciary Committee had examined the charges in a memorial. Volume **III**, section **2504**.

The House declined to order an investigation of Consul West on evidence presented by a Member and referred the subject to a committee. Volume **III**, section **2502**.

The House referred the case of Judge Baker to the Committee on the Judiciary instead of to a select committee for investigation. Volume **VI**, section **543**.

The House referred the charges made against Judge Hanford to the Judiciary Committee for investigation. Volume **VI**, section **526**.

A resolution proposing investigation with a view to impeachment was referred, under the rule, to the appropriate committee. Volume **VI**, section **527**.

A resolution providing for investigation with a view to impeachment was transferred from the Committee on Rules to the Committee on the Judiciary. Volume **VII**, section **1787**.

A resolution proposing investigation with a view to impeachment was introduced by delivery to the Clerk and was referred to the Committee on Rules, on request of which committee it was rereferred to the Committee on the Judiciary. Volume **VI**, section **544**.

In Judge Toulmin's case the House, after investigating in a preliminary way, declined to order a formal investigation. Volume **III**, section **2488**.

In 1825 the House preferred that charges against a judge should be investigated by a committee. Volume **III**, section **2491**.

The House refused in 1843 to impeach John Tyler, President of the United States, on charges preferred by a Member. Volume **III**, section **2398**.

(11) Inception of, in the House.—Direct Proposition of, a Question of High Privilege.

A proposition to impeach a civil officer of the United States is presented as a question of constitutional privilege. Volume **III**, sections **2045–2048**. Volume **VI**, sections **468, 469**.

A proposition to impeach a civil officer of the United States is received in the house as a question of privilege. Volume **III**, section **2398**.

Impeachment is a question of constitutional privilege, which may be presented at any time, irrespective of previous action of the House. Volume **III**, section **2053**.

A Member having impeached the President and presented a resolution to investigation, the Speaker admitted it as a question of privilege. Volume **III**, section **2400**.

IMPEACHMENT—Continued.**(11) Inception of, in the House.—Direct Proposition of, a Question of High Privilege—Con.**

A proposition to impeach President Johnson was held to be privileged, although at this session a similar resolution had been considered and negatived. Volume **III**, section **2408**.

It has been held that an election case may not supersede the consideration of a proposition of impeachment. Volume **III**, section **2581**.

A resolution directing the Judiciary Committee to resume an investigation with a view to an impeachment was held to be privileged. Volume **III**, section **2401**.

A proposition to refer to a committee the papers and testimony in an impeachment of the preceding Congress was admitted as a matter of privilege. Volume **V**, section **7261**.

A proposition to instruct a committee to investigate new charges in an impeachment case was held to be privileged. Volume **III**, section **2402**.

A proposition to investigate the conduct of an officer and prepare articles of impeachment was held to be privileged. Volume **III**, section **2510**.

The incorporation of unprivileged matter in a resolution proposing impeachment destroys its privilege. Volume **VI**, section **468**.

A Member recognized to present a privileged resolution may not be taken from the floor by a motion to refer. Volume **VI**, section **468**.

A Member having submitted articles of impeachment, it was held that his privilege had expired. Volume **VI**, section **469**.

Questions relating to impeachment while of high privilege must be submitted in the form of a resolution to entitle the proponent to recognition for debate. Volume **VI**, section **470**.

A Member being criticized by the President for instituting impeachment proceedings, rose to a question of personal privilege. Volume **VI**, section **525**.

Recognition to propound a parliamentary inquiry is within the discretion of the Chair and may interrupt proceedings of high privilege. Volume **VI**, section **541**.

Propositions relating to impeachment are privileged and a resolution authorizing the taking of testimony and defrayment of expenses of investigations in connection with impeachment proceedings was entertained as privileged. Volume **VI**, section **549**.

Dicta relating to the Constitutional privilege of a question of impeachment. Volume **VI**, section **48**.

(12) Inception of, in the House.—Related Propositions Not Privileged.

A resolution directly proposing impeachment is privileged, but the same is not true of one proposing investigation with a view to impeachment. Volume **III**, sections **2051**, **2052**. Volume **VI**, section **468**.

Mr. Speaker Colfax held that in order to be received as privileged a resolution must positively propose impeachment. Volume **III**, section **2502**.

A mere proposition to investigate, even though impeachment may be a possible consequence, does not involve a question of privilege. Volume **III**, section **2546**.

A mere proposition to investigate the conduct of a civil officer is not presented as a matter of constitutional privilege, even though impeachment may be contemplated as a possibility. Volume **III**, section **2050**.

A resolution for discontinuing impeachment proceedings, but not respectful to the House, was ruled not to be privileged. Volume **III**, section **2054**.

During the Johnson trial the House considered matters pertinent thereto under suspension of the rules. Volume **III**, section **2043**.

Certain Members of the House having, in a published letter, sought to influence the vote of a Senator from their State in an impeachment case, it was held that no question of privilege arose thereby in the House. Volume **III**, section **2657**.

Propositions relating to impeachment are not in order on Calendar Wednesday. Volume **VII**, section **902**.

The question of consideration may not be demanded on a resolution of impeachment until the reading of the resolution has been concluded. Volume **VI**, section **541**.

IMPEACHMENT—Continued.**(12) Inception of, in the House.—Related Proposition Not Privilege**—Continued.

Pending motion to refer a resolution providing for an investigation looking to impeach the resolution is not open to amendment. Volume **VI**, section **526**.

(13) Investigation by the House.—An Essential Proceeding.

The House in the Bruin case declined to impeach before it had made an investigation by its own committee. Volume **III**, section **2487**.

The House declined to institute impeachment proceedings before a committee had examined specially whether or not there was ground for impeachment. Volume **III**, section **2501**.

In the Peck case the House, with a view to English precedents, discussed the nature of the inquiry preliminary to impeachment. Volume **III**, section **2366**.

Secretary Mellon having been nominated and confirmed as ambassador to a foreign country and having resigned as Secretary of the Treasury, the House declined to authorize an investigation. Volume **VI**, section **540**.

The House declined to order an investigation of District Attorney Snowden Marshall on evidence presented by a Member and referred the subject to a committee. Volume **VI**, section **530**.

(14) Investigation by the House.—Resolutions Authorizing, etc.

Form of resolution authorizing the Chase and Peters investigation in 1804. Volume **III**, section **2342**.

Form of resolution authorizing the investigation into the conduct of Judge Jenkins. Volume **III**, section **2519**.

The Watrous investigations of 1857 was limited to its scope by the withdrawal from the Judiciary Committee of a memorial containing certain charges. Volume **III**, section **2497**.

In the Blount impeachment case the House seems to have distrusted its power to authorize the Speaker to administer oaths. Volume **III**, section **2294**.

A joint resolution created a select committee (in effect a commission), composed of Members of the House, and authorized it to report to the succeeding Congress. Volume **VI**, section **544**.

Charges having been preferred by a Member of the House, the committee to which the matter was referred reported a resolution providing for the creation of a special committee of investigation. Volume **VI**, section **551**.

The impeachment proceedings were set in motion through a resolution introduced by delivery to the Clerk and referred to the Committee on the Judiciary. Volume **VI**, section **513**.

A vacancy on a special committee created by joint resolution was filled by a further joint resolution. Volume **VI**, section **552**.

(15) Investigation by the House.—Conducted by a Committee.

In the first attempt to impeach President Johnson the investigation was made by the Judiciary Committee. Volume **III**, section **2400**.

The second and successful proposition to impeach President Johnson was reported from the Committee on Reconstruction. Volume **III**, section **2409**.

Mr. John Randolph, who had moved the Chase investigation, was made chairman of the committee. Volume **III**, section **2342**.

Two of the seven members for the committee for the Chase investigation were from the number opposing the investigation. Volume **III**, section **2342**.

The House referred the charges made against Judge Lawrence in 1839 to a select committee instead of to the Judiciary Committee. Volume **III**, section **2494**.

Instance wherein a Delegate was made chairman of a committee to investigate the conduct of a judge. Volume **III**, section **2487**.

A Delegate was appointed chairman of a committee to inquire into the conduct of a judge and was authorized by the House to cause testimony to be taken. Volume **II**, section **1303**.

IMPEACHMENT—Continued.**(15) Investigation by the House.—Conducted by a Committee**—Continued.

In the Blount impeachment case it was ruled that evidence should be taken before the House and not before the Committee of the Whole. Volume **III**, section **2294**.

The House gives leave to its managers to examine Members as witnesses in an impeachment trial and leave to its Members to attend for that purpose. Volume **III**, section **2033**.

A resolution empowering managers of an impeachment to take the testimony of Members was presented as a question of privilege. Volume **III**, section **2034**.

Charges against judges of the United States courts are usually investigated by the Committee on the Judiciary. Volume **IV**, section **4062**.

A select committee visited various States and took testimony. Volume **VI**, section **544**.

A committee having summoned a Member to testify as to statements made by him in debate, he protested that it was an invasion of his constitutional privilege. Volume **VI**, section **537**.

A committee asserted the power of the House to arrest and imprison recalcitrant Members in order to compel obedience to its summons. Volume **VI**, section **537**.

A committee was authorized to send for persons and papers and to administer oaths in an investigation delegated to it by the House. Volume **VI**, section **536**.

The special committee authorized to conduct the investigation held hearings at which Judge Louderback appeared in person and by counsel. Volume **VI**, section **514**.

(16) Investigation by the House.—Procedure by Subcommittee, etc.

The committee investigating Judge Swayne took testimony in the Judge's district as well as in Washington. Volume **III**, section **2470**.

A minority of the Judiciary Committee was authorized to take testimony in the Watrous case. Volume **III**, section **2499**.

A subcommittee visited Louisiana and took testimony against and for Judge Boarman. Volume **III**, section **2517**.

A subcommittee, with power to send for persons and papers, was sent to Louisiana to investigate the conduct of Judge Durell. Volume **III**, section **2508**.

A subcommittee, with power to send for persons and papers, was sent to Georgia to investigate the conduct of Judge Speer. Volume **VI**, section **527**.

A subcommittee visited West Virginia and took testimony in the case of Judge Dayton. Volume **VI**, section **529**.

The Judiciary Committee was empowered in the Delahay case to take testimony in Kansas through a subcommittee. Volume **III**, section **2504**.

The impeachment of Judge Swayne was postponed to the next session of Congress for further investigation. Volume **III**, section **2471**.

A committee charged with an investigation looking to impeachment delegated to inquiry to a subcommittee. Volume **VI**, section **528**.

The report of a subcommittee was disregarded and was not included as a part of the report of the committee to the House. Volume **VI**, section **525**.

A committee of the House having conducted a preliminary inquiry, a special subcommittee was by joint resolution created to further investigate the case with a view to impeachment. Volume **VI**, section **552**.

Discussion of the delegation of power to subcommittees. Volume **VI**, section **523**.

While the subcommittee, in its report, criticized Judge Dayton, it concluded there was little possibility of maintaining impeachment proceedings. Volume **VI**, section **529**.

The action of a subcommittee in arresting a recalcitrant witness having been criticized in a letter addressed to the chairman, the committee reported the proceedings to the House, with recommendation for an investigation. Volume **VI**, section **531**.

The report of the subcommittee, while recommending the discontinuance of impeachment proceedings against Judge Hanford, declared him to be disqualified for his position and recommended acceptance of his resignation. Volume **VI**, section **526**.

IMPEACHMENT—Continued.**(16) Investigation by the House.—Procedure by Subcommittees, etc.**—Continued.

The closing arguments in the Swayne investigation were heard before the subcommittee which had taken the evidence. Volume **III**, section **2471**.

The Member who lodged charges against Judge Boorman conducted the case against him before the subcommittee. Volume **III**, section **2517**.

(17) Investigation by the House.—General Principles of Inquiry.

Discussion of the proper mode of examination in an investigation with a view to impeachment. Volume **III**, section **2497**.

In the Peck case the House, with a view to English precedents, discussed the nature of the inquiry preliminary to impeachment. Volume **III**, section **2366**.

In the Watrous case the House discussed whether or not ascertainment of probable cause justified proceeding in impeachment. Volume **III**, section **2498**.

Discussion distinguishing a case of impeachment from the ordinary investigation for legislative purposes. Volume **III**, section **1700**.

The House of Representatives having appointed a committee to inquire into the conduct of the President of the United States, and the President having protested, the House insisted on its right so to do. Volume **II**, section **1596**.

(18) Investigation by the House.—Ex Parte Inquiries.

Discussion of precedents in relation to ex parte investigations with a view to impeachment, including the case of President Johnson. Volume **III**, section **2511**.

The committee recommended and the House voted the impeachment of Judge Pickering on the strength of certain ex parte affidavits. Volume **III**, section **2319**.

The investigation which resulted in the impeachment of Mr. Justice Chase was entirely ex parte. Volume **III**, section **2343**.

In Judge Peck's case the committee proceeded on the theory of an ex parte injury. Volume **III**, section **2366**.

The investigation into the conduct of Judge P. K. Lawrence in 1839 was entirely ex parte. Volume **III**, section **2494**.

The investigation of the conduct of Judge Watrous in 1856 was conducted entirely ex parte, but the evidence was documentary and voluminous. Volume **III**, section **2496**.

The Watrous report of 1856 led to a debate as to the propriety of ex parte investigations, and to a citation of English and American precedents. Volume **III**, section **2496**.

In the Watrous investigation of 1860 the Judiciary Committee proceeded ex parte. Volume **III**, section **2499**.

After an ex parte investigation the House voted to impeach Judge Humphreys. Volume **III**, section **2385**.

The first investigation of President Johnson's conduct was conducted ex parte and in executive session. Volume **III**, section **2403**.

It does not appear that President Johnson sought to be represented before the committee making the first investigation. Volume **III**, section **2403**.

The second investigation of the conduct of President Johnson was ex parte. Volume **III**, section **2409**.

(19) Investigation by the House.—Accused Not Compelled to Testify.

An opinion of the Judiciary Committee that a person under investigation with a view to impeachment may not be compelled to testify. Volume **III**, section **2514**.

For declining to testify or to obey a subpoena duces tecum commanding him to produce certain papers to be used in impeachment proceedings against himself, George F. Seward was arraigned for contempt. Volume **III**, section **1699**.

After consideration, a committee concluded that an official threatened with impeachment, was not in contempt for declining to be sworn as a witness or to produce documentary evidence. Volume **III**, section **1699**.

IMPEACHMENT—Continued.**(20) Investigation by the House.—Testimony and Statements by the Accused.**

The House declined to vote the impeachment of a judge who had not been heard before the investigating committee. Volume **III**, section **2511**.

Judge Boarman made a sworn statement or answer to the committee investigating his conduct in 1890, but did not testify. Volume **III**, section **2517**.

The committee which ascertained questionable facts concerning the conduct of Secretary Belknap, gave him opportunity to explain, present witnesses, and cross-examine witnesses. Volume **III**, section **2445**.

In the second investigation, Judge Swayne testified on his own behalf and was cross-examined. Volume **III**, section **2471**.

At the investigation of 1892 Judge Boarman testified and was cross-examined before the committee. Volume **III**, section **2518**.

Judge Peck, threatened with impeachment, was permitted to make to the House a written or oral argument. Volume **III**, section **2366**.

Judge Peck, threatened with impeachment, transmitted to the House a written argument, which was ordered to be read. Volume **III**, section **2366**.

The House declined to print with the evidence in the Peck investigation the memorial or the address of respondent. Volume **III**, section **2365**.

Form of memorial in which Judge Peck asked leave to state his case to the House. Volume **III**, section **2366**.

After the report on his conduct by a committee, Judge Watrous presented to the House a memorial embodying his defense, and it was ordered printed and laid on the table. Volume **III**, section **2497**.

In the Watrous investigation of 1857 the written explanation of the accused was printed as part of the report. Volume **III**, section **2497**.

In the investigation into the conduct of Judge Wilfley, he appeared before the committee and testified under oath. Volume **VI**, section **525**.

In the investigation of Judge Dayton the respondent appeared before the subcommittee charged with the investigation and made an extended statement concerning the matters involved. Volume **VI**, section **529**.

(21) Investigation by the House.—Counsel and Witnesses for Accused.

It is for the House to say whether or not a person whose conduct is being investigated shall be allowed to appear before the committee by counsel. Volume **III**, section **2501**.

In the Seward investigation the respondent was represented by counsel and in person before the committee. Volume **III**, section **2514**.

In the investigation of Judge Blodgett both the complainants and the respondent were represented by counsel and produced testimony before the committee. Volume **III**, section **2516**.

The committee investigating charges against the Secretary of the Treasury W. H. Crawford permitted him to be represented by counsel and to produce testimony. Volume **III**, section **1741**.

In investigating charges of an impeachable offense the committee permitted the accused to be represented by counsel and have process to compel testimony. Volume **III**, section **1736**.

In the investigation of 1852, Judge Watrous, the accused, was permitted to appear before the committee with counsel (footnote). Volume **III**, section **2495**.

During the investigation of Judge Wright with a view to impeachment he was permitted to appear before the committee with counsel. Volume **VI**, section **528**.

In the investigation of 1857 the committee formally permitted Judge Watrous to file a written explanation and cross-examine witnesses in person or by counsel. Volume **III**, section **2497**.

In the investigation of the conduct of Judge Swayne the accused was present in person with counsel and argued his own case. Volume **III**, section **2470**.

IMPEACHMENT—Continued.**(21) Investigation by the House.—Counsel and Witnesses for Accused**—Continued.

Judge Peck was not permitted to bring witnesses before the House committee, but cross examined and filed a statement. Volume **III**, section **2366**.

In the investigation of Judge Ricks the respondent made a statement before the committee and offered testimony in his behalf. Volume **III**, section **2520**.

The committee investigating Judge Watrous in 1857 appears to have informally permitted the accused to adduce testimony. Volume **III**, section **2497**.

In investigating the conduct of Judge Swayne both complainants and accused were permitted to introduce sworn testimony. Volume **III**, section **2470**.

In the investigation into the conduct of Judge Delahay he was permitted to present testimony. Volume **III**, section **2504**.

The Durell investigation was postponed in the Forty-second Congress because there was no time to permit Judge Durell to present testimony. Volume **III**, section **2507**.

In the investigation of Judge Peck the respondent cross-examined witnesses and addressed the committee. Volume **III**, section **2365**.

During the investigation of Judge Thurston with a view to impeachment he was present and cross-examined witnesses. Volume **III**, section **2491**.

The Vice-President was represented by a Member of the House before a committee of the House which was investigating charges against him. Volume **III**, section **1736**.

During investigation of Judge Hanford with a view to impeachment, he was represented by counsel who cross-examined witnesses and produced evidence in his behalf. Volume **VI**, section **526**.

During the investigation of Judge Speer, looking to impeachment, he attended each session, accompanied by counsel, and cross-examined witnesses. Volume **VI**, section **527**.

In investigating the conduct of Judge Archbald, the Judiciary Committee, by resolution, extended to the accused permission to be present with counsel and cross-examine witness. Volume **VI**, section **498**.

(22) Investigation by the House.—As to the Rules of Evidence.

In the first investigation of the conduct of President Johnson the committee relaxed the strict rules of evidence. Volume **III**, section **2403**.

The inquiry of 1890 into the conduct of Judge Boorman was conducted according to the established rules of evidence. Volume **III**, section **2517**.

The rule as to the pertinency of evidence to the charges was enforced in the investigation of Judge Swayne's conduct. Volume **III**, section **2471**.

The most liberal latitude was allowed in the examination of witnesses before the committee which investigated the conduct of Judge Blodgett. Volume **III**, section **2516**.

In the Watrous investigation of 1860 the Judiciary Committee, without special leave, considered the evidence and reports in preceding Congresses relating to this case. Volume **III**, section **2499**.

Instance wherein a House committee charged with an investigation examined testimony taken before a Senate committee. Volume **III**, section **2507**.

The Member who lodged charges against Judge Boorman conducted the case against him before the subcommittee. Volume **III**, section **2517**.

Form of subscription of witness to testimony and attestation thereof in examination preliminary to the Peck trial. Volume **III**, section **2041**.

Form of discharge issued to a witness before the House committee which investigated the impeachment charges against William Blount. Volume **III**, section **2040**.

(23) Investigation by the House.—Report of the Committee.

Following the Chase precedent the committee refrained from giving their reasons for concluding that Judge Peck should be impeached. Volume **III**, section **2365**.

A committee, being equally divided on a question of impeachment, authorized the chairman to report the evidence and two resolutions representing, respectively, the two opinions dividing the committee. Volume **IV**, section **4664**.

IMPEACHMENT—Continued.**(23) Investigation by the House.—Report of the Committee**—Continued.

In the first attempt to impeach President Johnson the committee reported the testimony and also majority and minority arguments. Volume **III**, section **2403**.

The first proposition to impeach President Johnson was reported from a committee divided as to fact and law. Volume **III**, section **2403**.

The resolution impeaching Judge Swayne was reported from a divided committee. Volume **III**, section **2470**.

In the Watrous investigation of 1856 the Judiciary Committee, following precedents, reported the evidence but made no specific charges. Volume **III**, section **2496**.

In reporting in favor of impeaching Judge Peck the committee submitted transcripts of testimony. Volume **III**, section **2365**.

In the investigation of 1856 the Judiciary Committee made a report favoring impeachment on the strength of memorials and without the power to compel testimony being given by the House. Volume **III**, section **2496**.

The report favoring the impeachment of Judge Peck was committed to the Committee of the Whole House on the state of the Union. Volume **III**, section **2365**.

A committee, empowered to investigate generally, reported a resolution for the impeachment of Secretary Belknap. Volume **III**, section **2444**.

The House declined to ask of the Executive the removal of an officer whom a committee had found delinquent. Volume **III**, section **2501**.

The House found that Judge Richard Peters had not so acted as to require impeachment. Volume **III**, section **2343**.

A verbal report as to progress made by a committee in an impeachment investigation was offered as privileged. Volume **III**, section **2402**.

It appears that a report impeaching a civil officer was not considered, in 1856, privileged to be made at any time (footnote). Volume **III**, section **2496**.

The committee reporting the second proposition to impeach President Johnson disagreed as to the grounds thereof. Volume **III**, section **2410**.

An instance wherein a committee charged with the investigation reported articles with the resolution of impeachment. Volume **III**, section **2514**.

Instance wherein a majority of the Judiciary Committee reported a resolution censuring a judge for acts now shown to be with corrupt intent. Volume **III**, section **2519**.

Report of committee minority declaring that Senate in ordering a second investigation thereby passed upon question of res adjudicata was sustained by the Senate. Volume **VI**, section **109**.

The committee, empowered to investigate, reported simultaneously resolutions impeaching Judge Archbald and articles of impeachment. Volume **VI**, section **499**.

The committee, after conducting an investigation, acted adversely on a proposition to impeach Judge Wilfley and the House declined to take further action. Volume **VI**, section **525**.

While declining to recommend acquittal, and declaring Judge Speer's acts demanded condemnation, the Judiciary Committee reported satisfactory evidence was not obtainable and recommended that no further proceedings be had in the matter. Volume **VI**, section **527**.

The committee and the House acted adversely on the proposition to impeach Judge Dayton. Volume **VI**, section **529**.

The Judiciary Committee authorized to make an investigation committed the matter to a subcommittee, the report of which was made a part of the committee report to the House. Volume **VI**, section **529**.

A committee, after investigation of impeachment charges referred to it by the House, recommended that no further action be taken thereon. Volume **VI**, section **533**.

A committee finding that judge had failed to live up to the standards of the judiciary in matters of personal integrity and in the discharge of the duties of his office, recommended articles of impeachment. Volume **VI**, section **545**.

IMPEACHMENT—Continued.**(23) Investigation by the House.—Report of the Committee**—Continued.

Instance wherein a special committee of investigation was authorized to sit after adjournment of the current Congress and report to the succeeding Congress. Volume **VI**, section **550**.

The committee while criticizing the official conduct of a judge failed to find facts sufficient to warrant impeachment. Volume **VI**, section **552**.

(24) Investigation by the House.—Power of Inquiry as Related to.

The power of inquiry as related to the power of impeachment. Volume **II**, section **1596**.

Discussion of the power of expulsion in its relations to offenses committed before the Member's election and in relation to the power of impeachment. Volume **II**, section **1286**.

Discussion as to whether or not a civil officer may be impeached for an offense committed prior to his term of office. Volume **III**, section **2510**.

In the Colfax case the majority of the Judiciary Committee concluded that the power of impeachment was rather remedial than punitive. Volume **III**, section **2510**.

In 1837 a committee took the view that the House might inquire into alleged corrupt violations of duty by the Executive only with impeachment in view. Volume **III**, section **1740**.

President Jackson resisted with vigor the attempt of a committee of the House to secure his assistance in an investigation of his Administration. Volume **III**, section **1737**.

In 1810 the House, after mature consideration, determined that it had the right to investigate the conduct of General Wilkinson, although he was not an officer within the impeaching power of the House. Volume **III**, section **1727**.

A motion to refer impeachment charges was entertained as a matter of constitutional privilege. Volume **VI**, section **549**.

The proponent of a proposition to refer impeachment charges to a committee is entitled to one hour in debate exclusive of the time required for the reading of the charges. Volume **VI**, section **549**.

The motion to refer is debatable in narrow limits only and does not admit discussion of the merits of the proposition sought to be referred. Volume **VI**, section **549**.

(25) Proceedings as Affected by Recesses and Adjournments.

Under the parliamentary law an impeachment is not discontinued by the dissolution of Parliament. Volume **III**, section **2005**.

A recess of Congress intervened between the impeachment of Blount and the framing of the articles of impeachment. Volume **III**, section **2299**.

The Senate, in its writ of summons in the Blount impeachment, fixed respondent's appearance at the next session of Congress. Volume **III**, section **2304**.

The House decided to proceed in the Pickering impeachment, although the session and the Congress neared an end. Volume **III**, section **2319**.

The impeachment of Judge Pickering was presented in the Senate on the last day of the Seventh Congress. Volume **III**, section **2320**.

At the beginning of the Eighth Congress the House continued the Pickering impeachment by appointing a committee to prepare articles. Volume **III**, section **2321**.

The proceedings in the Chase impeachment were continued after a recess of Congress, but in deference to the practice at that time the articles were recommitted for a new report. Volume **III**, section **2344**.

A recess of Congress intervened between the filing of the answer and the presentation of the replication in the Peck trial. Volume **III**, section **2375**.

The Thirty-ninth Congress having expired during investigation of President Johnson's conduct, the House in the next Congress directed the Judiciary Committee to resume the investigation. Volume **III**, section **2401**.

The first attempt to impeach President Johnson continued over a recess of the Congress. Volume **III**, section **2407**.

IMPEACHMENT—Continued.**(25) Proceedings as Affected by Recesses and Adjournments**—Continued.

The House voted the impeachment of Judge Delahay at the end of one Congress, intending to present articles in the next. Volume **III**, section **2505**.

The House sometimes continues an investigation begun in a proceeding Congress with a view to an impeachment, making use of the former report and the testimony already taken. Volume **III**, section **2029**.

The Senate determined that an impeachment might proceed only while Congress was in session. Volume **III**, section **2462**.

It was decided in 1876 that an impeachment trial could only proceed when Congress was in session. Volume **III**, section **2006**.

The court of impeachment may adjourn over without interfering with session of the Senate in the interim. Volume **III**, section **2377**.

A committee of the Senate after investigation expressed the opinion that during a trial of impeachment the House could, with the consent of the Senate, adjourn and the Senate proceed with the trial. Volume **VI**, section **546**.

The Archbald trial being concluded, the Senate, on motion, adjourned without day. Volume **VI**, section **512**.

The hour of adjournment of the Senate, sitting for an impeachment trial, begin fixed, a motion to adjourn at another time is not in order. Volume **VI**, section **472**.

As the Congress was nearing its close, the majority of the Judiciary Committee recommended that the further prosecution of the investigation be left to the succeeding Congress. Volume **VI**, section **535**.

(26) Effect of Resignation or Removal of Accused.

Discussion as to effect of an officer's resignation after the House has investigated his conduct, but before it has impeached. Volume **III**, section **2007**.

Discussion of the effect of resignation of the officer upon impeachment proceedings. Volume **III**, section **2509**.

In the Blount case it was conceded that a person impeached might not avoid punishment by resignation. Volume **III**, section **2317**.

The committee reported a resolution for the impeachment of Secretary Belknap, although they had been informed of his resignation of the office. Volume **III**, section **2444**.

The House, after a review of English precedents, determined to impeach Secretary Belknap, although he had resigned. Volume **III**, section **2445**.

The Senate decided that it had jurisdiction to try the Belknap impeachment case, although the respondent had resigned the office. Volume **III**, section **2459**.

The Senate decided in 1876 that William W. Belknap was amenable to trial, notwithstanding his resignation of the office before his impeachment for acts therein. Volume **III**, section **2007**.

Impeachment proceedings against a Senator were continued after his expulsion. Volume **III**, section **1263**.

The resignation of the respondent in no way affects the right of the court of impeachment to continue the trial and hear and determine all charges. Volume **VI**, section **547**.

Judge William Stephens having resigned his office, the House discontinued its inquiry into his conduct. Volume **III**, section **2489**.

Judge Irwin having resigned before the report of an investigation the House discontinued proceedings. Volume **III**, section **2500**.

Judge Busteed having resigned the House discontinued impeachment proceedings. Volume **III**, section **2512**.

Judge Durell having resigned the House discontinued impeachment proceedings. Volume **III**, section **2509**.

Judge Hanford having resigned his office, the House discontinued its investigation into his conduct. Volume **VI**, section **526**.

IMPEACHMENT—Continued.**(26) Effect of Resignation or Removal of Accused—Continued.**

A Judge whose conduct was under investigation having resigned, no further action was taken by the committee charged with the investigation. Volume **VI**, section **550**.

An official against whom charges were pending having resigned his office, the House committee to which they had been referred made no report. Volume **VI**, section **539**.

Judge Wright having resigned his office before final report by the committee charged with the investigation, the House agreed to the recommendation of the committee and that it be discharged. Volume **VI**, section **528**.

The respondent having retired from office, the managers, while maintaining their right to prosecute the charges to a final verdict, recommended that impeachment proceedings be discontinued. Volume **VI**, section **547**.

A Senator convicted in the courts resigned after the Senate had ordered an inquiry. Volume **II**, section **1282**.

A committee having reported that evidence adduced, while not supporting impeachment, disclosed grave irregularities, the respondent resigned. Volume **VI**, section **548**.

(27) Officers Subject to.—Provision of the Constitution, etc.

Treason, bribery, or other high crimes and misdemeanors require removal of President, Vice-President, or other civil officers or conviction by impeachment. Volume **III**, section **2001**.

The Senate declined to investigate charges against the Vice-President, it being urged that he was subject to impeachment proceedings only. Volume **II**, section **1242**.

In the Blount impeachment the managers contended, although in vain, that all citizens of the United States were liable to impeachment. Volume **III**, section **2315**.

In the Belknap trial the managers and counsel for respondent agreed that a private citizen, apart from offense in an office, might not be impeached. Volume **III**, section **2007**.

William Blount pleaded that he was not at the time of pleading a Senator, and that a Senator was not impeachable as a civil officer. Volume **III**, section **2310**.

Elaborate argument of the question whether or not a Senator is a civil officer within the meaning of the impeachment clause of the Constitution. Volume **III**, section **2316**.

A committee of the House by majority report held a commissioner of the District of Columbia not to be a civil officer subject to impeachment under the Constitution. Volume **VI**, section **548**.

A question as to whether or not the Congressional Printer was an officer who might be impeached. Volume **III**, section **1785**.

A question as to whether a vice-consul-general is such an officer as is liable to impeachment. Volume **III**, section **2515**.

A question as to the expediency of impeaching an officer removable by the Executive. Volume **III**, section **2501**.

(28) Officers Subject to.—As to Territorial Judges.

Instance of proceedings looking to the impeachment of a judge of a Territory. Volume **III**, sections **2487**, **2488**.

In 1833 the Judiciary Committee held that a Territorial judge was not a civil officer of the United States within the meaning of the Constitution. Volume **III**, section **2493**.

Opinion of Attorney-General Felix Grundy that Territorial judges are not civil officers of the United States within the meaning of the impeachment clause of the Constitution. Volume **III**, section **2022**.

Opinion of Attorney-General Charles Lee as to impeachment of a Territorial judge holding office during good behavior. Volume **III**, section **2486**.

In 1796 the House discontinued impeachment proceedings against a Territorial judge on assurance that he would be prosecuted in the courts. Volume **III**, section **2486**.

IMPEACHMENT—Continued.**(29) Offenses Justifying.—Meaning of Words “High Crimes and Misdemeanors.”**

Elaborate discussion of meaning of the words “high crimes and misdemeanors.” Volume **III**, section **2406**.

A statement as to the sentiments of the House on the nature of the power of impeachment during the first and second attempts to impeach President Johnson. Volume **III**, section **2416**.

Argument of Mr. Thaddeus Stevens that impeachment is a purely political proceeding. Volume **III**, section **2410**.

Discussion of the theory that an impeachable offense is one in its nature or consequence subversive of some fundamental or essential principle of government or highly prejudicial to the public interest. Volume **III**, section **2019**.

Discussion of English and American precedents as bearing on the meaning of the phrase “high crimes and misdemeanors.” Volume **III**, section **2020**.

Argument that the phrase “high crimes and misdemeanors” is a “term of art,” of fixed meaning in English parliamentary law, and transplanted to the Constitution in unchangeable significance. Volume **III**, section **2009**.

Review of the deliberation of the Constitutional Convention as bearing on the use of the words “high crimes and misdemeanors.” Volume **III**, section **2018**.

As to whether or not there is a distinction between a misdemeanor and a higher misdemeanor. Volume **III**, section **2270**.

Views of the minority of the Judiciary Committee in 1830 as to offenses amounting to high misdemeanor. Volume **III**, section **2492**.

The impeachment of Judge Peck was only for “high misdemeanors in office.” Volume **III**, section **2367**.

(30) Offenses Justifying.—General Discussions as to.

Discussion of the nature of the impeaching power, with reference to American and English precedents. Volume **III**, section **2405**.

Discussion of the nature of impeachable offenses in minority views submitted in the Daugherty case. Volume **VI**, section **456**.

Reference to discussions as to what are impeachable offenses. Volume **III**, section **2008**. Volume **VI**, section **455**.

Definition of impeachable offenses by counsel for President Johnson. Volume **III**, section **2433**.

As to what are impeachable offenses was a subject of argument in the Watrous case. Volume **III**, section **2498**.

The argument of Mr. Manager Campbell in the Chase trial on the nature of the power of impeachment. Volume **III**, section **2356**.

The argument of Mr. Manager Nicholson on the nature of the power of impeachment. Volume **III**, section **2357**.

The argument of Mr. Manager Rodney on the nature of the power of impeachment. Volume **III**, section **2358**.

The argument of Mr. Manager Randolph on the nature of the power of impeachment. Volume **III**, section **2359**.

Argument of Mr. Joseph Hopkinson, counsel or Mr. Justice Chase, on the nature of the power of impeachment. Volume **III**, section **2360**.

Argument of Mr. Luther Martin, counsel for Mr. Justice Chase, on the nature of the power of impeachment. Volume **III**, section **2361**.

Argument of Mr. Robert G. Harper, counsel for Mr. Justice Chase, on the nature of the power of impeachment. Volume **III**, section **2362**.

Argument of Mr. Manager Buchanan on the nature of impeachable offenses. Volume **III**, section **2381**.

Argument of Mr. Manager Wickliffe on the constitutional provisions relating to impeachment. Volume **III**, section **2380**.

IMPEACHMENT—Continued.**(30) Offenses Justifying.—General Discussions as to—Continued.**

Argument of Mr. Manager Spencer on the nature of impeachable offenses. Volume **III**, section **2379**.

Review of impeachments in Congress showing the nature of charges upon which impeachments have been brought and judgments of the Senate thereon. Volume **VI**, section **466**.

(31) Offenses Justifying—Usurpation of Power.

Discussion of usurpation of power as a ground for impeachment. Volume **III**, section **2509**.

The first attempt to impeach President Johnson was based on the salient charge of usurpation of power, with many specifications. Volume **III**, section **2404**.

A majority of the Judiciary Committee reported in favor of impeaching Judge Durell, principally for usurpation of power. Volume **III**, section **2508**.

The committee and the House acted adversely on a proposition to impeach Judge Blodgett for an act in excess of his jurisdiction, bad faith not being shown. Volume **III**, section **2516**.

In 1890 the Judiciary Committee concluded that Judge Boorman should be impeached for an act in violation of the statute. Volume **III**, section **2517**.

(32) Offenses Justifying—Personal Conduct and Official Acts.

Argument that an impeachable offense is any misbehavior that shows disqualification to hold and exercise the office, whether moral, intellectual, or physical. Volume **III**, section **2015**.

Argument that an impeachable offense is any misbehavior or maladministration which has demonstrated unfitness to continue in office. Volume **VI**, section **460**.

Arguments as to whether acts of maladministration which are not indictable are subject to impeachment. Volume **VI**, section **462**.

Impeachment may be based on offenses of a political character, on gross betrayal of public interests, inexcusable neglect of duty, tyrannical abuse of power, and offenses of conduct tending to bring the office into disrepute. Volume **VI**, section **545**.

The House, without division, voted to impeach Judge Delahay for improper personal habits. Volume **III**, section **2505**.

Argument of Mr. Manager Perkins that a judge may be impeached for personal misconduct. Volume **III**, section **2011**.

Argument of Mr. Manager Clayton that a judge may be impeached for misbehavior not necessarily connected with his judicial functions. Volume **III**, section **2016**.

Argument that a judge may be impeached for misbehavior generally. Volume **III**, section **2021**.

An argument that judges may be impeached for any breach of good behavior. Volume **III**, section **2497**.

Discussion of the clause “during good behavior” in relation to tenure of judicial offices, and effect by implication of misbehavior upon such tenure. Volume **VI**, section **465**.

Argument as to whether a judge may be impeached for offenses committed in prior judicial capacity. Volume **VI**, section **458**.

Answer to the argument that a judge may be impeached only for acts done in his official capacity. Volume **III**, section **2015**.

Argument of Mr. Anthony Higgins, counsel, that impeachable offenses by a judge are confined to acts done on the bench in discharge of his duties. Volume **III**, section **2012**.

Argument of Mr. John M. Thurston, counsel, that judges may be impeached only for judicial misconduct occurring in the actual administration of justice in connection with the court. Volume **III**, section **2010**.

Argument from review of English impeachments that the phrase “high crimes and misdemeanors” as applied to judicial conduct must mean only acts of the judge while sitting on the bench. Volume **III**, section **2013**.

IMPEACHMENT—Continued.**(32) Offenses Justifying.—Personal Conduct and Official Acts—Continued.**

Review of impeachments in Congress to show that judges have been impeached only for acts of judgment performed on the bench, as contradistinguished from personal acts performed while in office. Volume **III**, section **2017**.

Judge Peck, in his plea, declared that the acts charged were justified by the law of the land. Volume **III**, section **2374**.

History of removal by address in England and the States as bearing on the nature of impeachable offenses on the part of a judge. Volume **III**, section **2013**.

The Archbald case removed from the domain of controversy the proposition that judges are only impeachable for the commission of crimes or misdemeanors against the laws of general application. Volume **VI**, section **457**.

Conflicting views of the majority and minority of the Judiciary Committee, in 1921, as to offenses justifying impeachment. Volume **VI**, section **535**.

The House found that Judge Richard Peters had not so acted as to require impeachment. Volume **III**, section **2343**.

(33) Offenses Justifying.—Intent as Related to Acts.

Mr. William Wirt argued in defense of Judge Peck that a judge might not be impeached for a mere mistake of the law, without guilty intent. Volume **III**, section **2382**.

Discussion of the intent of a judge as a primary condition needed to justify impeachment. Volume **III**, Section **2014**.

Mr. William Wirt's argument that intent was not established by proof of the mere commission of an unlawful act. Volume **III**, section **2382**.

Argument that the proof of intention is not necessary in an impeachment trial to secure punishment for the fact, Volume **III**, section **2381**.

The second investigation of Judge Boorman having revealed an absence of bad intent in his censurable acts, the committee and the House decided against impeachment. Volume **III**, section **2518**.

Instance wherein a majority of the Judiciary Committee reported a resolution censuring a judge for acts not shown to be with corrupt intent. Volume **III**, section **2519**.

(34) Offenses Justifying.—Nonresidence of a Judge.

The majority of the Judiciary Committee recommended the impeachment of Judge Busteed, principally for nonresidence. Volume **III**, section **2512**.

A question as to the authority of Congress to make nonresidence of a judge an impeachable offense. Volume **III**, section **2512**.

Argument of Mr. Manager De Armond that Congress may make nonresidence of a judge a high misdemeanor. Volume **III**, section **2021**.

Answer to the argument that Congress might not make nonresidence a high misdemeanor. Volume **III**, section **2015**.

Argument that Congress might not by law make nonresidence a high misdemeanor in a judge. Volume **III**, section **2014**.

(35) Offenses Justifying.—The Theory as to Indictable Offense.

On the tenth and eleventh articles in the Johnson impeachment the House, after debate, concluded to impeach for other than indictable offenses. Volume **III**, section **2418**.

Abandonment of the theory that impeachment may be only for indictable offenses. Volume **III**, section **2019**.

The managers of the Chase impeachment resisted strenuously the argument that impeachment might be invoked only for indictable offenses. Volume **III**, section **2356**.

The counsel for Mr. Justice Chase argued elaborately that the power of impeachment applied only to indictable offenses. Volume **III**, sections **2360-2362**.

In the arguments in the Peck trial the managers resisted the theory that impeachment might be only for indictable offenses. Volume **III**, sections **2379-2381**.

IMPEACHMENT—Continued.**(35) Offense Justifying.—The Theory as to Indictable Offense**—Continued.

Argument that impeachment is not restricted to offense indictable under Federal law and that judges may be impeached for breaches of “good behavior.” Volume **III**, section **2020**. Volume **VI**, section **464**.

Whether or not an offense must be indictable under a statute in order to come within the impeaching power was discussed fully in the first attempt to impeach President Johnson. Volume **III**, section **2405**.

In the first attempt to impeach President Johnson the minority of the Judiciary Committee held that an indictable offense must be charged. Volume **III**, section **2406**.

The question whether impeachment must be confined to indictable offenses was in issue as to the second report favoring impeachment of President Johnson. Volume **III**, section **2410**.

Although the charges in the articles impeaching President Johnson were at first narrowed to a few charges, there was a protest against the theory that only an indictable offense was impeachable. Volume **III**, section **2416**.

Argument as to whether impeachment is restricted to offenses which are indictable, or at least of a criminal nature. Volume **VI**, section **455**.

Argument that a civil officer of the United States may be impeached for an unindictable offense. Volume **IV**, section **456**.

Summary of State trials of impeachments with reference to their holdings on the question of whether acts of a judge must be indictable to be impeachable. Volume **IV**, section **461**.

On January 9, 1913, in the Senate, sitting for the Archbald impeachment trial, Mr. Manager Paul Howland, of Ohio, filed as part of his final argument a record of impeachment trials in various States, with particular reference to their holdings on the question as to whether an offense in order to be impeachable must be indictable. The summary appears in full in the Congressional Record of that date. Volume **IV**, section **461**.

Discussion of the question of impeachability of a judge for offenses not subject to prosecution by indictment or information in a criminal court. Volume **IV**, section **464**.

Impeachable offenses are not confined to acts interdicted by the constitution or the Federal Statutes but include also acts not commonly defined as criminal or subject to indictment. Volume **IV**, section **545**.

(36) General Considerations as to Nature of.

Impeachments are exempted from the constitutional requirement of trial by jury. Volume **III**, section **2002**.

Discussion as to the right to demand a trial by jury in a case of impeachment. Volume **III**, section **2313**.

The English precedents indicate that jury trial has not been permitted in impeachment cases. Volume **III**, section **2004**.

Argument that impeachment should not fail simply because the offense may be within jurisdiction of the courts. Volume **III**, section **2314**.

Cases of impeachment are excluded by the Constitution from the offenses for which the President may grant reprieves and pardons. Volume **III**, section **2003**.

Argument that an impeachment trial is a criminal proceeding. Volume **III**, section **2010**.

An argument that an impeachment trial is not a criminal proceeding. Volume **III**, section **2270**. References to general authorities on the subjects connected with impeachments. Volume **III**, section **2008**.

The law of Parliament was referred to in 1797 in discussing the power of impeachment. Volume **III**, section **2315**.

American and English precedents were reviewed carefully by the minority of the Judiciary Committee in the first attempt to impeach President Johnson. Volume **III**, section **2406**.

The committee reporting the second proposition to impeach President Johnson disagreed as to the grounds thereof. Volume **III**, section **2410**.

IMPEACHMENT—Continued.**(36) General Considerations as to Nature of—Continued.**

The full report justifying the proposition to impeach President Johnson. Volume **III**, section **2409**.
Discussion as to whether President Johnson was justified in attempting to test the constitutionality of the tenure of office law. Volume **III**, section **2411**.

President Grant declined to answer an inquiry of the House as to whether or not he had performed any executive acts at a distance from the seat of Government. Volume **III**, section **1889**.

In the Colfax case the majority of the Judiciary Committee concluded that the power of impeachment was rather remedial than punitive. Volume **III**, section **2510**.

Discussion distinguishing a case of impeachment from the ordinary investigation for legislative purposes. Volume **III**, section **1700**.

Discussion by English and American authorities of the general nature of impeachment. Volume **VI**, section **454**.

Provisions of parliamentary law as to trial by impeachment of a Commoner for a capital offense. Volume **III**, section **2056**.

The Lords may not, under the parliamentary law, proceed by impeachment against a Commoner except on complaint of the Commons. Volume **III**, section **2056**.

A resolution of impeachment may be expunged from the record by unanimous consent only. Volume **IV**, section **541**.

(37) English Precedents.—Cited in Arguments.

Discussion of the nature of the impeaching power, with reference to American and English precedents. Volume **III**, section **2405**. Volume **VI**, section **454**.

The law of Parliament was referred to in 1797 in discussing the power of impeachment. Volume **III**, section **2315**.

Discussion of English and American precedents as bearing on the meaning of the phrase “high crimes and misdemeanors.” Volume **III**, section **2020**.

Discussion of the meaning in English parliamentary law and in the constitution, of the phrase “high crimes and misdemeanors” as applied to judicial conduct. Volume **IV**, section **462**.

Argument that the phrase “high crimes and misdemeanors” is a “term of art,” of fixed meaning in English parliamentary law, and transplanted to the Constitution in unchangeable significance. Volume **III**, section **2009**.

In the Peck case the House, with a view to English precedents, discussed the nature of the inquiry preliminary to impeachment. Volume **III**, section **2366**.

English precedents reviewed in the Chase case on the question of ordering an investigation on the strength of common rumor. Volume **III**, section **2342**.

The Watrous report of 1856 led to a debate as to the propriety of ex parte investigations and to a citation of English and American precedents. Volume **III**, section **2496**.

Review of English precedents as to the distinction between the pleadings and the trial of an impeachment. Volume **III**, section **2425**.

References to American and English precedents in determining order of deciding the question of jurisdiction in the Belknap case. Volume **III**, section **2457**.

The extent of dilatory pleadings in the Belknap trial was commented on as an innovation on American and English precedents. Volume **III**, section **2123**.

The managers opposed President Johnson’s request for thirty days to prepare for trial, citing American and English precedents in argument. Volume **III**, section **2430**.

American and English precedents were reviewed carefully by the minority of the Judiciary Committee in the first attempt to impeach President Johnson. Volume **III**, section **2406**.

The subject of attendance with the managers was discussed during the Peck trial, with citation of American and English precedents. Volume **III**, section **2377**.

Citation of English precedents as to evidence during the Johnson trial. Volume **III**, section **2238**.

IMPEACHMENT—Continued.**(38) English Precedents.—Procedure in Accordance With.**

In the first impeachment the House followed English precedents to the extent of requiring the sequestration of the respondent from his seat in the Senate. Volume **III**, section **2295**.

In the Blount impeachment, following the precedent of the Hastings trial, the House did not send the articles to the Senate with the impeachment. Volume **III**, section **2295**.

The House, after a review of English precedents, determined to impeach Secretary Belknap, although he had resigned. Volume **III**, section **2445**.

After considering English precedents, the House chose the managers of the Blount impeachment by ballot. Volume **III**, section **2300**.

The claim of the managers to the closing of all arguments arising in course of an impeachment trial has been denied after examination of American and English precedents. Volume **III**, sections **2136–2139**.

After discussion of English precedents, the Senate ruled decisively in the Peck trial that the strict rules of evidence in force in the courts should be applied. Volume **III**, section **2218**.

In conformity with English precedents, the Senate pronounced judgment, article by article, in the Pickering case. Volume **III**, section **2339**.

(39) English Precedents.—Functions of Commons and Lords, Respectively.

Under the parliamentary law of impeachment the Commons, as grand inquest of the nation and as accusers, become suitors for penal justice at the bar of the Lords. Volume **III**, section **2026**.

The Commons are considered, in English practice, as having in impeachment cases the function of a grand jury. Volume **III**, section **2004**.

Under the parliamentary law the Lords are the judges and may not impeach or join in the accusation. Volume **III**, section **2056**.

The Lords may not, under the parliamentary law, proceed by impeachment against a Commoner, except on complaint of the Commons. Volume **III**, section **2056**.

Provisions of parliamentary law as to the trial by impeachment of a Commoner for a capital offense. Volume **III**, section **2056**.

(40) English Precedents.—Appearance and Answer of Respondent.

Under the parliamentary law, if the party impeached at the bar of the Lords do not appear proclamations are issued giving him a day to appear. Volume **III**, section **2116**.

Under the English practice a copy of the articles of impeachment is furnished to the respondent and a day is fixed for his answer. Volume **III**, section **2120**.

According to the parliamentary law the respondent, on accusation for misdemeanor, may answer the articles of impeachment by person or by writing or by attorney. Volume **III**, section **2120**.

Under the parliamentary law the respondent answers the summons in custody if the case be capital and the accusation be special, but not if it be general. Volume **III**, section **2120**.

A respondent in a case of impeachment for misdemeanor answers the articles before the Lords in such a state of liberty or restraint as he was in when the Commons complained of him. Volume **III**, section **2120**.

The accusation being of misdemeanor only, the respondent, under the English usage, does not answer the summons in custody, but the Lords may commit him until he finds sureties for his future appearance. Volume **III**, section **2120**.

Under the parliamentary law of impeachments the respondent, if a Lord, answers the summons in his place; if a Commoner, at the bar. Volume **III**, section **2120**.

Under the parliamentary law the answer of the respondent to impeachment need not observe great strictness of form. Volume **III**, section **2121**.

The respondent in an impeachment case may not, under the English law, plead in his answer a pardon as bar to the impeachment. Volume **III**, section **2121**.

IMPEACHMENT—Continued.**(41) English Precedents.—Pleadings, Rules of Evidence, etc.**

In the English usage the articles of impeachment are substituted for an indictment and distinguished from it by less particularity of specification. Volume **III**, section **2117**.

Under the parliamentary law of impeachments the pleadings may include a replication, rejoinder, etc. Volume **III**, section **2122**.

In English impeachments the respondent has counsel in accusation for misdemeanor, but not in capital cases. Volume **III**, section **2120**.

The English precedents indicate that jury trial has not been permitted in impeachment cases. Volume **III**, section **2004**.

The trial of impeachments before the Lords is governed by the legal rules of evidence. Volume **III**, section **2155**.

In impeachment trials before the House of Lords it is the practice to swear and examine the witnesses in open House. Volume **III**, section **2161**.

Under the parliamentary law witnesses in an impeachment trial may be examined by a committee. Volume **III**, section **2161**.

Under the parliamentary law an impeachment is not discontinued by the dissolution of Parliament. Volume **III**, section **2005**.

(42) English Precedents.—Attendance of Commons at Trials.

The Commons attend impeachment trials in committee of the whole or otherwise, at discretion, and appoint managers to conduct proof. Volume **III**, section **2027**.

The Commons attend generally in impeachment trials, but not when the Lords consider the answer to proofs or determine judgment. Volume **III**, section **2027**.

The presence of the Commons is considered necessary at the answer and the judgment in impeachment cases. Volume **III**, section **2027**.

(43) English Precedents.—Final Judgment.

Method of taking the vote in judgment in English impeachment trials. Volume **III**, section **2027**.

The judgment of the Lords in impeachments is given in accordance with the law of the land. Volume **III**, section **2155**.

(44) Forms of.—Charges Made on the Floor.

Form of impeachment of a civil officer by a Member on the floor of the House. Volume **III**, section **2398**.

(45) Forms of.—Charges Made in Memorials.

Form of memorial praying for the impeachment of Judge Thruston in 1837. Volume **III**, section **2941**.

Form of memorial praying for an investigation into the conduct of Judge Peck. Volume **III**, section **2364**.

The memorials submitting the charges against Judge Watrous in 1856 were accompanied by a large amount of documentary evidence. Volume **III**, section **2496**.

In the case of Judge Blodgett the House ordered an investigation upon the presentation of a memorial specifying charges. Volume **III**, section **2516**.

(46) Forms of.—Resolutions Authorizing Preliminary Inquiry.

Form of resolution authorizing the investigation into the conduct of Judge Jenkins. Volume **III**, section **2519**.

Form of resolution authorizing the Chase and Peters investigations in 1804. Volume **III**, section **2342**.

Form of resolution instructing the Judiciary Committee to examine the charges against Judge Swayne. Volume **III**, section **2469**.

Form of resolution authorizing investigation with a view to impeachment. Volume **VI**, section **513**.

IMPEACHMENT—Continued.**(46) Forms of.—Resolution Authorizing Preliminary Inquiry**—Continued.

Form of resolution providing for an investigation by the Judiciary Committee and authorizing a subcommittee to exercise powers delegated to the committee. Volume **VI**, section **530**.

Form of resolution instructing the Judiciary Committee to examine the charges against Judge Archbald. Volume **VI**, section **498**.

(47) Forms of.—General Preliminary Procedure.

Forms of subpoena and compulsory process issued by House committee to produce persons and papers from Blount impeachment. Volume **III**, sections **2038, 2039**.

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Verbal report made by the committee that had carried the impeachment of Mr. Justice Chase to the Senate. Volume **III**, section **2343**.

The committee having impeached President Johnson, returned to the House and reported orally in the usual form. Volume **III**, section **2413**.

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In the case of the Johnson impeachment the question. "Will the House agree thereto?" was put to each article after they had been opened to amendment. Volume **III**, section **2416**.

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In the Chase impeachment the message notifying the Senate that articles would be exhibited does not appear to have included the names of the managers. Volume **III**, section **2345**.

The message announcing to the Senate that an article impeaching Judge Peck would be presented gave the names of the managers. Volume **III**, section **2369**.

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(54) Forms of.—Ceremonies of Presenting the Articles.

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Articles of impeachment being exhibited against Judge Pickering the President of the Senate was directed by rule to state that order would be taken and the House would be notified. Volume **III**, section **2326**.

Ceremonies at the presentation of the articles before the high court of impeachment in the Chase case. Volume **III**, section **2346**.

The Senate as a court adopted a rule prescribing the ceremonies at the presentation of articles impeaching Mr. Justice Chase. Volume **III**, section **2345**.

The Senate adopted a rule prescribing ceremonies for receiving as a court the articles impeaching Judge Peck. Volume **III**, section **2369**.

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Ceremonies and forms in presenting the Senate the articles impeaching Secretary Belknap. Volume **III**, section **2449**.

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(55) Forms of.—The Articles.

Comment on the use of the phrase "all the people" in the pleadings in an impeachment case. Volume **III**, section **2431**.

The House decided to retain in the articles of the Chase impeachment the old reservation of liberty to exhibit further articles. Volume **III**, section **2344**.

IMPEACHMENT—Continued.**(55) Forms of.—The Articles—Continued.**

In the English usage the articles of impeachment are substituted for an indictment and distinguished from it by less particularity of specification. Volume **III**, section **2117**.

The articles of impeachment in the Belknap case were held sufficient, although attacked for not describing the respondent as one subject to impeachment. Volume **III**, section **2123**.

The articles in an impeachment are signed by the Speaker and attested by the Clerk. Volume **III**, sections **2302**, **2370**, **2420**, **2449**.

The articles in impeachment of William Blount. Volume **III**, section **2302**.

The articles impeaching Judge Pickering, with signature of the Speaker and attestation of the clerk. Volume **III**, section **2328**.

The articles of impeachment of Mr. Justice Chase. Volume **III**, section **2346**.

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The articles impeaching Judge Humphreys and their presentation. Volume **III**, section **2390**.

The articles impeaching President Johnson. Volume **III**, section **2420**.

The articles of impeachment in the Belknap case. Volume **III**, section **2449**.

The articles of impeachment of Judge Charles Swaine. Volume **III**, section **2476**.

(56) Forms of.—Report to House After Presentation of Articles.

The managers having carried to the Senate the articles impeaching Mr. Justice Chase reported verbally to the House. Volume **III**, section **2346**.

Having exhibited in the Senate the articles impeaching Judge Swaine, the managers reported verbally to the House. Volume **III**, section **2476**.

(57) Forms of.—The Writ of Summons.

Form of writ of summons issued to respondent in an impeachment case. Volume **III**, section **2119**.

Form of the writ of summons issued for the appearance of William Blount to answer articles of impeachment. Volume **III**, section **2304**.

The Senate communicated to the House its form of summons in the Blount impeachment and it was entered in the House Journal. Volume **III**, section **2304**.

Form of summons prescribed to command appearance of respondent in the Pickering impeachment. Volume **III**, section **2329**.

A notification to the accused with a copy of the articles was deemed, in the Pickering impeachment, all the process necessary. Volume **III**, section **2324**.

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Form of resolution directing the issue of a writ of summons to Judge Humphreys, and fixing the return day. Volume **III**, section **2391**.

Form of proclamation for appearance of Judge Humphreys and the proof thereof on the day set for appearance. Volume **III**, section **2394**.

The managers having returned from demanding that process be issued against President Johnson, reported verbally to the House. Volume **III**, section **2423**.

The forms of summons and subpoena in the Pickering case were communicated to the House and entered on its Journal. Volume **III**, section **2329**.

(58) Forms of.—Return of the Writ of Summons.

Rules adopted by the Senate for reading the return, calling the respondent, and entering appearance or default in the first impeachment. Volume **III**, section **2307**.

Form of return of writ of summons in Blount impeachment. Volume **III**, section **2307**.

Form of precept prescribed by the Senate to be indorsed on the writ of summons to Judge Pickering. Volume **III**, section **2329**.

Form of precept indorsed on writ of summons in an impeachment case. Volume **III**, section **2119**.

IMPEACHMENT—Continued**(58) Forms of.—Return of the Writ of Summons—Continued**

Form of return made and oath taken by the Sergeant-at-Arms in the Chase impeachment. Volume **III**, section **2349**.

The Senate having fixed a day for the return of the writ of summons in the Chase impeachment, informed the House thereof. Volume **III**, section **2347**.

Form of precept to be indorsed on the writ of summons in the Chase impeachment. Volume **III**, section **2347**.

Form of return made by the Sergeant-at-Arms in the Peck trial and oath taken by him at the time. Volume **III**, section **2371**.

Ceremonies and forms of the return of the writ of summons against Secretary Belknap. Volume **III**, section **2452**.

Form of return appended to the writ of summons served by the Sergeant-at-Arms on the respondent. Volume **III**, section **479**.

(59) Forms of.—The Calling of Respondent to Appear and Answer.

Form used by the Sergeant-at-Arms in calling William Blount to appear and answer articles of impeachment. Volume **III**, section **2307**.

Rule framed to govern ceremonies for appearances and answer of respondent in the Pickering impeachment. Volume **III**, section **2331**.

On his appearance to answer articles of impeachment of Mr. Justice Chase was furnished with a chair. Volume **III**, section **2349**.

Ceremonies at the calling of Judge Pickering to answer the articles of impeachment. Volume **III**, section **2332**.

Forms of ceremonies in the Senate at the session for receiving respondent's answer in the Swayne case. Volume **III**, section **2480**.

Form of proclamation by the Sergeant-at-Arms calling Judge Louderback to appear and answer the articles of impeachment. Volume **VI**, section **518**.

(60) Forms of.—The Answer.

Under the parliamentary law the answer of the respondent to impeachment need not observe great strictness of form. Volume **III**, section **2121**.

The plea filed by counsel of William Blount in answer to the articles of impeachment. Volume **III**, section **2310**.

The rule providing for the putting in of the answer or plea in the Blount case. Volume **III**, section **2309**.

Mr. Justice Chase's application for a time to answer was accompanied by a sworn statement of reasons. Volume **III**, section **2349**.

The answer of Mr. Justice Chase to the articles of impeachment. Volume **III**, section **2351**.

Form of answer of Judge Peck in answer of the article of impeachment. Volume **III**, section **2374**.

President Johnson, by his own letter and by a paper filed and signed by his counsel, asked forty days in which to prepare his answer. Volume **III**, section **2424**.

The form of President Johnson's answer was commented on during preparation of the replication in the House. Volume **III**, section **2431**.

The answer of the President took the articles one by one, denying some of the charges, admitting others, but denying that they set forth impeachable offenses, and excepting to the sufficiency of others. Volume **III**, section **2428**.

The answer of President Johnson to the articles of impeachment was read by his counsel. Volume **III**, section **2428**.

President Johnson's answer was signed by himself and counsel. Volume **III**, section **2428**.

The answer of Secretary Belknap to the articles of impeachment. Volume **III**, section **2453**.

The Senate having assumed jurisdiction in the Belknap impeachment declined to permit the respondent to plead further but gave leave to answer the articles. Volume **III**, section **2123**.

IMPEACHMENT—Continued**(60) Forms of.—The Answer—Continued**

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Judge Swayne's answer was signed by himself and counsel. Volume **III**, section **2481**.

(61) Forms of.—Demurrers.

Argument as to whether or not a demurrer is permissible in an impeachment case. Volume **III**, section **2431**.

A protest filed on behalf of respondent in the Belknap trial was signed by respondent and his counsel. Volume **III**, section **2461**.

The extent of dilatory pleadings in the Belknap trial was commented on as an innovation on American and English precedents. Volume **III**, section **2123**.

The pleadings were the subject of full discussion during the Belknap trial. Volume **III**, section **2123**.

In the Belknap trial the House was sustained in averring in pleadings as to jurisdiction matters not averred in the articles. Volume **III**, section **2123**.

Form of brief on plea to jurisdiction filed by counsel for respondent in Swayne trial. Volume **III**, section **2125**.

(62) Forms of.—The Replication.

Under the parliamentary law of impeachments the pleadings may include a replication, rejoinder, etc. Volume **III**, section **2122**.

The replication of the House to the plea in Blount's case was signed by the Speaker and attested by the Clerk. Volume **III**, section **2311**.

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The replication of the House to the answer of Mr. Justice Chase to the articles of impeachment. Volume **III**, section **2352**.

Form of replication to Judge Peck's answer, and forms of resolutions providing for its presentation. Volume **III**, section **2375**.

The replication in the Chase impeachment was signed by the Speaker and attested by the Clerk. Volume **III**, section **2352**.

Form of resolutions adopting the replication in the Johnson trial and directing its presentation in the Senate. Volume **III**, section **2431**.

The replication in the House to President Johnson's answer to the articles of impeachment. Volume **III**, section **2432**.

The replication in the Johnson trial was signed by the Speaker and attested by the Clerk. Volume **III**, section **2432**.

The replication of the House to the answer of respondent in the Belknap trial. Volume **III**, section **2454**.

The House, in their replication in the Belknap trial, alleged a new matter not set forth in the articles. Volume **III**, section **2454**.

Forms and ceremonies of presenting in the Senate the replication in the Belknap trial. Volume **III**, section **2454**.

Forms of procedure of authorizing, preparing, and presenting the replication in the Swayne impeachment trial. Volume **III**, section **2482**.

(63) Forms of.—The Rejoinder, etc.

Forms of rejoinder, surrejoinder, and similitur filed in the Belknap trial. Volume **III**, section **2455**.

The surrejoinder of the House of Representatives in the Belknap trial was signed by the Speaker and attested by the Court. Volume **III**, section **2455**.

Form of application of respondent for time to prepare a rejoinder in the Belknap trial. Volume **III**, section **2455**.

In the Blount impeachment the rejoinder on behalf of respondent was signed by his attorneys. Volume **III**, section **2311**.

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The managers being introduced in the Senate's and having signified their readiness to exhibit articles of impeachment, the Presiding Officer directs proclamation to be made. Volume **III**, section **2126**.

Form of proclamation made by the Sergeant-at-Arms, under direction of the President, when the manager presented articles in the Pickering impeachment. Volume **III**, section **2326**.

Form of proclamation of the Sergeant-at-Arms when articles of impeachment against Judge Peck were to be presented. Volume **III**, section **2369**.

Form used by the Sergeant-at-Arms in calling Judge Peck to appear and answer the articles. Volume **III**, section **2371**.

Form used by the Sergeant-at-Arms in calling President Johnson to appear and answer the articles of impeachment. Volume **III**, section **2424**.

Form of Proclamation of Sergeant-at-Arms enjoining silence at the opening of the high court of impeachment for the Peck trial. Volume **III**, section **2371**.

The sessions of the Senate for the trial of the President were opened by proclamation. Volume **III**, section **2427**.

After the oath had been administered to the Senators sitting for the trial of President Johnson, the Sergeant-at-Arms was directed to make proclamation. Volume **III**, section **2422**.

Proclamation made by the Sergeant-at-Arms at the opening of the Chase trial for presentation of evidence. Volume **III**, section **2353**.

Proclamation of the Sergeant-at-Arms at opening of session of the Senate sitting for the Swayne impeachment trial. Volume **III**, section **2480**.

(65) Forms of.—Oaths

Forms of oath taken by the Sergeant-at-Arms and entered on the record, on the making of the return of service of summons on Judge Pickering. Volume **III**, section **2331**.

Form of oath of the Sergeant-at-Arms and form of proclamation opening sessions of the Senate sitting in the impeachment trial of Judge Archibald. Volume **VI**, section **504**.

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Forms of oath taken and proclamations made in the court opened to receive the articles impeaching Judge Humphreys. Volume **III**, section **2389**.

Form of oath to be administered to Senators sitting in impeachment trials. Volume **III**, section **2080**.

Form of oath administered to Senators sitting for the impeachment of William Blount, Volume **III**, section **2303**.

The oath administered by the Secretary to the President and by him to the Senators in the Pickering impeachment. Volume **III**, section **2325**.

Form of oath prescribed for Senators in the Peck trial. Volume **III**, section **2369**.

Form of oath administered to witnesses in impeachment trials. Volume **III**, section **2162**.

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Form of oath and method of examination for witnesses in the Pickering trial. Volume **III**, section **2331**.

(66) Forms of.—In Conduct of Trial.

During an impeachment trial the Presiding Officer on the trial directs all forms not otherwise specially provided for. Volume **III**, section **2084**.

By the rules for the Pickering trial the President of the Senate was given general authority to direct forms of proceeding not otherwise provided for. Volume **III**, section **2331**.

IMPEACHMENT—Continued.**(66) Forms of.—In Conduct of Trial—Continued.**

The Senate committee advised in Pickering's case that the Senate had the sole power to regulate forms, substances, and proceedings when acting as a court of impeachment. Volume **III**, section **2324**.

Resolution providing for introduction of the Chief Justice and the organization of the Senate for the trial of President Johnson. Volume **III**, section **2421**.

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The Senate appointed a committee to search the Journals for precedents for the Pickering impeachment. Volume **III**, section **2325**.

The House of Representatives was announced when, as a Committee of the Whole, it attended the trial of the President, Volume **III**, section **2427**.

The managers were announced when they attended in the Senate for the trial of the President, but the counsel for respondent entered unannounced. Volume **III**, section **2427**.

Form of announcing the appearance of counsel in the Belknap trial. Volume **III**, section **2453**.

Form of resolution authorizing the managers to incur necessary expenses in the conduct of the Archbald case. Volume **VI**, section **500**.

(67) Forms of.—In re Testimony at the Trial.

Form of subpoena issued to witnesses in impeachment trials. Volume **III**, section **2162**.

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In the Pickering case the Senate provided for issuing subpoenas of a specified form on application of managers or of respondent or his counsel Volume **III**, section **2329**.

In the Pickering impeachment the subpoenas were directed to the marshal of the district wherein the witness resided. Volume **III**, section **2329**.

Form of direction to the marshal for services of subpoenas in the Pickering trial. Volume **III**, section **2329**.

The Senate sitting for the Belknap trial declined to order process to compel the attendance of a witness who had been subpoenaed by telegraph merely. Volume **III**, section **2159**.

Form of respondent's application for delay to await a witness in an impeachment trial. Volume **III**, section **2157**.

When the judgment of the Senate is asked after the Presiding Officer has ruled on a question of evidence the form of question is, "Is the evidence admissible?" Volume **III**, section 2194.

Form of subpoena duces tecum issued by order of the Senate. Volume **III**, section **336**.

Form of order for attachment of delinquent witness. Volume **III**, section **486**.

Form of subpoena served on a Member of the House. Volume **III**, section **537**.

(68) Forms of.—In re the Attendance of House.

The House attended at each session of the trial of the President on notice from the Senate. Volume **III**, section **2427**.

Forms observed by the House attending the Humphreys trial as a Committee of the Whole (footnote). Volume **III**, section **2392**.

Form of proceedings when the House attends an impeachment trial as Committee of the Whole. Volume **III**, section **2351**.

Forms of reports made by a Chairman of a Committee of the Whole after attending an impeachment trial (footnote). Volume **III**, section **2384**.

Form of report of Chairman of the Committee of the Whole on returning from the Humphreys trial. Volume **III**, section **2393**.

IMPEACHMENT—Continued.**(68) Forms of.—In re the Attendance of House**—Continued.

The Commons attend impeachment trials in committee of the whole or otherwise, at direction, and appoint managers to conduct proof. Volume **III**, section **2027**.

The Commons attend generally in impeachment trials, but not when the Lords consider the answer or proofs or determine judgment. Volume **III**, section **2027**.

(69) Forms of.—Address of Managers and Counsel.

Forms for addressing the Vice-President or President pro tempore while presiding at an impeachment trial. Volume **III**, section **2066**.

Title by which the Chief Justice is addressed while presiding at an impeachment trial. Volume **III**, section **2065**.

During an impeachment trial the managers and counsel for the respondent are required to rise and address the Chair before speaking. Volume **III**, section **2146**.

In arguing in an impeachment trial counsel take position under direction of the Senate. Volume **III**, section **2143**.

Discussion of the technical forms of pleading in an impeachment trial, as related to right of opening and closing arguments on an incidental question. Volume **III**, sections **2136–2139**.

(70) Forms of.—The Final Question.

The court determined to confine the question in the judgment on Judge Pickering to the simple question of guilt on the charges. Volume **III**, section **2339**.

The court in the Pickering judgment declined to permit an expression as to whether the offenses constituted high crimes and misdemeanors. Volume **III**, section **2339**.

In the Pickering impeachment certain Senators retired from the court because dissatisfied with form of the question on final judgment. Volume **III**, section **2340**.

Form of question put in ascertaining the judgment of the court in the Peck trial. Volume **III**, section **2383**.

Form of question on verdict of the court in the Humphreys trial. Volume **III**, section **2396**.

Form of voting in the Senate on the final question in the trial of President Johnson. Volume **III**, section **2440**.

Having disagreed as to the form of final question in the Johnson trial, the Senate left it to the Chief Justice. Volume **III**, section **2438**.

There was much deliberation over the form of the final question in the Belknap trial. Volume **III**, section **2466**.

In the Chase trial the court modified its former rule as to form of final question. Volume **III**, section **2363**.

Views of the Chief Justice on form of final question in the Johnson trial and on division of the articles for voting. Volume **III**, section **2439**.

In the Johnson trial the Senate adopted the form of final question and method of voting suggested by the Chief Justice. Volume **III**, section **2439**.

Form of question prescribed for ascertaining the judgment of the court in the Louderback trial. Volume **VI**, section **524**.

(71) Forms of.—Pronouncing Judgment.

Form of judgment pronounced by the Vice-President in the Blount impeachment. Volume **III**, section **2318**.

A report of the acquittal of Judge Peck was made in the House in the report of the Chairman of the Committee of the Whole. Volume **III**, section **2384**.

Form of judgment pronounced by the Presiding Officer in the Humphreys trial. Volume **III**, section **2397**.

Form of judgment pronounced by the Presiding Officer in the Archbald case. Volume **VI**, section **512**.

Form of acquittal entered in the Journal of the trial of President Johnson. Volume **III**, section **2443**.

IMPEACHMENT—Continued.**(71) Forms of.—Pronouncing Judgment—Continued.**

Forms of voting on the articles and declaring the result in the Swayne impeachment. Volume **III**, section **2485**.

Forms of voting on the articles and declaring the results in the Archbald impeachment. Volume **VI**, section **512**.

Judgment of acquittal entered in the Swayne case by direction of the Presiding Officer. Volume **III**, section **2485**.

(72) Forms of.—In General.

Form of a motion submitted by counsel for respondent in an impeachment trial. Volume **III**, section **2156**.

Form of recognizance given by the respondent in an impeachment case for his appearance. Volume **III**, section **2118**.

It does not appear that the message announcing the appointment of managers of the Pickering impeachment included their names. Volume **III**, section **2323**.

The managers contended that President Johnson's request for time to prepare for trial should have been signed by himself and under oath. Volume **III**, section **2430**.

The answer of President Johnson having been read, his counsel offered a paper signed by themselves asking thirty days to prepare for trial. Volume **III**, section **2430**.

Advice of Attorney-General Lee as to mode of instituting and continuing impeachment proceedings. Volume **III**, section **2486**.

Form of report of Chairman of the Committee of the Whole on returning from the Humphreys trial. Volume **III**, section **2393**.

Forms of reports made by a Chairman of a Committee of the Whole after attending an impeachment trial (footnote). Volume **III**, section **2384**.

Form of order providing for filing and printing of briefs by managers and respondent in trial of impeachment. Volume **VI**, section **480**.

(73) Decisions of the House.

The Commons, in impeaching, usually passes a resolution containing a criminal charge against the accused and direct a member to impeach him by oral accusation before the Lords. Volume **III**, section **2026**.

On the report from the Committee on Reconstruction the House voted the impeachment of President Johnson. Volume **III**, section **2412**.

In the first inquiry the House decided not to impeach President Johnson. Volume **III**, section **2407**.

After consideration in Committee of the Whole, the House concurred in the proposition to impeach Judge Peck. Volume **III**, section **2367**.

The report recommending the impeachment of Mr. Justice Chase was considered in Committee of the Whole. Volume **III**, section **2343**.

While the House decided against impeachment, it expressed disapproval of practices disclosed by the investigation. Volume **VI**, section **542**.

The House, disregarding the majority report of the committee, adopted the minority recommendation and passed articles of impeachment. Volume **VI**, section **514**.

The House excused one of its Members from voting on any question connected with the impeachment of a brother. Volume **III**, section **2294**.

Forms of the resolutions impeaching William Blount and directing the carrying of the impeachment to the bar of the Senate. Volume **III**, section **2294**.

Forms of resolutions for impeachment of Judge Pickering and directing the carrying of the same to the Senate. Volume **III**, section **2319**.

Form of resolutions impeaching Judge Swayne and directing that the impeachment be carried to the bar of the Senate. Volume **III**, section **2472**.

Forms of resolutions directing the carrying of the impeachment of President Johnson to the Senate. Volume **III**, section **2412**.

IMPEACHMENT—Continued.**(73) Decisions of the House—Continued.**

Form of the resolution directing the carrying of the Chase impeachment to the Senate. Volume **III**, section **2343**.

Form of resolution providing for carrying the impeachment of Judge Humphreys to the Senate. Volume **III**, section **2385**.

(74) Carrying of, to the Senate.—The Message of Notification.

A message was sent to inform the Senate that a committee would present the impeachment of President Johnson. Volume **III**, section **2413**.

The message informing the Senate that a committee would impeach Secretary Belknap at the bar of the Senate included the names of the committee. Volume **III**, section **2446**.

(75) Carrying of, to the Senate.—The Committee.

The Blount impeachment was carried to the bar of the Senate by a single Member of the House. Volume **III**, section **2294**.

The Pickering impeachment was carried to the Senate by a committee of two. Volume **III**, section **2319**.

The impeachment of Mr. Justice Chase was carried to the Senate by a committee of two. Volume **III**, section **2343**.

The impeachment of Judge Peck was carried to the Senate by a committee of two. Volume **III**, section **2367**.

The impeachment of Judge Humphreys was carried to the Senate by a committee of two, representing the two political parties. Volume **III**, section **2385**.

The impeachment of President Johnson was carried to the Senate by a committee of two. Volume **III**, section **2412**.

The impeachment of Secretary Belknap was carried to the Senate by a committee of five. Volume **III**, section **2445**.

The impeachment of Judge Delahay was carried to the Senate by a committee of three. Volume **III**, section **2505**.

The Speaker appointed the committee to carry the impeachment of President Johnson to the Senate from those favoring impeachment and from the majority party. Volume **III**, section **2412**.

The minority party were represented on the committee to carry the impeachment of Secretary Belknap to the Senate. Volume **III**, section **2445**.

The Speaker gave the minority representation on the committee to carry the impeachment of Judge Delahay to the Senate. Volume **III**, section **2505**.

Constitution of the committee to carry the Swayne impeachment to the Senate. Volume **III**, section **2472**.

(76) Carrying of, to the Senate.—Ceremonies of Delivering.

Form used in delivering the Blount impeachment at the bar of the Senate. Volume **III**, section **2296**.

Ceremonies of presenting the Pickering impeachment at the bar of the Senate. Volume **III**, section **2320**.

Form of declaration by House committee in presenting the impeachment of Judge Pickering in the Senate. Volume **III**, section **2320**.

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Forms and ceremonies of carrying the impeachment of Judge Peck to the Senate. Volume **III**, section **2367**.

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Form of declaration by the chairman of the House committee in presenting the impeachment of President Johnson in the Senate. Volume **III**, section **2413**.

IMPEACHMENT—Continued.**(76) Carrying of, to the Senate.—Ceremonies of Delivering—Continued.**

The Ceremonies of presenting the impeachment of President Johnson at the bar of the Senate. Volume **III**, section **2413**.

Ceremonies and forms of presenting the impeachment of Secretary Belknap at the bar of the Senate. Volume **III**, section **2446**.

Forms and ceremonies for carrying of the impeachment of Judge Delahay to the Senate. Volume **III**, section **2505**.

Forms and ceremonies of presenting the Swayne impeachment in the Senate. Volume **III**, section **2473**.

The person impeaching on behalf of the Commons signifies that articles will be exhibited. Volume **III**, section **2026**.

In impeaching the spokesman of the Commons asks that the delinquent be sequestered from his seat or committed, or that the peers take order for his appearance. Volume **III**, section **2026**.

Under the parliamentary law of impeachment the Commons, as grand inquest of the nation and as accusers, become suitors for penal justice at the bar of the Lords. Volume **III**, section **2026**.

(77) Carrying of, to the Senate.—Report of.

Form of report to the House of an impeachment carried to the bar of the Senate. Volume **III**, section **2296**.

Verbal report made by the House committee on returning from presenting in the Senate the impeachment of Judge Pickering. Volume **III**, section **2320**.

Verbal report made by the committee that had carried the impeachment of Mr. Justice Chase to the Senate. Volume **III**, section **2343**.

The committee, having impeached President Johnson, returned to the House and reported orally in the usual form. Volume **III**, section **2413**.

Having carried the impeachment of Secretary Belknap to the Senate, the committee returned and reported verbally to the House. Volume **III**, section **2446**.

Having carried to the Senate the articles impeaching Judge Archbald, the managers returned and reported verbally in the House. Volume **IV**, section **501**.

(78) The Senate Takes Order.

Proceedings and resolutions adopted by the Senate in taking order on the presentation of the Pickering impeachment. Volume **III**, section **2320**.

Form of resolution adopted by the Senate in taking order for the impeachment of Judge Humphreys. Volume **III**, section **2386**.

Form of resolution in which the Senate took order for the impeachment of President Johnson. Volume **III**, section **2414**.

Forms of resolutions in the Senate providing for taking order on the impeachment of Secretary Belknap. Volume **III**, section **2446**.

After discussing precedents the Senate appointed a committee to consider the message impeaching Judge Peck. Volume **III**, section **2367**.

The message of the House impeaching President Johnson was referred to a committee of seven Senators appointed by the Chair. Volume **III**, section **2413**.

The Senate received the message impeaching President Johnson in its legislative capacity and not as a court. Volume **III**, section **2413**.

The Senate appointed a committee to search the Journals for precedents for the Pickering impeachment. Volume **III**, section **2325**.

(79) Articles of Impeachment.—Prepared by a Committee.

In the Blount impeachment the drawing up of the articles was confided to a select committee, with power to procure testimony. Volume **III**, section **2297**.

In the Blount impeachment the House, after discussion, empowered the committee drawing the articles to sit during the recess of Congress. Volume **III**, section **2297**.

IMPEACHMENT—Continued.**(79) Articles of Impeachment.—Prepared by a Committee**—Continued.

The committee appointed to prepare articles of impeachment in the Blount case reported the evidence and later the articles. Volume **III**, section **2300**.

The work of drawing up the articles impeaching Secretary Belknap was referred to the Judiciary Committee. Volume **III**, section **2444**.

The House decided that the articles impeaching Judge Swayne should be prepared by a select committee. Volume **III**, section **2472**.

In the Belknap case the committee in drawing up articles needed certain special powers as to witnesses. Volume **III**, section **2447**.

The House authorized a committee of seven to prepare articles impeaching President Johnson, with power to compel testimony. Volume **III**, section **2412**.

After the House had agreed to articles impeaching President Johnson the managers reported two additional articles, which were also agreed to. Volume **III**, section 2418.

A committee finding that a judge had failed to live up to the standards of the judiciary in matters of personal integrity and in the discharge of the duties of his office, recommended articles of impeachment. Volume **VI**, section **545**.

Instances wherein the House gave authority to prepare articles of impeachment at the time the investigation was ordered. Volume **III**, section **2506**.

Instance wherein a special committee was created for the purpose of instituting an inquiry and drafting articles of impeachment if found to be warranted by the circumstances. Volume **VI**, section **550**.

An instance wherein a committee charged with the investigation reported articles with the resolution of impeachment. Volume **III**, section **2514**.

The committee, empowered to investigate, reported simultaneously resolutions impeaching Judge Archbald and articles of impeachment. Volume **VI**, section **499**.

The committee appointed to prepare articles in the Chase case were all of those who had favored the impeachment. Volume **III**, section **2343**.

All of the committee who framed the article in the Peck case had voted for the impeachment (footnote). Volume **III**, section **2368**.

The committee to draw the articles in the Humphreys impeachment were appointed by the Speaker, and all but one was of the majority party. Volume **III**, section **2387**.

The Speaker appointed the committee to draw articles impeaching President Johnson from those favoring impeachment and from the majority party. Volume **III**, section **2412**.

The Speaker in the committee to draw the articles in the Swayne case gave minority representation to those opposed generally to the impeachment. Volume **III**, section **2472**.

The House, disregarding the majority report of the committee, adopted the minority recommendation and passed articles of impeachment. Volume **VI**, section **514**.

(80) Articles of Impeachment.—Consideration in House or Committee of the Whole.

The articles of impeachment in the Blount case were considered by the House and not by the Committee of the Whole. Volume **III**, section **2300**.

The House considered the articles of impeachment of Judge Pickering in Committee of the Whole House. Volume **III**, section **2323**.

The article impeaching Mr. Justice Chase were considered article by article in Committee of the Whole. Volume **III**, section **2344**.

The article of impeachment against Judge Peck was considered in Committee of the Whole before being agreed to by the House. Volume **III**, section **2368**.

The articles of impeachment against Judge Humphreys were agreed to by the House without debate. Volume **III**, section **2387**.

To prevent dilatory tactics the House adopted, under suspension of the rules, a special order for consideration of the articles impeaching President Johnson. Volume **III**, section **2414**.

The articles impeaching President Johnson were considered in Committee of the Whole. Volume **III**, section **2415**.

IMPEACHMENT—continued.**(80) Articles of Impeachment.—Consideration in House or Committee of the Whole—**

Continued.

Practice in considering and amending articles of impeachment in Committee of the Whole. Volume **III**, section **2344**.

It was held in the Johnson impeachment that the managers or any Member of the House might propose an additional article as a question of privilege. Volume **III**, section **2418**.

Articles of impeachment having been presented, debate is in order only on debatable motions related thereto. Volume **VI**, section **549**.

Charges of impeachment may not be denied presentation because of generality in statement. Volume **VI**, section **536**.

Articles of impeachment were referred by the House to the Committee on the Judiciary. Volume **VI**, section **469**.

(81) Articles of Impeachment.—Amending and Adopting by the House.

Method by which the House amended and voted on the articles of impeachment in the Chase case. Volume **III**, section **2344**.

The articles impeaching Secretary Belknap were considered in the House and agreed to without amendment. Volume **III**, section **2448**.

The articles impeaching Judge Swayne were reported from a divided committee and agreed to by a divided House. Volume **III**, section **2474**.

The first or headline paragraph and the last or reservation clause were agreed to after the articles impeaching the President had been agreed to. Volume **III**, section **2416**.

In the case of the Johnson impeachment the question, "Will the House agree thereto?" was put to each article after they had been opened to amendment. Volume **III**, section **2416**.

It is in order to demand a division of the question on agreeing to a resolution of impeachment and a separate vote may be had on each article. Volume **VI**, section **545**.

An instance in which a Member after submitting articles of impeachment which were referred to a committee of the House, later submitted amended articles of impeachment which were referred to the same committee. Volume **VI**, section **468**.

(82) Articles of Impeachment.—The Reservation of the Right to Exhibit Additional.

The House decided to retain in the articles of the Chase impeachment the old reservation of liberty to exhibit further articles. Volume **III**, section **2344**.

(83) Articles of Impeachment.—Form, Signing, Attesting, etc.

The articles in an impeachment are signed by the Speaker and attested by the Clerk. Volume **III**, sections **2302**, **2370**, **2390**, **2420**, **2449**.

The articles of impeachment of Judge Pickering were enrolled after they were agreed to by the House. Volume **III**, section **2323**.

The articles of impeachment in the Belknap case were held sufficient, although attacked for not describing the respondent as one subject to impeachment. Volume **III**, section **2123**.

In the English usage the articles of impeachment are substituted for an indictment and distinguished from it by less particularity of specification. Volume **III**, section **2117**.

(84) Articles of Impeachment.—Record of, in the Journal.

The articles of impeachment in the Blount case appear in the House Journal on the day of their adoption and in the Senate Journal on the day of their presentation. Volume **III**, section **2302**.

The articles of impeachment in the Chase case appear in the House Journal in full at the time of their adoption. Volume **III**, section **2344**.

The articles in the Peck impeachment appear in the House Journal on the day of its adoption. Volume **III**, section **2368**.

IMPEACHMENT—Continued.**(85) Articles of Impeachment.—Intervention of Recess Before Presentation of.**

A recess of Congress intervened between the impeachment of Blount and the framing of the articles of impeachment. Volume **III**, section **2299**.

The articles of impeachment in the Chase case were reported just before the close of the first session of the Congress. Volume **III**, section **2343**.

The proceedings in the Chase impeachment were continued after a recess of Congress, but in deference to the practice at that time the articles were recommitted for a new report. Volume **III**, section **2344**.

The House voted the impeachment of Judge Delahay at the end of one Congress, intending to present articles in the next. Volume **III**, section **2505**.

(86) Articles of Impeachment.—Direction to Managers to Exhibit.

The managers carry the articles of impeachment to the Senate in accordance with a resolution agreed to by the House. Volume **III**, section **2300**.

Form of resolution directing that the Senate be informed of the appointment of managers and that they will carry articles to the Senate. Volume **III**, section **2323**.

Form of resolution directing the carrying of the articles of impeachment of Judge Pickering to the Senate. Volume **III**, section **2323**.

Forms of resolutions directing the managers to exhibit in the Senate the articles of impeachment against Mr. Justice Chase. Volume **III**, section **2345**.

Form of resolutions providing for carrying to the Senate the article impeaching Judge Peck. Volume **III**, section **2368**.

Forms of resolutions providing for carrying to the Senate the articles impeaching President Johnson and notifying the Senate thereof. Volume **III**, section **2417**.

The articles of impeachment of President Johnson having been amended, the House gave a new direction for carrying them to the Senate. Volume **III**, section **2419**.

Forms of resolutions providing for presenting in the Senate the articles impeaching Secretary Belknap. Volume **III**, section **2448**.

Forms of resolutions authorizing the appointment of managers of the Swayne impeachment and directing the articles to be exhibited in the Senate. Volume **III**, section **2475**.

The person impeaching on behalf of the Commons signifies that articles will be exhibited. Volume **III**, section **2026**.

In the Blount impeachment, following the precedent of the Hastings trial, the House did not send the articles to the Senate with the impeachment. Volume **III**, section **2295**.

(87) Articles of Impeachment.—Messages Preliminary to Exhibition of.

In the Chase impeachment the message notifying the Senate that articles would be exhibited does not appear to have included the names of the managers. Volume **III**, section **2345**.

It does not appear that the message announcing the appointment of managers of the Pickering impeachment included their names. Volume **III**, section **2323**.

The message announcing to the Senate that an article impeaching Judge Peck would be presented gave the names of the managers. Volume **III**, section **2369**.

The message from the House announcing that articles of impeachment would be presented against President Johnson contained the names of the managers. Volume **III**, section **2419**.

Forms of messages preceding the presentation of the articles impeaching Secretary Belknap. Volume **III**, section **2449**.

The message informing the Senate that articles would be presented against Secretary Belknap contained the names of the managers. Volume **III**, section **2448**.

The message informing the Senate that articles impeaching Judge Humphreys would be brought contained the names of the managers. Volume **III**, section **2388**.

When informed that managers are to present articles of impeachment, the Senate by rule required its Secretary to inform the House of its readiness to receive the managers. Volume **III**, section **2078**.

IMPEACHMENT—Continued.**(87) Articles of Impeachment.—Messages Preliminary to Exhibition of—Continued.**

Upon receiving notice from the House that the managers would present articles against William Blount, the Senate set a time and informed the House thereof. Volume **III**, section **2301**.

The Senate set a day and hour for receiving the managers to exhibit articles impeaching Judge Pickering, and informed the House thereof. Volume **III**, section **2325**.

The Senate notified the House of the day and hour when it would receive the managers to exhibit the articles impeaching Mr. Justice Chase. Volume **III**, section **2345**.

The Senate notified the House by message that it was organized for the trial of the Archbald impeachment. Volume **VI**, section **502**.

A message was sent to inform the Senate that the managers on the part of the House of Representatives would present the impeachment of Judge Archbald, and the Senate transmitted a message in reply informing the House that the Senate was ready to receive them. Volume **VI**, section **501**.

(88) Articles of Impeachment.—Attendance of the Managers in the Senate to Exhibit.

The Senate having informed the House of its readiness to receive the managers with the articles impeaching President Johnson the House, as Committee of the Whole, attended its managers to the Senate. Volume **III**, section **2419**.

At the presentation of the articles impeaching President Johnson the Speaker was, by order of the Senate, escorted to a seat beside the President pro tempore. Volume **III**, section **2420**.

The managers who presented the articles impeaching William Blount were attended by some Members of the House. Volume **III**, section **2301**.

The House being notified that the Senate was ready to receive the articles impeaching Judge Humphreys, the managers attended unaccompanied. Volume **III**, section **2390**.

The House did not accompany their managers when articles of impeachment were presented against Secretary Belknap. Volume **III**, section **2449**.

(89) Articles of Impeachment.—Ceremonies of Receiving the Managers in the Senate.

The managers being introduced in the Senate, and having signified their readiness to exhibit articles of impeachment, the Presiding Officer directs proclamation to be made. Volume **III**, section **2126**.

Form of proclamation made by the Sergeant-at-arms when managers bring articles of impeachment to the Senate. Volume **III**, section **2126**.

The ceremonies of presenting to the Senate the articles of impeachment. Volume **VI**, section **515**.

The ceremonies of presenting to the Senate the articles of impeachment of William Blount in 1797. Volume **III**, section **2301**.

Rules established by the Senate to prescribe ceremonies for receiving House managers presenting articles in the Blount case. Volume **III**, section **2301**.

Form of proclamation made in the Senate on attendance of House managers to present articles of impeachment against William Blount. Volume **III**, section **2301**.

The Senate prescribed by rule the ceremonies for receiving the House managers to present articles of impeachment against Judge Pickering. Volume **III**, section **2326**.

Rule of the Senate prescribing forms and ceremonies for receiving managers in presenting articles of impeachment against Judge Pickering. Volume **III**, section **2325**.

Form of proclamation made by the Sergeant-at-Arms, under direction of the President, when the managers presented articles in the Pickering impeachment. Volume **III**, section **2326**.

Ceremonies of presenting the articles against Judge Pickering before the high court of impeachment. Volume **III**, section **2328**.

Ceremonies at the presentation of the articles before the high court of impeachment in the Chase case. Volume **III**, section **2346**.

IMPEACHMENT—Continued.**(89) Articles of Impeachment.—Ceremonies of Receiving the Managers in the Senate—**
Continued.

Form of proclamation of the Sergeant-at-Arms when articles of impeachment against Judge Peck were to be presented. Volume **III**, section **2369**.

The Senate followed the precedents in adopting rules prescribing forms and ceremonies for receiving the articles in the Humphreys impeachment. Volume **III**, section **2389**.

Ceremonies and forms in presenting in the Senate the articles impeaching Secretary Belknap. Volume **III**, section **2449**.

Ceremonies of the exhibition of the articles impeaching Judge Swayne. Volume **III**, section **2476**.
The ceremonies of presenting the articles impeaching President Johnson at the bar of the Senate. Volume **III**, section **2420**.

(90) Articles of Impeachment.—Reading of the Articles.

Announcement of the chairman of the House managers in presenting to the Senate the articles against William Blount. Volume **III**, section **2301**.

Form of declaration of the chairman of the managers of their readiness to present to the Senate the articles impeaching President Johnson. Volume **III**, section **2420**.

The article of impeachment in the Peck case was read by the chairman of the managers, and appears in full on the Journal of the trial. Volume **III**, section **2370**.

In the Pickering impeachment the chairman of the managers read the articles and then delivered them at the table of the Senate. Volume **III**, section **2328**.

In presenting to the court the articles impeaching Mr. Justice Chase the chairman of the managers read them and then delivered them at the table. Volume **III**, section **2346**.

The articles impeaching President Johnson were read by the chairman of the managers and delivered at the table of the Secretary. Volume **III**, section **2420**.

The chairman of the managers having read the articles impeaching Secretary Belknap, laid them on the table of the Senate. Volume **III**, section **2449**.

The articles of impeachment, signed by the Speaker and attested by the Clerk, after being read by the chairman of the managers, were handed to the Secretary of the Senate. Volume **VI**, section **501**.

Managers on the part of the House having verbally notified the Senate of the impeachment of Judge Archbald, formal reading of articles of impeachment was delayed for proclamation by the Sergeant-at-Arms. Volume **VI**, section **476**.

The amended article of impeachment when received in the Senate was filed without being read, it having previously appeared in full in the Record. Volume **VI**, section **521**.

The manager having read the articles impeaching William Blount, the Sergeant-at-Arms received them and laid them on the Senate table. Volume **III**, sections **2301**.

(91) Articles of Impeachment.—Exhibition of, as Related to Organization of Senate for the Trial.

The Senate organized as a court before receiving the articles in the Pickering case. Volume **III**, sections **2325–2328**.

The Senate committee concluded in the Pickering case that there was no impeachment before the Senate until articles were exhibited. Volume **III**, section **2324**.

The Senate adopted a rule prescribing ceremonies for receiving as a court the articles impeaching Judge Peck. Volume **III**, section **2369**.

The Senate as a court adopted a rule prescribing the ceremonies at the presentation of articles impeaching Mr. Justice Chase. Volume **III**, section **2345**.

The articles impeaching President Johnson were received by the Senate with the President pro tempore presiding. Volume **III**, section **2420**.

In the Johnson trial the articles of impeachment were presented before the Chief Justice had taken his seat, although he had filed his written dissent from such procedure. Volume **III**, section **2057**.

IMPEACHMENT—Continued.**(91) Articles of Impeachment.—Exhibition of, as Related to Organization of Senate for the Trial—Continued.**

The Senate, by rule, has implied that the Chief Justice attends and presides only after the articles of impeachment have been presented. Volume **III**, section **2082**.

The Senate organized for the Belknap trial after the articles of impeachment had been presented. Volume **III**, section **2450**.

(92) Articles of Impeachment.—Action of Senate After Exhibition of.

Articles of impeachment being exhibited by the managers, the Presiding Officer says that the Senate will take proper order and inform the House thereof. Volume **III**, section **2126**.

The Senate decided in the Pickering case that it would take order for respondent's appearance only after articles had been exhibited. Volume **III**, section **2324**.

Articles of impeachment being exhibited against Judge Pickering, the President of the Senate was directed by rule to state that order would be taken and the House would be notified. Volume **III**, section **2326**.

Articles of impeachment being presented, the Senate is required by its rule to proceed to prompt consideration thereof. Volume **III**, section **2079**.

The managers on the part of the House having formally presented articles of impeachment, the Senate organized for the trial. Volume **VI**, section **546**.

Before consideration of articles of impeachment, the President Officer is required by rule to administer the oath to the Senators present, and later to others as they may appear. Volume **III**, section **2079**.

The articles of impeachment in the Archbald trial were ordered printed by the Senate and referred to a special committee appointed by the President pro tempore. Volume **VI**, section **502**.

Upon presentation of articles of impeachment and the organization of the Senate for the trial a writ of summons is issued to the accused. Volume **III**, section **2127**.

The article of impeachment against Judge Peck having been presented, the Senate ordered a writ of summons to issue, and informed the House thereof. Volume **III**, section **2370**.

The writ of summons to one accused in articles of impeachment recites the articles and notifies him to appear at a fixed time and place and file his answer. Volume **III**, section **2127**.

The rule specifying the method of serving writs of summons to one accused in articles of impeachment. Volume **III**, section **2127**.

The manager having read the articles impeaching William Blount, the Sergeant-at-Arms received them and laid them on the Senate table. Volume **III**, section **2301**.

Form of declaration of Vice-President upon presentation of articles of impeachment in the Blount case. Volume **III**, section **2301**.

In the Pickering case the senate committee concluded that after service of notice of articles the Senate might proceed to trial whether respondent entered appearance or not. Volume **III**, section **2324**.

(93) Articles of Impeachment.—Report of Managers After Exhibition of.

Having carried to the Senate the articles impeaching Judge Archbald, the managers returned and reported verbally in the House. Volume **VI**, section **501**.

Verbal report made by the House committee on returning from presenting in the Senate the impeachment of Judge Pickering. Volume **III**, section **2320**.

Verbal report made by the committee that had carried the impeachment of Mr. Justice Chase to the Senate. Volume **III**, section **2343**.

The managers having carried to the Senate the articles impeaching Mr. Justice Chase reported verbally to the House. Volume **III**, section **2346**.

Having laid the article impeaching Judge Peck on the Senate table, the managers returned and reported verbally to the House. Volume **III**, section **2370**.

The report to the House of the presentation of articles impeaching President Johnson was made by the chairman of the Committee of the Whole. Volume **III**, section **2420**.

IMPEACHMENT—Continued.**(93) Articles of Impeachment.—Report of Managers After Exhibition of**—Continued.

Having presented in the Senate the articles impeaching Secretary Belknap, the managers reported verbally in the House. Volume **III**, section **2449**.

Having exhibited in the Senate the articles impeaching Judge Swayne, the managers reported verbally to the House. Volume **III**, section **2476**.

The chairman of the managers reported verbally to the House after having presented in the Senate the articles impeaching Judge Pickering. Volume **III**, section **2328**.

(94) Articles of Impeachment.—Articles in Full in Various Trials.

The articles of impeachment of William Blount. Volume **III**, section **2302**.

The articles impeaching Judge Pickering, with signature of the Speaker and attestation of the Clerk. Volume **III**, section **2328**.

The articles of impeachment of Mr. Justice Chase. Volume **III**, section **2346**.

The article of impeachment against Judge Peck. Volume **III**, section **2370**.

The articles impeaching Judge Humphreys and their presentation. Volume **III**, section **2390**.

The articles impeaching President Johnson. Volume **III**, section **2420**.

As reported from the committee, the articles impeaching President Johnson were confined to a few acts chiefly concerning Secretary Stanton. Volume **III**, section **2416**.

The articles of impeachment in the Belknap case. Volume **III**, section **2449**.

The articles of impeachment of Judge Charles Swayne. Volume **III**, section **2476**.

(95) Articles of Impeachment.—Appearance of Respondent and Answer to.

In an impeachment case the writ of summons being returned, the accused is called to appear and answer the articles. Volume **III**, section **2129**.

Instance in which on motion of counsel for respondent, and over protest of managers for the House, the Senate granted the respondent 10 days in which to answer articles of impeachment. Volume **VI**, section **482**.

Under the English practice, a copy of the articles of impeachment is furnished to the respondent and a day is fixed for his answer. Volume **III**, section **2120**.

The person accused in articles of impeachment may appear in person or by attorney. Volume **III**, section **2127**.

The person impeached may appear to answer the articles in person or by attorney, and a record is made as to the mode of appearance. Volume **III**, section **2129**.

In response to the writ of summons, Judge Archbald appeared in person attended by counsel to answer the articles of impeachment. Volume **VI**, section **504**.

Judge Louderback appeared in person, attended by counsel, to answer the articles. Volume **VI**, section **518**.

According to the parliamentary law the respondent, on accusation for misdemeanor, may answer the articles of impeachment by person or by writing or by attorney. Volume **III**, section **2120**.

A respondent in a case of impeachment for misdemeanor answers the articles before the Lords in such a state of liberty or restraint as he was in when the Commons complained of him. Volume **III**, section **2120**.

The person accused in articles of impeachment failing to appear or to answer, the trial proceeds as on a plea of not guilty. Volume **III**, section **2127**.

A motion entered by respondent to make more definite and certain an article of the articles of impeachment was agreed to by the managers on the part of the House without action by the Senate. Volume **VI**, section **518**.

The plea filed by counsel of William Blount in answer to the articles of impeachment. Volume **III**, section **2310**.

On his appearance to answer articles of impeachment Mr. Justice Chase was furnished with a chair. Volume **III**, section **2349**.

Mr. Justice Chase appeared to answer the articles of impeachment “in his own proper person.” Volume **III**, section **2349**.

IMPEACHMENT—Continued.**(95) Articles of Impeachment.—Appearance of Respondent and Answer to—Continued.**

Judge Humphreys did not appear in person or by attorney to answer the articles of impeachment.

Volume **III**, section **2393**.

The answer of President Johnson to the articles of impeachment. Volume **III**, section **2428**.

The answer of Judge Swayne to the articles of impeachment. Volume **III**, section **2481**.

The answer of Judge Archbald demurred severally to all the articles of impeachment, alleging that no impeachable offense had been charged and then replying in detail to the charges set forth in each article. Volume **VI**, section **505**.

The answer of Judge Archbald to the articles of impeachment was signed by himself and his counsel. Volume **VI**, section **505**.

The answer of Judge Louderback to the articles of impeachment. Volume **VI**, section **518**.

The respondent in impeachment proceedings attended throughout the trial and was present when the articles were voted on and judgment rendered. Volume **VI**, section **524**.

(96) Articles of Impeachment.—As Related to Later Pleadings.

In the Belknap trial the House was sustained in averring in pleadings as to jurisdiction matters not averred in the articles. Volume **III**, section **2123**.

The pleadings were the subject of full discussion during the Belknap trial. Volume **III**, section **2123**.

The extent of dilatory pleadings in the Belknap trial was commented on as an innovation on American and English precedents. Volume **III**, section **2123**.

In the Belknap case the Senate decided that respondent's plea in demurrer was insufficient and that the articles were sufficient. Volume **III**, section **2459**.

The Senate ordered a discussion in argument on the right of the House to allege in the replication matters not touched in the articles. Volume **III**, section **2457**.

The replication of the House consisted of a general denial of all allegations set forth in Judge Archbald's answer and an averment that the charges contained in the articles of impeachment set forth impeachable offenses. Volume **VI**, section **507**.

In response to respondent's motion to make more certain, the House revised an article of the articles of impeachment and transmitted it to the Senate as amended. Volume **VI**, section **520**.

(97) Articles of Impeachment.—As Relating to the Presentation of Evidence.

In an impeachment trial testimony is presented generally and is not classified according to the article to which it applies. Volume **III**, section **2165**.

Having ascertained that certain testimony was within the scope of the articles of impeachment, the Senate reversed a decision that the testimony was immaterial. Volume **III**, section **2208**.

In an impeachment trial testimony that can be construed as fairly within the purport of the articles is admitted. Volume **III**, section **2220**.

In the Johnson trial the Senate held inadmissible as evidence of an intent specified in the articles an act not specified in the articles. Volume **III**, section **2221**.

In the Johnson trial the Senate declined to admit evidence of a fact bearing on the question of intent, no issue having been accepted in the pleadings on this point. Volume **III**, section **2222**.

A question being raised in the Swayne trial that certain evidence was immaterial, the pleadings were examined to determine whether or not the issues involved were raised. Volume **III**, section **2224**.

Objection that new matter in respondent's answer not responsive to any charge in the articles should not lay a foundation for the introduction of evidence. Volume **III**, section **2277**.

(98) Articles of Impeachment.—Voting on, in Judgment.

If an impeachment is not sustained by a two-thirds vote on any article a judgment of acquittal shall be entered. Volume **III**, section **2098**.

IMPEACHMENT—Continued.**(98) Articles of Impeachment.—Voting on, in Judgment**—Continued.

Two-thirds not having voted guilty on any article, the presiding officer declared Judge Louderback acquitted. Volume **VI**, section **524**.

The Presiding Officer announced the result of the vote on each article of the Archbald impeachment and the conviction or acquittal of respondent on each. Volume **VI**, section **512**.

If the respondent be convicted by a two-thirds vote on any article of impeachment the Senate shall pronounce judgment. Volume **III**, section **2098**.

If a plea of guilty be entered in answer to articles of impeachment judgment may be entered without further proceedings. Volume **III**, section **2127**.

Views of the Chief Justice on form of final question in the Johnson trial and on division of the articles for voting. Volume **III**, section **2439**.

Deliberation having been had in secret session, the Senate voted on the articles of impeachment in the Johnson case without debate. Volume **III**, section **2437**.

In the Louderback trial the Senate deliberated behind closed doors before voting on the articles of impeachment. Volume **VI**, section **524**.

The Senate fixed the time at which a final vote should be taken on the articles of impeachment presented against Judge Archbald and notified the House by message. Volume **VI**, section **511**.

The Senate in secret session adopted an order to govern the voting on the articles in the Belknap impeachment. Volume **III**, section **2466**.

The Senate in secret session framed the rule for voting on the articles impeaching Judge Swayne. Volume **III**, section **2485**.

Forms of voting on the articles and declaring the result in the Swayne impeachment. Volume **III**, section **2485**.

Forms of voting on the articles and declaring the result in the Archbald impeachment. Volume **VI**, section **512**.

In the Johnson trial the Senate voted on the articles in an order different from the numerical order. Volume **III**, section **2440**.

The voting on the articles in the Archbald impeachment was without debate but each Senator was permitted to file and opinion to be published in the printed proceedings. Volume **VI**, section **511**.

Senators were permitted to excuse themselves from voting on articles of impeachment as they were reached without having given notice of such intention prior to the vote on Article 1. Volume **VI**, section **524**.

Various Senators were excused from voting on a part or all of the articles of impeachment. Volume **VI**, section **516**.

The Senate, overruling the Chief Justice, decided that a motion to adjourn over was in order during the voting on the articles in the Johnson trial. Volume **III**, section **2441**.

It was announced that pairs would not be arranged or recognized in the final vote on the articles of impeachment in the Louderback trial. Volume **VI**, section **524**.

(99) The Managers for the House.—Not a Committee.

Mr. Speaker Colfax held that the managers of an impeachment were not a committee (footnote). Volume **III**, section **2420**.

In response to an objection by the managers to the designation “board of” managers, contained in a communication incorporated in the record of proceedings, the Secretary of the Senate was authorized to correct the designation. Volume **VI**, section **508**.

(100) The Managers for the House.—Resolutions Providing for Selection of.

Form of resolutions providing for selection of managers and the presentation of the articles to the Senate in the Humphreys impeachment. Volume **III**, section **2388**.

Forms of resolutions authorizing the appointment of managers of the Swayne impeachment, and directing the articles to be exhibited in the Senate. Volume **III**, section **2475**.

IMPEACHMENT—Continued.**(100) The Managers for the House.—Resolutions Providing for Selection of—Continued.**

A resolution providing for the selection of managers of an impeachment was admitted as a matter of privilege. Volume **VI**, section **517**.

(101) The Managers for the House.—Methods of Selection of.

The managers of the Humphreys and Swayne impeachments were appointed by the Speaker. Volume **III**, sections **2388**, **2475**.

The House decided to appoint the managers of the Belknap impeachment by resolution instead of by ballot. Volume **III**, section **2448**.

After considering English precedents the House chose the managers of the Blount impeachment by ballot. Volume **III**, section **2300**.

In the Pickering impeachment the House decided that the managers should not be appointed by the Speaker or by viva voce vote, but by ballot. Volume **III**, section **2323**.

The House appointed seven managers by ballot for the trial of Mr. Justice Chase. Volume **III**, section **2345**.

The managers of the Peck impeachment were chosen by ballot, a majority vote being required for election. Volume **III**, section **2368**.

The managers of the Johnson impeachment were chosen by ballot. Volume **III**, section **2417**.

The House overruled the Speaker and decided that a manager of an impeachment should be elected by a majority and not by a plurality. Volume **III**, section **2345**.

When managers of an impeachment are elected by a ballot a majority is required for the choice of each. Volume **III**, section **2031**.

In choosing managers by ballot the House guarded against complications in case more than the required number should have a majority. Volume **III**, section **2300**.

It appears that the minority party generally refrained from participating in the ballot for managers of the Johnson impeachment. Volume **III**, section **2417**.

The House excused one Member from voting on the ballot for managers of the Johnson impeachment but refused to excuse others. Volume **III**, section **2417**.

In the balloting for managers of the Johnson impeachment nominations were made before the vote. Volume **III**, section **2417**.

The Speaker appointed four tellers to count the ballots for managers of the Johnson impeachment. Volume **III**, section **2417**.

Mr. Speaker Colfax tendered to several Members of the minority a place as one of the tellers to count the ballots for managers of the Johnson impeachment. Volume **III**, section **2417**.

Members of the minority declining to serve as tellers to count the ballots for managers of the Johnson impeachment, the Speaker appointed all from the majority party. Volume **III**, section **2417**.

On a ballot to elect managers for an impeachment, ballots on which the names were doubtful, were not counted. Volume **V**, section **6010**.

The managers elected to conduct the Archbald trial on behalf of the House of Representatives consisted of seven members of the Judiciary Committee and represented both the majority and minority parties in the House. Volume **VI**, section **500**.

The House by resolution elected five managers, chosen from the Committee on the Judiciary and from both parties, to carry the impeachment of Judge Louderback to the Senate. Volume **VI**, section **514**.

Discussion of the power of the House to appoint managers to continue in office in that capacity after the expiration of the term for which they were elected to the House. Volume **VI**, section **517**.

Managers of an impeachment being no longer Members of the House by reason of the expiration of their terms, successors were elected. Volume **VI**, section **517**.

Instance wherein the number of managers of an impeachment was increased after the institution of proceedings in the Senate. Volume **VI**, section **517**.

IMPEACHMENT—Continued.**(102) The Managers for the House.—Excuses and Vacancies.**

A member appointed one of the managers of an impeachment may be excused by the House. Volume **III**, section **2032**.

A manager in impeachment proceedings is excused from service by authority of the House. Volume **III**, section **2300**.

The House having excused a Member elected manager in the Pickering case, another was chosen by ballot. Volume **III**, section **2323**.

A manager of the Chase impeachment being excused the House chose another by ballot and informed the Senate thereof. Volume **III**, section **2350**.

One of the managers of the Belknap impeachment being excused the House chose another. Volume **III**, section **2448**.

A manager of an impeachment having accepted an incompatible office the House chose a successor. Volume **III**, section **2306**.

(103) The Managers for the House.—As to Representation of Party or Other Opinions.

The managers chosen for the trial of Mr. Justice Chase had each voted for a portion at least of the articles. Volume **III**, section **2345**.

All the managers in the Peck trial were of those who had voted for impeachment. Volume **III**, section **2368**.

The managers of the Humphreys impeachment were appointed by the Speaker and all but one belonged to the majority party. Volume **III**, section **2388**.

It seems to have been conceded in the Belknap impeachment that the managers should be in accord with the sentiments of the House. Volume **III**, section **2448**.

The minority party were represented among the managers of the Belknap impeachment. Volume **III**, section **2448**.

Constitution of the managers of the Swayne impeachment. Volume **III**, section **2475**.

(104) The Managers for the House.—The Chairman.

The chairman of managers of an impeachment having ceased to be a Member in the next in order succeeded to the chairmanship. Volume **III**, section **2306**.

Mr. Speaker Colfax held that when managers of an impeachment were elected by ballot the managers and not the House chose the chairman. Volume **III**, section **2417**.

Method of designating the chairman of the managers in the Belknap impeachment. Volume **III**, section **2448**.

Usage of the House in the selection of chairman of the managers of an impeachment (foot-note). Volume **III**, section **2417**.

(105) The Managers for the House.—Power to Investigate.

The House gave to the managers appointed for the Johnson trial the power to send for persons and papers. Volume **III**, section **2419**.

The managers of the impeachment of President Johnson were given leave to sit during sessions of the House and power to compel testimony. Volume **III**, section **2423**.

An instance wherein the managers of an impeachment were endowed by the House with the powers of an investigating committee. Volume **III**, section **1685**.

The House has constituted the managers of an impeachment a select committee of investigation. Volume **IV**, section **4400**.

With the adjournment of a court of impeachment the function of the managers cease, but the House may continue them to complete an investigation already begun. Volume **III**, section **1685**.

(106) The Managers for the House.—Consultation by.

The court having determined, in the Pickering impeachment, to hear counsel of a third person on a preliminary question, the managers withdrew to consult the House. Volume **III**, section **2334**.

Instance wherein the managers consulted the House as to a proposition that an impeachment trial be postponed. Volume **III**, section **2044**.

IMPEACHMENT—Continued.**(106) The Managers for the House.—Consultation by—Continued.**

The House declined to instruct its managers as to further proceedings after William Blount had failed to appear and answer. Volume **III**, section **2308**.

The House in the Pickering impeachment deemed it unnecessary to approve the conduct of its managers in declining to discuss in court a matter from a third party. Volume **III**, section **2334**.

The House having taken no action when consulted as to postponement of an impeachment trial, the managers left the decision to the court. Volume **III**, section **2044**.

Instance wherein the managers of an impeachment made a verbal report to the House on a matter arising during the trial. Volume **III**, section **2044**.

(107) The Managers for the House.—Attendance, etc., in the Senate.

No question was made on an occasion during the Swayne trial when less than a quorum of the managers were in attendance. Volume **III**, sections **2035, 2036**.

The inability of a manager to attend a session of an impeachment trial is announced by his associates. Volume **III**, sections **2035, 2036**.

The managers were announced when they attended in the Senate for the trial of the President, but the counsel for respondent entered unannounced. Volume **III**, section **2427**.

One of the managers in an impeachment trial may not move to rescind an order of the Senate as to the conduct of the trial. Volume **III**, sections **2136–2139**.

An order affecting the conduct of a manager being presented during an impeachment trial he was permitted to explain. Volume **III**, section **2207**.

After trial of impeachment had proceeded for several days, the formality of announcement by the Doorkeeper of appearance in the Chamber of the managers and the respondent was by consent dispensed with. Volume **VI**, section **477**.

(108) The Managers for the House.—In General.

A question affecting the integrity of the managers of an impeachment is a matter of privilege. Volume **III**, section **2612**.

The House thanked its managers for their services in the Swayne impeachment trial. Volume **III**, section **2037**.

The managers were excused from attendance on the sessions of the House during the course of the trial in the Senate. Volume **VI**, section **521**.

A summary of impeachment proceedings resulting in trial, with reference to methods of their institution, and the number and manner of appointment of managers on the part of the House. Volume **VI**, section **467**.

The posture and position of managers and counsel in trials of impeachment has been left to their own judgment and preference. Volume **VI**, section **487**.

On motion of the managers, a clerk and additional counsel were authorized to sit with them in the conduct of the trial. Volume **VI**, section **522**.

(109) The Writ of Summons.—Issue of, Demanded by Managers.

The House being notified that the Senate was organized for the trial of Secretary Belknap, the managers attended and demanded that process issue. Volume **III**, section **2451**.

Ceremonies of demanding that process issue in the Swayne impeachment. Volume **III**, section **2478**.

The Senate having ordered, on demand of the managers, that process issue against Judge Swayne, the managers returned and reported verbally to the House. Volume **III**, section **2478**.

The managers, having returned from demanding that process be issued against President Johnson, reported verbally to the House. Volume **III**, section **2423**.

Having demanded of the Senate that process issue against Secretary Belknap, the managers reported verbally to the House. Volume **III**, section **2451**.

The ceremony of formal demand by the managers that process issue in the trial of the Archbald impeachment. Volume **VI**, section **503**.

IMPEACHMENT—Continued.**(109) The Writ of Summons.—Issue of, Demanded by Managers**—Continued.

On demand of the managers, the Senate ordered summons to be issued for the appearance of Judge Archbald, fixing the day and hour of return. Volume **VI**, section **503**.

(110) The Writ of Summons.—Issue of, Ordered.

Upon presentation of articles of impeachment and the organization of the Senate for the trial a writ of summons is issued to the accused. Volume **III**, section **2127**.

The House managers having demanded process against President Johnson, the Senate ordered a summons to issue, returnable on a given date. Volume **III**, section **2423**.

On the demand of the managers the Senate ordered process to issue against Secretary Belknap, fixing the day of return. Volume **III**, section **2451**.

The article of impeachment against Judge Peck having been presented, the Senate ordered a writ of summons to issue and informed the House thereof. Volume **III**, section **2370**.

The Senate decided in the Pickering case that it would take order for respondent's appearance only after articles had been exhibited. Volume **III**, section **2324**.

Form of resolution directing the issue of a writ of summons to Judge Humphreys, and fixing the return day. Volume **III**, section **2391**.

The House was informed by message of the issuance of a writ of summons to Judge Humphreys. Volume **III**, section **2391**.

The forms of summons and subpoena in the Pickering case were communicated to the House and entered on its Journal. Volume **III**, section **2329**.

(111) The Writ of Summons.—Form of.

The writ of summons to one accused in articles of impeachment recites the articles and notifies him to appear at a fixed time and place and file his answer. Volume **III**, section **2127**.

Form of writ of summons issued to respondent in an impeachment case. Volume **III**, section **2119**. Under the English practice, a copy of the articles of impeachment is furnished to the respondent, and a day is fixed for his answer. Volume **III**, section **2120**.

Form of the writ summons issued for the appearance of William Blount to answer articles of impeachment. Volume **III**, section **2304**.

Form of summons prescribed to command appearance of respondent in the Pickering impeachment. Volume **III**, section **2329**.

A notification to the accused, with a copy of the articles, was deemed in the Pickering impeachment all the process necessary. Volume **III**, section **2324**.

Form prescribed for the writ of summons in the Chase impeachment. Volume **III**, section **2347**.

The senate communicated to the House its form of summons in the Blount impeachment and it was entered in the House Journal. Volume **III**, section **2304**.

(112) The Writ of Summons.—Service of.

The rule specifying the methods of serving writs of summons to one accused in articles of impeachment. Volume **III**, section **2127**.

All processes in an impeachment trial are served by the Sergeant-at-Arms of the Senate unless otherwise ordered. Volume **III**, section **2119**.

Rule of the Senate prescribing method of service of writ of summons on William Blount. Volume **III**, section **2304**.

In the Blount impeachment the Secretary was directed to serve the summons sixty days before the return day. Volume **III**, section **2304**.

Provisions for rectification of an error in the process to secure attendance of respondent impeached by the Commons. Volume **III**, section **2116**.

The Senate declined to order compulsory process to compel the appearance of Judge Pickering, but authorized a committee to examine the subject. Volume **II**, section **2322**.

The writ of summons issued for the appearance of Judge Archbald to answer articles of impeachment does not appear in the Journal. Volume **VI**, section **479**.

IMPEACHMENT—Continued.**(113) Return of Writ of Summons.**

- At 12:30 p.m. on the day of the return of the summons against a person impeached, the Senate suspends business and the Secretary administers an oath to the returning officer. Volume **III**, section **2128**.
- The Chief Justice administered the oath to the Sergeant-at-Arms on the return of the writ of summons in the Belknap case. Volume **III**, section **2452**.
- The respondent having waived personal service, the oath was not administered to the Sergeant at Arms on the return of the writ. Volume **VI**, section **518**.
- Ceremonies at the return of the summons to President Johnson to appear and answer the articles of impeachment. Volume **III**, section **2424**.
- Ceremonies and forms of the return of the writ of summons against Secretary Belknap. Volume **III**, section **2452**.
- Proceedings on the return of the writ of summons in the Swayne impeachment. Volume **III**, section **2479**.
- Rules adopted by the Senate for reading the return, calling the respondent, and entering appearance or default in the first impeachment. Volume **III**, section **2307**.
- Form of return of writ of summons in Blount impeachment. Volume **III**, section **2307**.
- Form of return made and oath taken by the Sergeant-at-Arms in the Chase impeachment. Volume **III**, section **2349**.
- Form of return made by the Sergeant-at-Arms in the Peck trial and oath taken by him at the time. Volume **III**, section **2371**.
- Form of precept indorsed on writ of summons in an impeachment case. Volume **III**, section **2119**.
- Form of precept prescribed by the Senate to be indorsed on the writ of summons to Judge Pickering. Volume **III**, section **2329**.
- Form of precept to be indorsed on the writ of summons in the Chase impeachment. Volume **III**, section **2347**.
- Form of oath administered to the returning officer in an impeachment case. Volume **III**, section **2128**.
- Form of oath taken by the Sergeant-at-Arms and entered on the record on the making of the return of service of summons on Judge Pickering. Volume **III**, section **2331**.
- The oath take by the returning officer in an impeachment case is spread on the records. Volume **III**, section **2128**.
- In the Blount impeachment the House, in conference, asked of the Senate an earlier return day of the summons, but the request was denied. Volume **III**, section **2304**.
- In Blount's impeachment the return of service of the summons was filed in the Senate before the day set for the appearance. Volume **III**, section **2305**.
- Returns of the Sergeant-at-Arms on the summons and a subpoena in the Pickering trial were read in the court before the return day. Volume **III**, section **2330**.
- The Senate having fixed a day for the return of the writ of summons in the Chase impeachment, informed the House thereof. Volume **III**, section **2347**.
- The Senate, by message, informed the House that the summons had been served on William Blount and a return made thereon to the Secretary's office. Volume **III**, section **2307**.

(114) Status of Respondent During.—Attendance on Trial.

- Mr. Justice Chase, after attending during much of his trial, asked leave to retire, and was informed that the rules did not require his attendance. Volume **III**, section **3354**.
- The respondent in the Belknap trial attended throughout until the time of rendering judgment. Volume **III**, section **467**.
- The respondent attended during the presentation of testimony and the arguments in the Swayne trial. Volume **III**, section **2483**.
- The respondent did not attend when the articles in the Swayne case were voted on in the Senate. Volume **III**, section **2485**.

IMPEACHMENT—Continued.**(114) Status of Respondent During.—Attendance on Trial**—Continued.

By common consent it was agreed that a judge under trial before the Senate continued undisturbed in the exercise of the judicial duties of his office. Volume **VI**, section **546**.

A judge against whom impeachment proceedings were instituted refrained from the exercise of judicial functions from the date of the filing of the charges. Volume **VI**, section **550**.

(115) Status of Respondent During.—Personal Participation in Conduct of Case.

Mr. Justice Chase, in asking time to prepare his answer to the articles, was called to order by the Vice-President for expressions used. Volume **III**, section **2349**.

Mr. Justice Chase, in asking time to prepare his answer to the articles, was called to order by the Vice-President for expressions used. Volume **III**, section **2354**.

Instance wherein, during an impeachment trial, the respondent personally examined a witness. Volume **III**, section **2280**.

During the Peck impeachment trial the respondent assisted his counsel in examining witnesses, in argument on incidental questions, etc. Volume **III**, section **2149**.

The respondent in the Peck impeachment communicated with the Senate as to the trial before articles had been presented. Volume **III**, section **2368**.

In the impeachment trial of Judge Archbald the respondent took the stand and testified in his own behalf. Volume **VI**, section **511**.

(116) Status of Respondent During.—When President of United States.

At the time of the impeachment of President Johnson it was conceded that he was entitled to exercise the duties of the office until convicted by the Senate. Volume **III**, section **2407**.

Reference to argument of Senator Charles Sumner that President Johnson should be suspended during impeachment proceedings. Volume **III**, section **2407**.

At the time of President Johnson's impeachment it was agreed that he should be described as President and not as acting President. Volume **III**, section **2415**.

(117) Status of Respondent During.—As to Arrest and Custody.

It was concluded by a Senate committee in Pickering's impeachment that the Senate had no power to take into custody the body of the accused. Volume **III**, section **2324**.

The Blount precedent for requiring bonds of the respondent was discussed adversely in the Peck case. Volume **III**, section **2367**.

Upon the impeachment of William Blount the Senate took him into custody and required bonds for his appearance and informed the House thereof. Volume **III**, section **2296**.

Articles of impeachment being presented against a Senator, he was sequestered from his seat and was ordered to, and did, recognize for his appearance. Volume **III**, section **2118**.

In the first impeachment the House followed English precedents to the extent of requiring the sequestration of the respondent from his seat in the Senate. Volume **III**, section **2295**.

A senator, impeached by the House of Representatives, was arrested by order of the Senate and released only on surety. Volume **II**, section **1268**.

Form of recognizance given by the respondent in an impeachment case for his appearance. Volume **III**, section **2118**.

The Senate Journal included in full the bond given by a respondent for his appearance to answer articles of impeachment. Volume **III**, section **2118**.

After his expulsion from the Senate, William Blount was surrendered by his bondsmen and gave bonds anew to answer to the impeachment. Volume **III**, section **2298**.

A respondent in a case of impeachment for misdemeanor answers the articles before the Lords in such a state of liberty or restraint as he was in when the Commons complained of him. Volume **III**, section **2120**.

Provisions of parliamentary law as to trial by impeachment of a Commoner for a capital offense. Volume **III**, section **2056**.

IMPEACHMENT—Continued.**(117) Status of Respondent During.—As to Arrest and Custody**—Continued.

The accusation being of misdemeanor only the respondent, under the English usage, does not answer the summons in custody, but the Lords may commit him until he finds sureties for his future appearance. Volume **III**, section **2120**.

Under the parliamentary law the respondent answers the summons in custody if the case be capital and the accusation be special, but not if it be general. Volume **III**, section **2120**.

(118) Status of Respondent During.—Expenses of.

The question of reimbursement of respondent for his expenses in an impeachment trial. Volume **III**, section **2024**.

(119) Appearance of Respondent.—Time of.

The Senate in its writ of summons in the Blount impeachment fixed respondent's appearance at the next session of Congress. Volume **III**, section **2304**.

In the Blount impeachment the House in conference asked of the Senate an earlier return day of the summons, but the request was denied. Volume **III**, section **2304**.

The Senate decided in the Pickering case that it would take order for respondent's appearance only after articles had been exhibited. Volume **III**, section **2324**.

The managers urged, in view of Rule VIII, that President Johnson should answer on the return day, but were overruled. Volume **III**, section **2425**.

(120) Appearance of Respondent.—Ceremonies of Calling.

In an impeachment case, the writ of summons being returned, the accused is called to appear and answer the articles. Volume **III**, section **2129**.

Form used by the Sergeant-at-Arms in calling William Blount to appear and answer articles of impeachment. Volume **III**, section **2307**.

Ceremonies at the calling of Judge Pickering to answer the articles of impeachment. Volume **III**, section **2332**.

Rule framed to govern ceremonies for appearance and answer of respondent in the Pickering impeachment. Volume **III**, section **2331**.

An arraignment of impeachment may interrupt the reading of the Journal or business proceeding under a unanimous consent agreement. Volume **VI**, section **469**.

Form used by the Sergeant-at-Arms in calling Judge Peck to appear and answer the articles. Volume **III**, section **2371**.

Forms of oath, proclamation, and ceremonies at the calling of Judge Humphreys to appear and answer articles of impeachment. Volume **III**, section **2392**.

Form used by the Sergeant-at-Arms in calling President Johnson to appear and answer the articles of impeachment. Volume **III**, section **2424**.

(121) Appearance of Respondent.—Record as to.

The person impeached being called to appear and answer, a record is made as to appearance or nonappearance. Volume **III**, section **2129**.

The rules for the Pickering trial provided that a record should be made if respondent appeared in person or by counsel or if he failed to appear. Volume **III**, section **2331**.

The Senate Journal included in full the bond given by a respondent for his appearance to answer articles of impeachment. Volume **III**, section **2118**.

When the person accused in articles of impeachment appears by agent or attorney a record is made naming the person appearing and the capacity in which he appears. Volume **III**, section **2129**.

(122) Appearance of Respondent.—In Person or by Counsel.

The person accused in articles of impeachment may appear in person or by attorney. Volume **III**, section **2127**.

In English impeachments the respondent has counsel in accusation for misdemeanor, but in capital cases. Volume **III**, section **2120**.

IMPEACHMENT—Continued.**(122) Appearance of Respondent.—In Person or by Counsel**—Continued.

The person impeached may appear to answer the articles in person or by attorney, and a record is made as to the mode of appearance. Volume **III**, section **2129**.

According to the parliamentary law the respondent, on accusation for misdemeanor, may answer the articles of impeachment by person or by writing or by attorney. Volume **III**, section **2120**.

Mr. Justice Chase appeared to answer the articles of impeachment “in his own proper person.” Volume **III**, section **2349**.

Ceremonies at the appearance of Judge Peck in response to the writ of summons. Volume **III**, section 2371.

Judge Peck appeared in person, attended by counsel, in answer to the writ of summons. Volume **III**, section **2371**.

Judge Louderback appeared in person, attended by counsel, to answer the articles. Volume **VI**, section **518**.

President Johnson entered his appearance by a letter addressed to the Chief Justice and naming the counsel to appear for him. Volume **III**, section **2424**.

In response to the writ of summons Judge Swayne entered appearance by his counsel. Volume **III**, section **2479**.

Secretary Belknap appeared in person and with counsel to answer the articles of impeachment. Volume **III**, section **2452**.

In response to the writ of summons, Judge Archbald appeared in person attended by counsel to answer the articles of impeachment. Volume **VI**, section **504**.

(123) Appearance of Respondent.—Failure to Appear.

William Blount appeared neither in person nor by attorney to answer the articles of impeachment. Volume **III**, section **2307**.

William Blount having failed to appear and answer, the House, after discussing English precedents, declined to ask that he be compelled to appear. Volume **III**, section **2308**.

The House being informed that William Blount had failed to appear and answer the articles, instructed the managers to ask of the Senate time to prepare proceedings. Volume **III**, section **2308**.

After William Blount had failed to appear and answer counsel were admitted on his behalf. Volume **III**, section **2308**.

No appearance was made on behalf of Judge Pickering and no answer was made to the articles of impeachment. Volume **III**, section **2333**.

Judge Humphreys did not appear in person or by attorney to answer the articles of impeachment. Volume **III**, section **2393**.

Judge Humphreys having failed to appear to answer the articles of impeachment, the court directed publication of a proclamation for him to appear. Volume **III**, section **2393**.

Judge Humphreys not appearing, the case was continued, on motion of the managers, to enable the production of testimony. Volume **III**, section **2393**.

Form of proclamation for appearance of Judge Humphreys and the proof thereof on the day set for appearance. Volume **III**, section **2394**.

The party impeached at the bar of the Lords not appearing, his goods may be arrested, and they may proceed. Volume **III**, section **2116**.

Under the parliamentary law, if the party impeached at the bar of the Lords do not appear, proclamations are issued giving him a day to appear. Volume **III**, section **2116**.

The party impeached at the bar of the Lords not appearing, his goods may be arrested, and they may proceed. Volume **III**, section **2116**.

Instance wherein a Member declined to obey a summons to appear and testify before a committee of the House. Volume **VI**, section **537**.

IMPEACHMENT—Continued.**(124) Appearance of Respondent.—On Failure of, Trial May Proceed as on Plea of “Not Guilty.”**

The person accused in articles of impeachment failing to appear or to answer, the trial proceeds as on a plea of “not guilty.” Volume **III**, section **2127**.

Judge Humphreys having failed to appear in answer both to the summons and proclamation, the Presiding Officer announced that the managers might proceed in support of the articles. Volume **III**, section **2394**.

In the Pickering case the Senate committee concluded that after service of notice of the articles the Senate might proceed to trial whether respondent entered appearance or not. Volume **III**, section **2324**.

(125) Answer of Respondent.—Ceremonies and Manner of Presentation.

Arrangement of the Hall and ceremonies at the presentation of Judge Peck’s answer. Volume **III**, section **2374**.

Forms and ceremonies in the Senate at the session for receiving respondent’s answer in the Swayne case. Volume **III**, section **2480**.

The rule providing for the putting in of the answer or plea in the Blount case. Volume **III**, section **2309**.

A Senate committee concluded in the Pickering impeachment that respondent might answer in person, by attorney, or not at all. Volume **III**, section **2324**.

At the presentation of the answer in the Swayne case the respondent was represented by his counsel. Volume **III**, section **2480**.

The Senate granted the request of Mr. Justice Chase for permission to read his answer by himself and counsel. Volume **III**, section **2351**.

The answer of President Johnson to the articles of impeachment was read by his counsel. Volume **III**, section **2428**.

The answer in the Peck case was read by counsel for respondent and then delivered to the Secretary. Volume **III**, section **2374**.

The answer of Judge Louderback to the articles of impeachment. Volume **VI**, section **518**.

The answer in the Archbald case was read by the Secretary of the Senate. Volume **VI**, section **505**.

On his appearance to answer articles of impeachment, Mr. Justice Chase was furnished with a chair. Volume **III**, section **2349**.

The Senate notified the House of the date fixed for Judge Peck to file his answer. Volume **III**, section **2371**.

The answer of the respondent was printed and time allowed for replication of managers, with order that further pleadings be filed with the Secretary with due notice to the other party prior to a designated date. Volume **VI**, section **547**.

An official against whom charges of impeachment were pending asked leave and was allowed to file an answer. Volume **VI**, section **537**.

Under the parliamentary law the respondent answers the summons in custody if the case be capital and the accusation be special, but not if it be general. Volume **III**, section **2120**.

Under the parliamentary law of impeachments the respondent, if a Lord, answers the summons in his place, if a Commoner, at the bar. Volume **III**, section **2120**.

(126) Answer of Respondent.—Applications for Delay of.

Mr. Justice Chase, in appearing, was permitted by the Vice-President, without objections of the Senate, to read a paper giving reasons for delaying his answer. Volume **III**, section **2349**.

Mr. Justice Chase’s application for a time to answer was accompanied by a sworn statement of reasons. Volume **III**, section **2349**.

Having appeared, Judge Peck asked time to prepare his answer, accompanying the request with an affidavit. Volume **III**, section **2371**.

IMPEACHMENT—Continued.**(126) Answer of Respondent.—Applications for Delay of—Continued.**

- The Senate declined to allow Judge Peck until the next session of Congress to file his answer and set an earlier date. Volume **III**, section **2371**.
- President Johnson, by his own letter and by a paper filed and signed by his counsel, asked forty days in which to prepare his answer. Volume **III**, section **2424**.
- The managers urged, in view of Rule VIII, that President Johnson should answer on the return day, but were overruled. Volume **III**, section **2425**.
- The managers opposed President Johnson's request for thirty days to prepare for trial, citing American and English precedents in argument. Volume **III**, section **2430**.
- The Senate denied the motion of President Johnson's counsel that he be allowed forty days to answer and granted ten days. Volume **III**, section **2425**.
- The Senate deliberated in secret session on the application of President Johnson for time to prepare his answer. Volume **III**, section **2425**.
- The Senate denied the motion of the managers in the Belknap case to fix the time of answer and trial on the merits before decision on the demurrer. Volume **III**, section **2457**.
- In the Swayne impeachment, in response to the motion of respondent's counsel, the Senate granted time after appearance to present the answer. Volume **III**, section **2479**.
- In response to a motion by respondent's counsel that time be allowed to present the answer, the Senate granted 10 days. Volume **VI**, section **504**.
- Instance in which on motion of counsel for respondent, and over protest of managers for the House, the Senate granted the respondent 10 days in which to answer articles of impeachment. Volume **VI**, section **482**.

(127) Answer of Respondent.—Form of.

- The form of President Johnson's answer was commented on during preparation of the replication in the House. Volume **III**, section **2431**.
- The answer of the President took the articles one by one, denying some of the charges, admitting others but denying that they set forth impeachable offenses, and excepting to the sufficiency of others. Volume **III**, section **2428**.
- The answer of Secretary Belknap demurred to the articles, alleging that he was not a civil officer of the United States when they were exhibited. Volume **III**, section **2453**.
- The answer of Judge Swayne as to the first seven articles raised a question as to the jurisdiction of the Senate to try the charges. Volume **III**, section **2481**.
- The plea filed by counsel of William Blount in answer to the articles of impeachment. Volume **III**, section **2310**.
- The answer of Mr. Justice Chase to the articles of impeachment. Volume **III**, section **2351**.
- Form of answer of Judge Peck in answer to the article of impeachment. Volume **III**, section **2374**.
- The answer of President Johnson to the articles of impeachment. Volume **III**, section **2428**.
- President Johnson's answer was signed by himself and counsel. Volume **III**, section **2428**.
- The answer of Secretary Belknap to the articles of impeachment. Volume **III**, section **2453**.
- The answer of Judge Swayne to the articles of impeachment. Volume **III**, section **2481**.
- Judge Swayne's answer was signed by himself and his counsel. Volume **III**, section **2481**.
- The answer of respondent is part of the pleadings of an impeachment trial, and exhibits in the nature of evidence may not properly be attached thereto. Volume **III**, section **2124**.
- The answer of Judge Archbald to the articles of impeachment was signed by himself and his counsel. Volume **VI**, section **505**.
- The answer of Judge Archbald demurred severally to all the articles of impeachment, alleging that no impeachable offense had been charged and then replying in detail to the charges set forth in each article. Volume **VI**, section **505**.
- The answer of the respondent to the amended article of impeachment. Volume **VI**, section **521**.

IMPEACHMENT—Continued.**(127) Answer of Respondent.—Form of—Continued.**

Judge Peck in his plea declared that the acts charged were justified by the law of the land. Volume **III**, section **2374**.

Under the parliamentary law the answer of the respondent to impeachment need not observe great strictness of form. Volume **III**, section **2121**.

The respondent in an impeachment case may not, under the english law, plead in his answer a pardon as bar to the impeachment. Volume **III**, section **2121**.

(128) Answer of Respondent.—In Senate Journal and Files.

The Senate rules in the Blount case required that respondent's answer should be spread on the Journal. Volume **III**, section **2309**.

The answer of the respondent in the Chase trial does not appear in the journal of the court. Volume **III**, section **2351**.

The answer of Judge Peck to the articles of impeachment was ordered to be filed with the Secretary. Volume **III**, section **2371**.

The answer of President Johnson to the articles of impeachment having been read, the question was taken on receiving it and placing it on file. Volume **III**, section **2429**.

(129) Answer of Respondent.—A Copy Transmitted to House.

The rules in the Blount case provided that respondent's answer should be communicated to the House of Representatives. Volume **III**, section **2309**.

The plea of William Blount being received by the House of Representatives was referred to the managers. Volume **III**, section **2310**.

On request of the managers the Senate directed its Secretary to carry to the House an attested copy of Mr. Justice Chase's answer. Volume **III**, section **2351**.

The answer of Mr. Justice Chase being received in the House was referred to the managers. Volume **III**, section **2351**.

An attested copy of Judge Archbald's answer, having been messaged to the House by the Senate, was referred to the managers. Volume **VI**, section **506**.

The House was furnished by the court with a copy of Judge Peck's answer. Volume **III**, section **2374**.

On the request of the managers the Senate ordered an attested copy of the answer of President Johnson to be sent to the House. Volume **III**, section **2429**.

The answer of Secretary Belknap being presented, the Senate, on request, ordered a copy of the answer to be furnished to the managers. Volume **III**, section **2453**.

The managers were not supplied with a copy of the answer of Judge Archbald at the time of filing. Volume **VI**, section **505**.

(130) Answer of Respondent.—Effect of a Plea of Guilty.

If a plea of guilty be entered in answer to articles of impeachment, judgment may be entered without further proceedings. Volume **III**, section **2127**.

(131) Answer of Respondent—Procedure When no answer is Made.

The Senate provided that in default of answer from respondent on the merits, the Belknap trial should proceed as on a plea of not guilty. Volume **III**, section **2460**.

No defense being made in the Pickering impeachment, the two Senators from the State of the accused were examined at suggestion of the court. Volume **III**, section **2336**.

(132) Replication and Other Pleadings.—General Principles.

Under the parliamentary law of impeachments the pleadings may include a replication, rejoinder, etc. Volume **III**, section **2122**.

Review of English precedents as to the distinction between the pleadings and the trial of an impeachment. Volume **III**, section **2425**.

The House sent to the Senate a replication to respondent's plea and his counsel presented a rejoinder. Volume **III**, section **2311**.

IMPEACHMENT—Continued.**(132) Replication and Other Pleadings.—General Principles—Continued.**

The pleadings were the subject of full discussion during the Belknap trial. Volume **III**, section **2123**.

Counsel for Judge Archbald having elected not to plead further notified the managers by letter of that decision. Volume **VI**, section **508**.

(133) Replication and Other Pleadings.—Preparation and Presentation of Replication.

The answer of President Johnson having been received, the Senate gave the managers time to consult the House on a replication. Volume **III**, section **2429**.

Form of resolutions adopting the replication in the Johnson trial and directing its presentation in the Senate. Volume **III**, section **2431**.

The Senate allowed to the House time for preparation of a replication in the Belknap trial and informed the House thereof by message. Volume **III**, section **2453**.

Forms of procedure of authorizing, preparing, and presenting the replication in the Swayne impeachment trial. Volume **III**, section **2482**.

Forms of resolutions relating to the adoption of the replication in the Chase case and the carrying thereof to the Senate. Volume **III**, section **2352**.

Forms and ceremonies of presenting in the Senate the replication in the Belknap trials. Volume **III**, section **2454**.

The replication in the Chase case was read to the Senate by the chairman of the managers. Volume **III**, section **2352**.

In the Blount impeachment the replication was presented by the House managers but was read by the Secretary of the Senate. Volume **III**, section **2311**.

The House notified the Senate by message that it had adopted a replication in the Archbald trial and had authorized its managers to file with the Secretary of the State any further pleading deemed necessary. Volume **VI**, section **506**.

The replication in the Archbald trial was represented by the managers and read by the Secretary of the Senate. Volume **VI**, section **507**.

The managers having prepared a replication to the answer of Judge Archbald, submitted it to the House for approval and adoption. Volume **VI**, section **506**.

(134) Replication and Other Pleadings.—Form of Replication.

The replication of the House to the plea in Blount's case was signed by the Speaker and attested by the Clerk. Volume **III**, section **2311**.

The replication of the House to the answer of Mr. Justice Chase to the articles of impeachment. Volume **III**, section **2352**.

The replication in the Chase impeachment was signed by the Speaker and attested by the Clerk. Volume **III**, section **2352**.

Form of replication to Judge Peck's answer and forms of resolutions providing for its presentation. Volume **III**, section **2375**.

In the Chase case House refused to strike from its replication certain words reflecting on the motives of the respondent. Volume **III**, section **2352**.

The replication of the House to President Johnson's answer to the articles of impeachment. Volume **III**, section **2432**.

The replication in the Johnson trial was signed by the Speaker and attested by the Clerk. Volume **III**, section **2432**.

The replication of the House to the answer of respondent in the Belknap trial. Volume **III**, section **2454**.

The replication of the House to the answer of the respondent in the Louderback trial. Volume **VI**, section **522**.

The replication of the House consisted of a general denial of all allegations set forth in Judge Archbald's answer and an averment that the charges contained in the articles of impeachment set forth impeachable offenses. Volume **VI**, section **507**.

IMPEACHMENT—Continued.**(134) Replication and Other Pleadings.—Form of Replication.—Continued.**

The replication of the House to the answer of Judge Archbald was submitted without signature. Volume **VI**, section **507**.

The House, in their replication in the Belknap trial, alleged a new matter not set forth in the articles. Volume **III**, section **2454**.

(135) Replication and Other Pleadings.—Copy of Replication Furnished to Counsel of Respondent.

Counsel for respondent were furnished a copy of the House's replication by direction of the Presiding Officer. Volume **III**, section **2352**.

The Senate orders that an authenticated copy of the replication to President Johnson's answer be furnished to counsel of the respondent. Volume **III**, section **2432**.

(136) Replication and Other Pleadings.—The Rejoinder, Surrejoinder, and Similiter.

Forms of rejoinder, surrejoinder, and similiter filed in the Belknap trial. Volume **III**, section **2455**.

The surrejoinder of the House of Representatives in the Belknap trial was signed by the Speaker and attested by the Clerk. Volume **III**, section **2455**.

In the Blount impeachment the rejoinder on behalf of respondent was signed by his attorneys. Volume **III**, section **2311**.

The later pleadings in the Belknap trial filed with the Secretary of the Senate during a recess of the Senate sitting for the trial. Volume **III**, section **2455**.

Form of application of respondent for time to prepare a rejoinder in the Belknap trial. Volume **III**, section **2455**.

(137) Replication and Other Pleadings.—Protest and Demurrer.

Argument as to whether or not a demurrer is permissible in an impeachment case. Volume **III**, section **2431**.

In the Belknap trial respondent declined to plead on the merits, but filed a protest against the continuance of the trial. Volume **III**, section **2461**.

The Senate, after debate and close division, permitted the filing of protest by respondent in the Belknap trial. Volume **III**, section **2461**.

A protest filed on behalf of respondent in the Belknap trial was signed by respondent and his counsel. Volume **III**, section **2461**.

In the Belknap case the Senate decided that respondent's plea in demurrer was insufficient and that the articles were sufficient. Volume **III**, section **2459**.

The Senate having assumed jurisdiction in the Belknap impeachment, declined to permit the respondent to plead further, but gave leave to answer the articles. Volume **III**, section **2123**.

The extent of dilatory pleadings in the Belknap trial was commented on as an innovation on American and English precedents. Volume **III**, section **2123**.

Counsel for respondent in the Swayne trial interposed a plea as to jurisdiction of offenses charged in certain articles, but declined to admit that it was a demurrer with the admissions pertinent thereto. Volume **III**, section **2125**.

In the Belknap trial the House was sustained in averring in pleading as to jurisdiction matters not averred in the articles. Volume **III**, section **2123**.

The House in their replication in the Belknap trial alleged a new matter not set forth in the articles. Volume **III**, section **2454**.

The Senate ordered a discussion in argument on the right of the House to allege in the replication matters not touched in the articles. Volume **III**, section **2457**.

(138) Briefs.

Form of brief on plea to jurisdiction filed by counsel for respondents in Swayne trial. Volume **III**, section **2125**.

Form of order providing for filing and printing of briefs by managers and respondent in trial of impeachment. Volume **VI**, section **4800**.

IMPEACHMENT—Continued.**(138) Briefs—Continued.**

During time of presentation of testimony in the Swayne trial counsel of respondent were permitted to file a brief on their pleas to jurisdiction. . Volume **III**, section **2125**.

By permission, before the final arguments in the Swayne trial, the managers filed a brief on the respondent's plea to jurisdiction. Volume **III**, section **2015**.

In the trial of the impeachment of Judge Robert W. Archbald the procedure of former-trials of impeachment was observed, in that briefs were not submitted until after managers and counsel for respondent had made opening statements and introduced witnesses. Volume **VI**, section **480**.

(139) Time Granted Respondent to Prepare for Trial.

The answer of President Johnson having been read, his counsel offered a paper signed by themselves, asking thirty days to prepare for trial. Volume **III**, section **2430**.

The managers contended that President Johnson's request for time to prepare for trial should have been signed by himself and under oath. Volume **III**, section **2430**.

The managers opposed President Johnson's request for thirty days to prepare for trial, citing American and English precedents in argument. Volume **III**, section **2430**.

The Chief Justice held, in the Johnson impeachment, that both managers and counsel might be heard on a motion of a Senator to fix the time for the trial to begin. Volume **III**, section **2426**.

The Senate granted to President Johnson a less time than his counsel asked to prepare for trial. Volume **III**, section **2430**.

After argument as to the propriety of delay, the Senate determined that the trial of President Johnson should proceed immediately after replication should be filed. Volume **III**, section **2426**.

In granting to President Johnson time to prepare for trial, the Senate intimated that there should be no delays after the beginning of the trial. Volume **III**, section **2430**.

The Senate retired to consider President Johnson's application for time to prepare for trial. Volume **III**, section **2430**.

The question of jurisdiction being settled, the Senate gave Secretary Belknap ten days to answer on the merits. Volume **III**, section **2460**.

After settling the question of jurisdiction, the Senate overruled respondent's motion for a continuance of the Belknap trial. Volume **III**, section **2462**.

The Senate declined to grant the motion of the counsel for Belknap that the trial be continued to a later date. Volume **III**, section **2456**.

The Senate declined to consult the managers before passing on the application of respondent for a continuance of the Belknap trial. Volume **III**, section **2456**.

The Senate, in secret session, passed on the motion for a continuance in the Belknap trial. Volume **III**, section **2456**.

In response to a motion by respondent's counsel that time be allowed to present the answer, the Senate granted 10 days. Volume **VI**, section **504**.

Allowance of time in which to file pleadings. Volume **VI**, section **518**.

(140) Counsel of Respondent.—Admitted and Heard.

In impeachment proceedings before the Senate counsel for the respondent is admitted and heard. Volume **III**, section **2130**.

When the person accused in articles of impeachment appears by agent or attorney a record is made naming the person appearing and the capacity in which he appears. Volume **III**, section **2129**.

The parliamentary law relating to the appearance of counsel. Volume **III**, section **1768**.

In English impeachments the respondent has counsel in accusation for misdemeanor, but not in capital cases. Volume **III**, section **2120**.

After William Blount had failed to appear and answer, counsel was admitted on his behalf. Volume **III**, section **2308**.

IMPEACHMENT—Continued.**(140) Counsel of Respondent—Admitted and Heard—Continued.**

In the Blount impeachment a letter from respondent's attorneys announcing their readiness to attend was filed in the Senate before the day set for appearance. Volume **III**, section **2305**. The Senate decided that the counsel for William Blount need not file any warrant of attorney or other written authority. Volume **III**, section **2309**.

Mr. Justice Chase introduced his counsel at the time he gave in his answer. Volume **III**, section **2351**.

In the Chase impeachment the respondent introduced additional counsel during the trial. Volume **III**, section **2354**.

Form of announcing the appearance of counsel in the Belknap trial. Volume **III**, section **2453**.

In the Pickering impeachment counsel for respondent's son presented a petition of the latter setting forth that his father was insane and asking for time to show this. Volume **III**, section **2333**.

(141) Counsel of Respondent.—Motions, Arguments, etc., by.

In arguing in an impeachment trial counsel take position under direction of the Senate. Volume **III**, section **2143**.

It was held that a motion relating to the sitting of the Senate in an impeachment trial might be argued by counsel. Volume **III**, section **2142**.

Form of a motion submitted by counsel for respondent in an impeachment trial. Volume **III**, section **2156**.

During the trial of Judge Chase one of the counsel for the respondent was sworn and examined as a witness. Volume **III**, section **2174**.

On a question of permitting counsel for respondent's son to appear in the Pickering trial, the same counsel was not permitted to argue. Volume **III**, section **2333**.

The Presiding Officer held that counsel of the son of Judge Pickering, admitted to show the insanity of the accused, might not offer a motion to the court. Volume **III**, section **2334**.

(142) Counsel of Respondent.—May be Called to Order.

The Presiding Officer at an impeachment trial exercises authority to call to order counsel using improper language. Volume **III**, sections **2140**, **2141**.

Instance of action by the Senate as to improper language used by counsel for respondent in an impeachment trial. Volume **III**, sections **2140**, **2141**.

Decision as to the limits within which counsel in an impeachment trial may criticise a witness. Volume **III**, section **2192**.

Instance wherein counsel for respondent in the Swayne trial was called to order for language reflecting on the conduct of the managers. Volume **III**, section **2169**.

Counsel having withheld remarks from the record in violation of the rule, the managers called attention to the infraction and asked that the rule be enforced. Volume **VI**, section **511**.

(143) Attendance of House at Trial.—General Principles as to.

The subject of attendance with the managers was discussed during the Peck trial, with citation of American and English precedents. Volume **III**, section **2377**.

The House of Representatives was announced when, as a Committee of the Whole, it attended the trial of the President. Volume **III**, section **2427**.

At the presentation of the articles impeaching President Johnson the Speaker was, by order of the Senate, escorted to a seat beside the President pro tempore. Volume **III**, section **2420**.

Being excluded from the Johnson trial by a secret session, the House returned to its Hall and determined to attend again when informed that the Senate was ready to receive them. Volume **III**, section **2435**.

IMPEACHMENT—Continued.**(143) Attendance of House at Trial.—General Principles as to—Continued.**

The House having attended when respondent's answer was read, it was held that the answer might not as of right be read again in the House during consideration of the replication. Volume **III**, section **2042**.

The House may take official cognizance of a paper listened to by the Committee of the Whole in attendance on an impeachment trial. Volume **III**, section **2042**.

The Commons attend impeachment trials in Committee of the Whole, or otherwise, at discretion, and appoint managers to conduct proof. Volume **III**, section **2027**.

The presence of the Commons is considered necessary at the answer and the judgment in impeachment cases. Volume **III**, section **2027**.

The Commons attend generally in impeachment trials, but not when the Lords consider the answer or proofs, or determine judgment. Volume **III**, section **2027**.

(144) Attendance of House at Trials.—As a Committee of the Whole.

Form of proceedings when the House attends an impeachment trial as Committee of the Whole. Volume **III**, section **2351**.

The House attended the Peck trial as a Committee of the Whole House (footnote). Volume **III**, section **2384**.

The House, by a standing order, determined to attend in Committee of the Whole the trial of President Johnson. Volume **III**, section **2427**.

The House determined to attend as a Committee of the Whole the proceedings of the trial of Mr. Justice Chase. Volume **III**, section **2350**.

Attendance of the House in Committee of the Whole at the ceremonies of the beginning of Chase's trial. Volume **III**, section **2351**.

Forms observed by the House attending the Humphreys trial as a Committee of the Whole (footnote). Volume **III**, section **2392**.

Form of Journal entry describing the attendance of the House in Committee of the Whole at the Peck trial. Volume **III**, section **2374**.

Forms of reports made by a Chairman of a Committee of the Whole after attending an impeachment trial (footnote). Volume **III**, section **2384**.

(145) Attendance of House at Trial.—In Various Cases.

The managers who presented the articles impeaching William Blount were attended by some Members of the House. Volume **III**, section **2301**.

The House attended its managers to the Senate to hear the Senate pronounce judgment in the Pickering impeachment. Volume **III**, section **2338**.

During the Chase trial the House attended daily, without notice from the court, except on a special occasion when the hour was changed. Volume **III**, section **2354**.

The House accompanied its managers when the court pronounced judgment in the Peck impeachment. Volume **III**, section **2383**.

The House attended its managers a portion of the time during the Peck trial, including the days of final argument. Volume **III**, section **2377**.

On the day set for the appearance of Judge Humphreys the House, in Committee of the Whole House, attended its managers. Volume **III**, section **2392**.

The House attended at each session of the trial of the President, on notice from the Senate. Volume **III**, section **2427**.

The Senate having informed the House of its readiness to receive the managers with the articles impeaching President Johnson, the House, as Committee of the Whole, attended its managers to the Senate. Volume **III**, section **2419**.

The House in Committee of the Whole, on notice from the Senate, attended on the return day of the summons to President Johnson. Volume **III**, section **2424**.

The House in Committee of the Whole attended in the Senate during the voting on the final question in the Johnson trial. Volume **III**, section **2440**.

IMPEACHMENT—Continued.**(146) Attendance of House at Trial.—Not the Uniform Practice.**

- The House did not attend the return of summons to William Blount to appear and answer articles of impeachment. Volume **III**, section **2307**.
- The House did not attend its managers during the Blount impeachment, even at the judgment. Volume **III**, section **2318**.
- The House did not accept the invitation of the Senate to accompany its managers at the return of summons in Pickering's impeachment. Volume **III**, section **2332**.
- Neither the managers nor the House attended on the appearance of Mr. Justice Chase in answer to the summons. Volume **III**, section **2349**.
- It does not appear surely that the House attended on the final judgment in the Chase impeachment. Volume **III**, section **2363**.
- In 1830, during the impeachment trial of Judge Peck, the House reconsidered its decision to attend the trial daily. Volume **III**, section **2028**.
- In the Peck trial the House decided to attend its managers at the presentation of the answer, but not during the trial. Volume **III**, section **2373**.
- The House being notified that the Senate was ready to receive the articles impeaching Judge Humphreys, the managers attended unaccompanied. Volume **III**, section **2390**.
- The House did not attend the managers in making the formal demand that the Senate take process against President Johnson. Volume **III**, section **2423**.
- The House did not accompany their managers when articles of impeachment were presented against Secretary Belknap. Volume **III**, section **2449**.
- The House determined, after respondent's answer, that it would be represented at the Belknap trial by its managers only. Volume **III**, section **2453**.
- The managers alone attended in the Senate on the day the Senate rendered judgment in the Belknap case. Volume **III**, section **2467**.
- The House of Representatives, although invited by the Senate, did not at any time attend the Swayne trial. Volume **III**, section **2483**.

(147) Organization of Senate for Trial.—Time of.

- The Senate organized as a court before receiving the articles in the Pickering case. Volume **III**, sections **2325**, **2328**.
- The articles impeaching President Johnson were received by the Senate with the President pro tempore presiding. Volume **III**, section **2420**.
- The Senate organized for the Belknap trial after the articles of impeachment had been presented. Volume **III**, section **2450**.
- The organization of the Senate for the Swayne impeachment trial. Volume **III**, section **2477**.
- It was decided that the members of the court should be sworn before considering respondent's motion for time to answer in the Chase case. Volume **III**, section **2349**.
- Rule XXIII, prohibiting debate in open Senate sitting for an impeachment trial, was held by the Chief Justice not to apply to a question arising during organization. Volume **III**, sections **2100–2102**.
- The Presiding Officer of the Senate announces the hour for sitting in an impeachment trial, and the Presiding Officer on the trial directs proclamation to be made and the trial to proceed. Volume **III**, section **2069**.
- The organization of the Senate for the impeachment trial of Judge Louderback. Volume **VI**, section **516**.

(148) Organization of Senate for Trial.—Senators Required To Be Under Oath.

- Senators sitting for an impeachment trial are required by the Constitution to be on oath or affirmation. Volume **III**, section **2055**.
- Senators elected after the beginning of an impeachment trial are sworn as in the case of other Senators. Volume **III**, section **2375**.

IMPEACHMENT—Continued.**(148) Organization of Senate for Trial.—Senators Required To Be Under Oath—Continued.**

A Senator excused himself from participation in impeachment proceedings on the ground of close personal relations with one of the managers for the House, but on suggestion took the oath as a member of the court of impeachment. Volume **VI**, section **546**.

(149) Organization of Senate for Trial.—Form of Oath.

Form of oath to be administered to Senators sitting in impeachment trials. Volume **III**, section **2080**.

Form of oath administered to Senators sitting for the impeachment of William Blount. Volume **III**, section **2303**.

The oath administered by the Secretary to the President and by him to the Senators in the Pickering impeachment. Volume **III**, section **2325**.

Form of oath prescribed for Senators in the Peck trial. Volume **III**, section **2369**.

Forms of oath taken and proclamations made in the court opened to receive the articles impeaching Judge Humphreys. Volume **III**, section **2389**.

(150) Organization of Senate for Trial.—Administration of Oath.

Before consideration of articles of impeachment the Presiding Officer is required by rule to administer the oath to the Senators present and later to others as they may appear. Volume **III**, section **2079**.

The Senate decided in the Blount impeachment that the Secretary should administer the oath to the President and the President to the Senators. Volume **III**, section **2303**.

Discussion as to the competency of the Senate to empower one of its officers to administer oaths. Volume **III**, section **2162**.

The Senate decided in the Blount impeachment that the oath might be administered by the Secretary and President without authority of law. Volume **III**, section **2303**.

The authority to administer oaths should be given by law rather than by rule of either House. Volume **III**, section **1823**.

In 1876 the Senate doubted its authority to empower its Presiding Officer to administer to Senators the oath required for an impeachment trial. Volume **III**, section **2081**.

In the Belknap trial the oath to Senators was administered by the Chief Justice until by law authority was conferred on the Presiding Officer of the Senate. Volume **III**, section **2081**.

Having taken the oath himself, the Chief Justice administered it to the Senators sitting for the trial of President Johnson. Volume **III**, section **2422**.

At the organization of the Senate for the Belknap trial the oath was administered by the Chief Justice. Volume **III**, section **2450**.

The oath to the Senators for the Swayne trial was administered by the Chief Justice. Volume **III**, section **2477**.

The oath to Senators in the Swayne impeachment trial was administered by the Presiding Officer after the organization was completed. Volume **III**, section **2479**.

In the Blount impeachment case the House seems to have distrusted its power to authorize the Speaker to administer oaths. Volume **III**, section **2294**.

A Senator was designated by resolution to administer the oath to the Presiding Officer, who in turn administered the oath simultaneously to all Senators standing in their places. Volume **VI**, section **516**.

In the organization of the Senate for the Archibald trial the oath was administered to the President pro tempore by a Senator designated by order of the Senate for that purpose. Volume **VI**, section **502**.

The President pro tempore, after being sworn, administered the oath to the Senators sitting for the trial of Judge Archibald. Volume **VI**, section **502**.

(151) Does the Senate Sit as a Court?

In the first impeachment the Senate, by rule, described itself as a court of impeachment. Volume **III**, section **2307**.

IMPEACHMENT—Continued.**(151) Does the Senate Sit as a Court?—Continued.**

In 1868, after mature consideration, the Senate decided that it sat for impeachment trials as the Senate and not as a court. Volume **III**, section **2057**.

In 1868 the Senate eliminated from its rules all mention of itself as a “high court of impeachment.” Volume **III**, sections **2079, 2082**.

The reasons for eliminating from the Senate rules for impeachment trials the words “high court.” Volume **III**, section **2098**.

An anxiety lest the Chief Justice might have a vote seems to have led the Senate to drop the words “high court of impeachment” from its rules. Volume **III**, section **2057**.

Written dissent of the Chief Justice from views taken by the Senate as to its constitutional functions in an impeachment trial. Volume **III**, section **2057**.

Enunciation of Mr. Senator Sumner’s theory that the Senate was not a court and the Senators were not constrained by the obligations of judges in an impeachment trial. Volume **III**, section **2057**.

During the Johnson trial the functions of the Senate, sitting for an impeachment trial, were discussed by managers and counsel for respondent. Volume **III**, section **2058**.

In his answer President Johnson referred to the Senate as a court. Volume **III**, section **2428**.

Discussion as to the status of the Senate as a court during an impeachment trial. Volume **III**, section **2270**.

A decision holding that a motion relating to a question of the Senate sitting as a court of impeachment is not debatable. Volume **VI**, section **515**.

During the Archbald trial the functions of the Senate sitting for an impeachment trial were discussed by managers and counsel for respondent. Volume **VI**, section **471**.

(152) Power of the Senate in.

The sole power of trying impeachments is conferred on the Senate by the Constitution. Volume **III**, section **2055**.

The Senate, sitting on impeachment trials, has authority to enforce obedience to its orders, writs, judgments, etc., punish contempts, and make lawful orders and rules. Volume **III**, section **2158**.

The Senate committee advised, in Pickering’s case, that the Senate had the sole power to regulate forms, substances, and proceedings when acting as a court of impeachment. Volume **III**, section **2324**.

Discussion as to the power of the Senate, sitting on impeachment trials, to command assistance of the military, naval, or civil service of the United States. Volume **III**, section **2158**.

Discussion as to the power of the Senate, sitting on impeachments, to enforce its final judgment. Volume **III**, section **2158**.

The Sergeant-at-Arms is authorized by rule to employ necessary aid to enforce the lawful orders, writs, etc., of the Senate sitting on impeachment trials. Volume **III**, section **2158**.

Under the parliamentary law the Lords are the judges and may not impeach or join in the accusation. Volume **III**, section **2056**.

The Lords may not, under the parliamentary law, proceed by impeachment against a Commoner, except on complaint of the Commons. Volume **III**, section **2056**.

(153) Quorum and Membership of Senate in.

A quorum of the Senate sitting for an impeachment trial is a quorum of the Senate itself and not merely a quorum of the Senators sworn for the trial. Volume **III**, section **2063**.

The Senate, in 1868, when certain States were without representation, declined to question its competency to try an impeachment case. Volume **III**, section **2060**.

Instance of a call for a quorum in the Senate sitting for an impeachment trial. Volume **III**, sections **2105–2107**.

IMPEACHMENT—Continued.**(153) Quorum and Membership of Senate in**—Continued.

The Presiding Officer of the Senate, sitting in an impeachment trial, directed the counting of the Senate to ascertain the presence of a quorum. Volume **III**, section **2107**.

(154) Adoption of Rules for the Trial.—Practice as to.

In the Peck trial new rules were not adopted, the rules framed in the Chase trial being considered as operative. Volume **III**, section **2372**.

In the Archbald trial new rules of procedure and practice of the Senate, when sitting in impeachment trials, were not adopted, the rules framed in former trials being considered as operative. Volume **VI**, section **483**.

For the trial of President Johnson the Senate readopted most of the existing rules, with amendments and additions. Volume **III**, section **2414**.

Instance wherein a manager was permitted to move a change of the rules governing the Senate in impeachment trials. Volume **III**, section **2144**.

Where the special rules for impeachment trials are silent the general rules of the Senate are regarded as applicable. Volume **III**, sections **2100–2102**.

Certain rules adopted by the Senate for the trial of Judge Louderback. Volume **VI**, section **519**.

(155) Adoption of Rules for the Trial.—In Relation to Organization for Trial.

In 1804 the Senate, sitting as a high court of impeachment, considered and adopted rules for the trial. Volume **III**, section **2099**.

In the Pickering case the rules were reported directly to the court of impeachment and agreed to therein. Volume **III**, section **2329**.

Rules adopted by the Senate as a court to govern the trial of Judge Pickering. Volume **III**, section **2331**.

The Senate, as a Senate and not as a court, adopted rules for the Johnson trial, but on the insistence of the Chief Justice adopted them when organized for the trial. Volume **III**, section **2057**.

The Senate having organized for the trial of President Johnson, rules were adopted and the House was notified of the organization and of readiness to receive the managers. Volume **III**, section **2422**.

Managers and counsel for respondent might submit applications orally to the President Officer but if requested by any Senator should reduce them to writing. Volume **VI**, section **519**.

(156) Adoption of Rules for the Trial.—Communication of, to the House.

The Senate ordered a copy of its rules for the trial of President Johnson, to be sent to the House. Volume **III**, section **2421**.

The Senate communicated to the House its rules for the trial of William Blount, and they appear in the House Journal. Volume **III**, section **2309**.

The Senate, sitting as a court, did not communicate to the House the rules for governing the trial of Judge Pickering. Volume **III**, section **2331**.

(157) Adoption of Rules for the Trial.—At Various Trials.

Rules adopted by the Senate for reading the return, calling the respondent, and entering appearance or default in the first impeachment. Volume **III**, section **2307**.

Rules adopted by the Senate for the trial of William Blount in 1797. Volume **III**, section **2309**. The rules agreed to by the high court of impeachment to govern the trial of Mr. Justice Chase. Volume **III**, section **2348**.

In the trial of the impeachment of Judge Robert W. Archbald the procedure of former trials of impeachment was observed, in that briefs were not submitted until after managers and counsel for respondent had made opening statements and introduced witnesses. Volume **VI**, section **480**.

IMPEACHMENT—Continued.**(158) Adoption of Rules for the Trial.—Form and History of the Rules Severally.**

- Rule I. **Volume III**, section **2078**.
- II. **Volume III**, section **2126**.
- III. **Volume III**, section **2079**.
- IV. **Volume III**, section **2082**.
- V. **Volume III**, section **2083**.
- VI. **Volume III**, section **2158**.
- VII. **Volume III**, section **2084**.
- VIII. **Volume III**, section **2127**.
- IX. **Volume III**, section **2128**.
- X. **Volume III**, section **2129**.
- XI. **Volume III**, section **2070**.
- XII. **Volume III**, section **2069**.
- XIII. **Volume III**, section **2090**.
- XIV. **Volume III**, section **2130**.
- XV. **Volume III**, section **2131**.
- XVI. **Volume III**, section **2168**.
- XVII. **Volume III**, section **2163**.
- XVIII. **Volume III**, section **2176**.
- XIX. **Volume III**, section **2075**.
- XX. **Volume III**, sections **2091–2093**.
- XXI. **Volume III**, section **2132**.
- XXII. **Volume III**, section **2098**.
- XXIII. **Volume III**, section **2094**.
- XXIV. **Volume III**, sections **2080, 2119, 2162**.
- XXV. **Volume III**, section **2076**.

(159) Jurisdiction of the Senate.

- The Senate decided that it had no jurisdiction to try an impeachment against William Blount, a Senator. **Volume III**, section **2318**.
- William Blount in his plea demurred to the jurisdiction of the Senate to try him on impeachment charges. **Volume III**, section **2310**.
- The Senate by a majority vote assumed jurisdiction to try the Belknap impeachment, although protest was made that a two-thirds vote was required. **Volume III**, section **2059**.
- In the Belknap trial the right of the Senate to take jurisdiction by a majority vote was the subject of protest. **Volume III**, section **2461**.
- The Senate determined in the Belknap case to hear first the question of law as to jurisdiction. **Volume III**, section **2457**.
- The Senate overruled the motion of the managers that the evidence on the question of jurisdiction of the Senate in the Belknap case be given before the arguments relating thereto. **Volume III**, section **2457**.
- References to American and English precedents in determining order of deciding the question of jurisdiction in the Belknap case. **Volume III**, section **2457**.
- While deliberating on the question of jurisdiction in the Belknap case the Senate notified the managers and counsel that their attendance was not required. **Volume III**, section **2459**.
- The answer of Judge Swayne as to the first seven articles raised a question as to the jurisdiction of the Senate to try the charges. **Volume III**, section **2481**.
- Each Senator was permitted to file a written opinion on the question of jurisdiction in the Belknap trial. **Volume III**, section **2459**.
- The Senate in secret session determined on the time of hearing the arguments as to jurisdiction in the Belknap trial. **Volume III**, section **2457**.
- The vote on the final question in the Belknap trial was affected conclusively by opinions as to the question of jurisdiction. **Volume III**, section **2467**.

IMPEACHMENT—Continued.**(159) Jurisdiction of the Senate—Continued.**

Form of brief on plea for jurisdiction filed by counsel for respondent in the Swayne trial. Volume **III**, section **2125**.

An attempt of the House to investigate alleged corruption in connection with the votes of Senators during the Johnson trial was the subject of discussion and investigation in the Senate. Volume **III**, section **2064**.

(160) The Presiding Officer.—President Pro Tempore in Absence of Vice-President.

During proceedings in impeachment before the Senate, the President pro tempore presides during temporary absence of the Vice-President (footnote). Volume **III**, section **2309**.

In the absence of the Vice-President the President pro tempore took the oath and presided at the Humphreys trial. Volume **III**, section **2394**.

In the absence of the Vice-President a President pro tempore was chosen to preside over the court trying Judge Pickering. Volume **III**, section **2337**.

At the request of the President pro tempore the Senate elected a Presiding officer for the Swayne impeachment trial. Volume **III**, section **2477**.

The Senate elected a Presiding Officer for the Swayne trial and gave him the powers of the President of the Senate for signing orders, writs, etc. Volume **III**, section **2089**.

The Vice President was authorized to name a Senator to preside in the absence of the President pro tempore. Volume **VI**, section **522**.

(161) The Presiding Officer.—Authority of.

During an impeachment trial the Presiding Officer on the trial directs all forms not otherwise specially provided for. Volume **II**, section **2084**.

The preparations in the Senate Chamber for an impeachment trial are directed by the Presiding Officer of the Senate. Volume **III**, section **2084**.

In impeachments the Presiding Officer of the Senate is empowered by rule to make and issue by himself or by the Secretary authorized orders, writs, precepts, and regulations. Volume **III**, section **2083**.

By the rules for the Pickering trial the President of the Senate was given general authority to direct forms of proceeding not otherwise provided for. Volume **III**, section **2331**.

Instance during an impeachment trial wherein the Presiding Officer admonished managers and counsel not to waste time. Volume **III**, section **2151**.

The Senate elected a presiding officer for the Archbald trial, who thereupon exercised the powers of the President of the Senate in signing orders, writs, etc. Volume **VI**, section **473**.

(162) The Presiding Officer.—Form of Addressing, Rulings of, etc.

Forms for addressing the Vice-President or President pro tempore while presiding at an impeachment trial. Volume **III**, section **2066**.

In impeachment trials all motions made by the parties or counsel are addressed to the Presiding Officer, and must be in writing if required. Volume **III**, section **2131**.

The Presiding Officer in an impeachment trial is the medium for putting questions to witnesses and motions and orders to the Senate. Volume **III**, section **2176**.

Instance of an appeal from a ruling of the President pro tempore in the Senate sitting for an impeachment trial. Volume **III**, section **2179**.

An instance wherein a President pro tempore presiding at an impeachment trial declined to entertain an appeal from his decision on a point of order. Volume **III**, section **2088**.

(163) The Presiding Officer.—May Question Witnesses.

The Presiding Officer of the Senate frequently put questions to witnesses during the Chase trial. Volume **III**, section **2354**.

The Presiding Officer during an impeachment trial sometimes rules preliminarily on evidence and cautions or interrogates witnesses. Volume **III**, sections **2085–2087**.

IMPEACHMENT—Continued.**(163) The Presiding Officer.—May Question Witnesses—Continued.**

Instance of a suggestion by the Presiding Officer in the Swayne trial as to the form of a question. Volume **III**, section **2191**.

(164) The Presiding Officer.—Preliminary Rulings on Evidence.

The Presiding Officer on an impeachment trial may make preliminary rulings on questions of evidence and incidental questions, or may submit such questions to the Senate at once. Volume **III**, section **2084**.

Discussion of the propriety of the Presiding Officer on an impeachment making a preliminary decision on questions of evidence. Volume **III**, section **2084**.

The preliminary rulings of the Presiding Officer on an impeachment trial stand as the judgments of the Senate unless some Senator requires a vote. Volume **III**, section **2084**.

In the Swayne trial the Presiding Officer generally ruled on questions of evidence, instead of submitting them directly to the Senate. Volume **III**, section **2193**.

Instances during the Swayne trial wherein the Presiding Officer, contrary to his usual habit, submitted questions of evidence to the Senate at once. Volume **III**, sections **2230**, **2239**, **2264**, **2267**.

Ruling by the Vice-President as to evidence in an impeachment trial. Volume **III**, section **2260**.

Instances wherein Presidents pro tempore presiding at impeachment trials made decisions as to evidence. Volume **III**, sections **2208**, **2226–2229**, **2252**, **2271**, **2276**.

Instance wherein the President pro tempore ruled on the admission of evidence in the trial of an impeachment. Volume **VI**, section **494**.

(165) The Presiding Officer.—Appeals From Rulings as to Evidence.

When the judgment of the Senate is asked after the Presiding Officer has ruled on a question of evidence the form of question is: "Is the evidence admissible." Volume **III**, section **2194**.

The right to ask a decision of the Senate after the Presiding Officer has ruled preliminarily on evidence belongs to a Senator but not to counsel. Volume **III**, section **2195**.

Instance of an appeal from the decision of the Presiding Officer on a question of evidence during the Swayne trial. Volume **III**, section **2270**.

Decisions of the Presiding Officer on questions raised by parties in the course of the trial stood as the judgment of the Senate unless a Senator made formal request for a vote thereon. Volume **VI**, section **519**.

(166) The Chief Justice as Presiding Officer.—At Trial of the President.

When the President of the United States is impeached the Chief Justice of the Supreme Court presides. Volume **III**, section **2082**.

The Constitution requires the Chief Justice to preside when the President of the United States is tried before the Senate. Volume **III**, section **2055**.

Title by which the Chief Justice is addressed while presiding at an impeachment trial. Volume **III**, section **2065**.

The Senate, by rule, have implied that the Chief Justice attends and presides only after the articles of impeachment have been presented. Volume **III**, section **2082**.

When the Chief Justice is to preside at an impeachment trial, the Presiding Officer of the Senate is required by rule to give him notice of time and place and request his attendance. Volume **III**, section **2082**.

Resolution providing for introduction of the Chief Justice and the organization of the Senate for the trial of President Johnson. Volume **III**, section **2421**.

The notice to the Chief Justice to meet the Senate for the trial of President Johnson was delivered by a committee of three Senators, who were his escort also. Volume **III**, section **2421**.

The ceremonies of inducting the Chief Justice and organizing the Senate for the trial of President Johnson. Volume **III**, section **2422**.

IMPEACHMENT—Continued.**(166) The Chief Justice as Presiding Officer.—At Trial of the President—Continued.**

During the trial of the President the Chief Justice was escorted to the chair by the chairman of a committee of the Senate. Volume **III**, section **2427**.

(167) The Chief Justice as Presiding Officer.—Oath of.

The Senate declined to require that the Chief Justice be sworn when about to preside at an impeachment trial. Volume **III**, section **2080**.

The Senate in its rules has refrained from prescribing an oath for the Chief Justice when he presides at an impeachment trial. Volume **III**, section **2079**.

On taking the chair to preside at the trial of President Johnson the Chief Justice had the oath administered by an associate justice. Volume **III**, section **2422**.

(168) The Chief Justice as Presiding Officer.—Vote of.

During the Johnson trial Chief Justice Chase gave a casting vote on incidental questions, and the Senate declined to declare his incapacity to vote. Volume **III**, section **2067**.

Discussion as to whether or not the Chief Justice presiding at an impeachment trial is entitled to vote. Volume **III**, section **2098**.

(169) The Chief Justice as Presiding Officer.—Decisions as to Questions of Order and Evidence.

At the Johnson trial the Chief Justice felt constrained to submit to the Senate for decision a question of order affecting the organization. Volume **III**, sections **2100–2102**.

At the Johnson trial the Chief Justice ruled that one point of order might not be made while another was pending. Volume **III**, sections **2100–2102**.

Instance of an appeal from the decision of the Chief Justice on a question of order arising during the Johnson trial. Volume **III**, sections **2100–2102**.

Discussions of the functions of the Chief Justice in decisions as to evidence in an impeachment trial. Volume **III**, section **2084**.

Instance wherein the Chief Justice ruled on the admissibility of evidence during the Johnson trial. Volume **III**, sections **2232, 2282, 2287–2291**.

In the Johnson trial Chief Justice Chase held that the managers might not appeal from a decision of the Presiding Officer as to evidence. Volume **III**, section **2084**.

Instances in the Johnson trial wherein the decisions of the Chief Justice on questions evidence were overruled. Volume **III**, sections **2222, 2238**.

(170) Procedure in Conduct of Trial.—Beginning of the Sessions.

The Senate is required by rule to continue in session from day to day, Sundays excepted, during impeachment trials, unless otherwise ordered. Volume **III**, section **2079**.

Unless otherwise ordered the Senate sitting for an impeachment trial begins its proceedings at 1 m. daily. Volume **III**, section **2069**.

At 12:30 p.m. of the day appointed for an impeachment trial the Senate suspends ordinary business and the Secretary notifies the House of Representatives that the Senate is ready to proceed. Volume **III**, section **2070**.

The Presiding Officer of the Senate announces the hour for sitting in an impeachment trial, and the Presiding Officer on the trial directs proclamation to be made and the trial to proceed. Volume **III**, section **2069**.

The President pro tempore left the chair at the hour for the Senate to sit for the trial of the President. Volume **III**, section **2422**.

Forms of procedure at the change in the Senate from a legislative session to a session for the trial of the President. Volume **III**, section **2427**.

Description of the arrangement of the Senate Chamber for the Chase trial. Volume **III**, section **2351**.

The Senators occupied their usual seats during the Johnson trial. Volume **III**, section **2110**.

If the Senate failed to sit in an impeachment trial on the day or hour fixed, it may fix a time for resuming the trial. Volume **III**, section **2076**.

IMPEACHMENT—Continued.**(170) Procedure in Conduct of Trial.—Beginning of the Sessions—Continued.**

The Senate having fixed the day for Mr. Justice Chase to file his answer, informed the House that the trial would proceed on that day. Volume **III**, section **2349**.

The impeachment proceedings having been presented in the Senate during the closing days of the Seventy-second Congress, were made the special order for the first day of the first session of the succeeding Congress. Volume **VI**, section **515**.

The Senate declined to grant the motion of the managers, submitted August 3, that the trial of Judge Archbald begin August 7, and, on motion of a Senator, set the opening of the trial for December 3. Volume **VI**, section **508**.

(171) Procedure in Conduct of Trial.—Messages to the House.

The Senate, having organized for the Belknap trial, informed the House by message. Volume **III**, section **2450**.

The Senate being organized for the Swayne impeachment, the House was notified by message. Volume **III**, section **2477**.

After hearing evidence as to the sanity of the accused, the court of impeachment notified the House of its readiness to hear the managers on the articles. Volume **III**, section **2335**.

The Senate, having fixed the day for Mr. Justice Chase to file his answer, informed the House that the trial would proceed on that day. Volume **III**, section **2349**.

The Senate daily informed the House of its readiness to proceed with the Belknap trial. Volume **III**, section **2464**.

The court of impeachment provided that the House should be notified daily of its sittings. Volume **III**, section **2377**.

(172) Procedure in Conduct of Trial.—Adjournment.

An adjournment of the Senate sitting for an impeachment trial does not operate as an adjournment of the Senate. Volume **III**, section **2069**.

Immediately upon the adjournment of the Senate sitting for an impeachment trial the ordinary business is resumed. Volume **III**, section **2069**.

In the Senate, sitting for an impeachment trial, no debate is in order pending a question of adjournment. Volume **III**, section **2073**.

The hour of meeting of the Senate sitting for an impeachment trial being fixed, a motion to adjourn to a different hour is not in order. Volume **III**, section **2071**.

In the Johnson trial the Chief Justice held that the motion to adjourn took precedence of a motion to fix the day to which the Senate should adjourn. Volume **III**, section **2072**.

The sessions of the Senate sitting for an impeachment trial may adjourn for more than three days. Volume **III**, section **2423**.

The motion to adjourn to a certain time has been admitted in the Senate sitting for an impeachment trial. Volume **III**, section **2074**.

The court of impeachment may adjourn over without interfering with session of the Senate in the interim. Volume **III**, section **2377**.

The House having taken no action when consulted as to postponement of an impeachment trial, the managers left the decision to the court. Volume **III**, section **2044**.

Judge Humphreys not appearing, the case was continued, on motion of the managers, to enable the production of testimony. Volume **III**, section **2393**.

The managers not being ready to present testimony at the opening of the Chase trial, the court granted their motion to postpone. Volume **III**, section **2353**.

On motion of counsel for President Johnson the Senate adjourned over to permit time for preparation of testimony for the defense. Volume **III**, section **2433**.

The Senate, overruling the Chief Justice, decided that a motion to adjourn over was in order during the voting on the articles in the Johnson trial. Volume **III**, section **2441**.

IMPEACHMENT—Continued.**(173) Procedure in Conduct of Trial.—Duration of, and Delays.**

Discussion of the propriety of arbitrary abridgment by the Senate of the time of an impeachment trial. Volume **III**, section **2068**.

Instances of temporary suspensions of the sitting of the Senate in an impeachment trial. Volume **III**, section **2108, 2109**.

An order for postponement of an impeachment was held in order after the organization of the Senate for the trial. Volume **III**, section **2077**.

On receipt of a letter from a physician showing the illness of one of Judge Peck's counsel, the court adjourned. Volume **III**, section **2378**.

Delays in the Johnson trial caused by illness of counsel for respondent were the occasion of protest on the part of the managers and of action by the Senate. Volume **III**, section **2150**.

The Senate declined to postpone the Pickering trial after the evidence had been submitted. Volume **III**, section **2336**.

(174) Procedure in Conduct of Trial.—Secret Sessions.

The Senate sits for an impeachment trial with open doors, but may deliberate on its decisions in secret. Volume **III**, section **2075**.

The Senate, in the Belknap trial, declined to renounce the practice of deliberating in secret session. Volume **III**, section **2466**.

Secret sessions of the Senate to discuss incidental questions arising during an impeachment trial. Volume **III**, sections **2096, 2097**.

In the Senate, sitting for impeachment trials, the doors may be closed for consultation on motion put and carried. Volume **III**, section **2095**.

The Senate rules in the Blount case provided that all questions arising should be decided in secret session and by yeas and nays. Volume **III**, section **2309**.

In the Pickering trial a rule provided that the Senate might retire for consultation on demand of one-third. Volume **III**, section **2331**.

The Senate considered in secret session the protest of respondent in the Belknap impeachment. Volume **III**, section **2461**.

While the deliberations on the final question in the Johnson trial were secret, the Senators were permitted to file written opinions. Volume **III**, section **2437**.

The Senate declined to make public its debates in secret session on the final judgment in the Johnson trial. Volume **III**, section **2436**.

The court declined to consider in secret session the question of final judgment in the Humphreys case. Volume **III**, section **2397**.

The Senate proceeded to judgment in the Peck case without prior deliberation in secret session. Volume **III**, section **2383**.

The Senate in secret session determined on the time of having the arguments as to jurisdiction in the Belknap trial. Volume **III**, section **2457**.

The Senate in secret session passed on the motion for a continuance in the Belknap trial. Volume **III**, section **2456**.

The Senate considered in secret session a motion by the managers fixing the date on which the Archbald trial should be opened. Volume **VI**, section **508**.

In the Louderback trial the Senate deliberated behind closed doors before voting on the articles of impeachment. Volume **VI**, section **524**.

(175) Procedure in Conduct of Trial.—Rules of Debate.

The orders and decisions of the Senate in impeachment cases are without debate, unless in secret session. Volume **III**, section **2094**.

Debate in secret session of the Senate sitting on impeachment trials is limited by rule. Volume **III**, section **2094**.

Rigid enforcement of the rule that decisions of the Senate sitting for an impeachment trial shall be without debate. Volume **III**, section **2088**.

IMPEACHMENT—Continued.**(175) Procedure in Conduct of Trial.—Rules of Debate—Continued.**

The Chief Justice ruled in the Johnson trial that debate must be confined to the pending question. Volume **III**, sections **2100–2102**.

In the Swayne trial Senators were permitted a freedom of debate greater than usual. Volume **III**, section **2154**.

Rule governing the Senators in the Swayne trial as to colloquies and questions. Volume **III**, section **2480**.

Rule in the Swayne trial governing Senators as to colloquies and questions addressed by them to managers, counsel, or other Senators. Volume **III**, section **2154**.

On the decision of the final question in an impeachment case debate in secret session of the Senate is limited to fifteen minutes to each Senator. Volume **III**, section **2094**.

Deliberation having been had in secret session the Senate voted on the articles of impeachment in the Johnson case without debate. Volume **III**, section **2437**.

The voting on the articles in the Belknap impeachment was without debate, but each Senator was permitted to file an opinion. Volume **III**, section **2466**.

Senators might not engage in colloquies or address directly the managers, the counsel, or each other. Volume **VI**, section **519**.

Questions of order raised in the course of an impeachment trial are decided without debate. Volume **VI**, section **522**.

Debate in the House on proposed articles of impeachment is not confined to evidence of record but may refer to any germane fact pertinent to the subject. Volume **VIII**, section **2480**.

The Senate finally decided in the Swayne trial that under the rule debate on the admissibility of evidence might not take place in open Senate. Volume **III**, section **2196**.

(176) Procedure in Conduct of Trial.—Motions, etc., Offered by Senators, Managers, and Counsel.

A proposition offered by a Senator during an impeachment trial is amendable by Senators, but not by managers or counsel. Volume **III**, section **2147**.

All orders and motions, except to adjourn, are reduced to writing when offered by Senators in impeachment trials. Volume **III**, section **2176**.

During an impeachment trial an order proposed by a Senator is debatable by managers and counsel, but not by Senators. Volume **III**, section **2148**.

On an order presented by a Senator in the course of an impeachment trial it was held that Senators might debate only in secret session. Volume **III**, section **2207**.

Rule of the Senate in the Swayne trial permitting managers or counsel to offer motions or raise questions as to evidence, and prescribing the manner thereof. Volume **III**, section **2189**.

Rule of the Senate in the Swayne trial for submitting of requests or applications by managers or counsel. Volume **III**, section **2480**.

During an impeachment trial a proposition by managers or counsel is not amendable by Senators, but yields precedence to one made by a Senator. Volume **III**, section **2147**.

At the Johnson trial the Chief Justice ruled that one point of order might not be made while another was pending. Volume **III**, sections **2100–2102**.

In the Johnson trial the Chief Justice ruled that a proposed rule or order should lie over for one day. Volume **III**, sections **2100–2102**.

The Chief Justice ruled during the Johnson trial that a proposed order should, under the Senate practice, lie over one day before consideration. Volume **III**, section **2135**.

The Senate, overruling the Chief Justice, held in order a motion to rescind its rule governing the voting on the articles of impeachment in the Johnson trial. Volume **III**, section **2442**.

In the Johnson trial the Chief Justice admitted a motion to lay a pending proposition on the table. Volume **III**, section **2103**.

Rule for offering motions during the Pickering trial. Volume **III**, section **2331**.

IMPEACHMENT—Continued.**(176) Procedure in Conduct of Trial.—Motions, etc., Offered by Senators, Managers, and Counsel—Continued.**

In impeachment trials all motions made by the parties or counsel are addressed to the Presiding Officer, and must be in writing if required. Volume **III**, section **2131**.

A motion entered by respondent to make more definite and certain an article of the articles of impeachment was agreed to by the managers on the part of the House without action by the Senate. Volume **VI**, section **518**.

A motion to lay on the table a resolution providing for final disposition of impeachment proceedings does not, if agreed to, carry such proceedings to the table with the resolution. Volume **VI**, section **538**.

Motions for the disposition of a resolution of impeachment are not in order until it has been read in full. Volume **VI**, section **541**.

The laying on the table of a resolution of impeachment does not preclude the offering of a similar resolution if not in identical language. Volume **VI**, section **541**.

(177) Procedure in Conduct of Trial.—Voting.

The rule of the Pickering trial required all decisions to be in open court, by yeas and nays, and without debate. Volume **III**, section **2331**.

In impeachment trials all orders and decisions of the Senate, with certain specified exceptions, are by the yeas and nays. Volume **III**, section **2094**.

In impeachment trials all orders and decisions of the Senate, with specified exceptions, are by the yeas and nays, but the yeas and nays may be waived by unanimous consent. Volume **VI**, section **475**.

During impeachment trials in the Senate the yeas and nays on adjournment are procured by one-fifth and not by rule. Volume **III**, section **2094**.

In the Blount impeachment the Senate dispensed with the requirement of yeas and nays on questions of adjournment and on allowing further time for the parties. Volume **III**, section **2311**.

On questions of evidence and incidental questions arising during an impeachment trial the voting is without division unless the yeas and nays are demanded by one-fifth. Volume **III**, section **2084**.

Instance wherein a Senator sitting in an impeachment trial was excused from voting on an incidental question. Volume **III**, section **2104**.

(178) Procedure in Conduct of Trial.—Journal and Record of Debates.

Impeachment trials in the Senate have from the first been recorded in a separate journal. Volume **III**, section **2307**.

The journal of the Pickering trial was kept separate from the regular Senate Journal. Volume **III**, section **2328**.

The proceedings of the Senate, sitting in the impeachment trial of Judge Archbald, were recorded in a separate journal. Volume **VI**, section **503**.

The Secretary of the Senate records proceedings in impeachments as he records legislative proceedings. Volume **III**, section **2090**.

The Chief Justice held, in the Senate sitting for the trial of President Johnson, that the Journal should be read before other proceedings. Volume **III**, section **2424**.

The proceedings of an impeachment trial are reported like the legislative proceedings. Volume **III**, section **2090**.

The proceedings in the Senate consultation chamber during the Johnson trial appear in the Journal and Globe, but the debates are not given (footnote). Volume **III**, section **2430**.

The proceedings of secret sessions of the Senate in the Johnson trial appear in the Journal but the debates were not recorded. Volume **III**, section **2425**.

In the Belknap trial the Senate declined to permit the debates in secret session to be recorded. Volume **III**, section **2459**.

IMPEACHMENT—Continued.**(176) Procedure in Conduct of Trial.—Journal and Record of Debates.**—Continued.

Correction of errors in the report of the proceedings of the Senate, sitting in trial of impeachment as reported in the Record, is properly made after the reading and approval of the Journal. Volume **VI**, section **481**.

The writ of summons issued for the appearance of Judge Archbald to answer articles of impeachment does not appear in the Journal. Volume **VI**, section **479**.

(179) Procedure in Conduct of Trial.—Admission to Galleries.

Admission to the Senate galleries during the Johnson trial was regulated by tickets. Volume **III**, section **2110**.

Disorder occurring in the galleries during the Johnson trial, they were cleared. Volume **III**, section **2434**.

(180) Procedure in Conduct of Trial.—In General.

During an impeachment trial the managers and counsel or the respondent are required to rise and address the Chair before speaking. Volume **III**, section **2146**.

In the Pickering case, against the objection of the managers, the court determined to hear the counsel of respondent's son and evidence to show the insanity of the accused. Volume **III**, section **2333**.

Instance of a conference on a subject of procedure in an impeachment. Volume **III**, section **2304**. According to the best considered practice the Senate sitting for an impeachment trial does not obtain the use of Senate archives without an order in legislative session. Volume **III**, sections **2111**, **2112**.

During the trial of President Johnson the Senate voted to receive resolutions of a State constitutional convention on the subject of the impeachment. Volume **III**, section **2113**.

The expenses of the Senate in the Swayne trial were defrayed from the Treasury. Volume **III**, section **2115**.

Impeachments are exempted from the constitutional requirement of trial by jury. Volume **III**, section **2002**.

Discussion as to the right to demand a trial by jury in a case of impeachment. Volume **III**, section **2313**.

The English precedents indicate that jury trial has not been permitted in impeachment cases. Volume **III**, section **2004**.

Argument that an impeachment trial is a criminal proceeding. Volume **III**, section **2010**.

References to general authorities on the subjects connected with impeachments. Volume **III**, section **2008**.

It was decided in 1876 that an impeachment trial could only proceed when Congress was in session. Volume **III**, section **2006**.

The Commons are considered in English practice as having in impeachment cases the function of a grand jury. Volume **III**, section **2004**.

Under the parliamentary law of impeachment the Commons, as grand inquest of the nation and as accusers, become suitors for penal justice at the bar of the Lords. Volume **III**, section **2026**.

During the trial of President Johnson the Senate voted to receive resolutions of a State constitutional convention on the subject of the impeachment. Volume **III**, section **2113**.

In the Archbald trial the Senate adopted orders supplementing the rules of procedure and practice for the Senate when sitting in impeachment trials. Volume **VI**, section **504**.

Certain Senators on their statements were excused from participation in the impeachment proceedings. Volume **VI**, section **516**.

A resolution proposing abatement of impeachment proceedings was held to be of high privilege. Volume **VI**, section **514**.

IMPEACHMENT—Continued.**(181) Proclamations by the Sergeant-at-Arms.**

- After the oath had been administered to the Senators sitting for the trial of President Johnson the Sergeant-at-Arms was directed to make proclamation. Volume **III**, section **2422**.
- The sessions of the Senate for the trial of the President were opened by proclamation. Volume **III**, section **2427**.
- Forms and ceremonies of opening the proceedings of the Senate on a day of the Balknap trial. Volume **III**, section **2464**.
- Proclamation made by the Sergeant-at-Arms at the opening of the Chase trial for presentation of evidence. Volume **III**, section **2353**.
- Proclamation of the Sergeant-at-Arms at opening of session of the Senate sitting for the Swayne impeachment trial. Volume **III**, section **2480**.
- Form of proclamation of Sergeant-at-Arms enjoining silence at the opening of the high court of impeachment for the Peck trial. Volume **III**, section **2371**.
- Managers on the part of the House having verbally notified the Senate of the impeachment of Judge Archbald, formal reading of articles of impeachment was delayed for proclamation by the Sergeant-at-Arms. Volume **VI**, section **476**.

(182) Opening Addresses.

- In an impeachment trial the case is opened by one person on each side. Volume **III**, section **2132**.
- The Senate, by resolution, limited the opening statements to one person on each side. Volume **VI**, section **522**.
- In the opening address in an impeachment trial it is proper to outline what it is expected to prove, but it is not proper to quote evidence which may not be admissible later. Volume **III**, section **2133**.
- The opening address in an impeachment trial should be confined to what is to be proven, how it is to be proven, and should not include extended argument on the whole case. Volume **III**, section **2134**.
- The opening addresses of managers and counsel in the Johnson trial. Volume **III**, section **2433**.
- The opening addresses in the Johnson trial discussed constitutional questions and outlined evidence. Volume **III**, section **2433**.
- The opening address and presentation of testimony in the Belknap impeachment. Volume **III**, section **2464**.
- The opening addresses in the Archbald trial were regulated by order of the Senate. Volume **VI**, section **509**.
- Counsel for respondent made no opening address before presenting testimony in the Belknap trial. Volume **III**, section **2464**.
- Managers and counsel made extended opening statements in the Archbald trial, the managers outlining charges which they proposed to establish and counsel for the respondent setting forth the contention that impeachment could be sustained only on conviction of offenses punishable in criminal court and controverting charges preferred in the articles of impeachment. Volume **VI**, section **509**.

(183) Arguments on Incidental Questions.

- In an impeachment trial all preliminary or interlocutory questions and all motions are argued not over an hour on a side. Volume **III**, sections **2091–2093**.
- The rule limiting the time of arguments on interlocutory questions in impeachment trials does not limit the number of persons speaking. Volume **III**, sections **2091–2093**.
- The Senate declined to sanction unlimited argument on interlocutory questions in impeachment trials. Volume **III**, sections **2091–2093**.
- The Senate by order may extend the time for the argument of motions and interlocutory questions in impeachment trials. Volume **III**, sections **2091–2093**.
- In arguing interlocutory questions in impeachment trials the opening and closing belong to the side making the motion or objection. Volume **III**, sections **2091–2093**.

IMPEACHMENT—Continued.**(183) Arguments on Incidental Questions.—Continued.**

After elaborate investigation it was held that the opening and closing arguments on incidental questions in impeachment trials belong to the side making the motion or objection. Volume **III**, sections **2136–2139**.

The claim of the managers to the closing of all arguments arising in course of an impeachment trial has been denied after examination of American and English precedents. Volume **III**, sections **2136–2139**.

It was held that a motion relating to the sitting of the Senate in an impeachment trial might be argued by counsel. Volume **III**, section **2142**.

In the Blount impeachment it was arranged that the managers should open and close in arguing respondent's plea in demurrer. Volume **III**, section **2312**.

Instance wherein the Senate, sitting for an impeachment trial, fixed the number of managers and counsel to argue on an incidental question. Volume **III**, sections **2136–2139**.

The Senate by rule determined the order and time of arguments and the numbers of counsel and managers to speak on the plea to jurisdiction in the Belknap trial. Volume **III**, section **2458**.

Discussion of the technical forms of pleading in an impeachment trial as related to right of opening and closing arguments on an incidental question. Volume **III**, sections **2136–2139**.

Argument on incidental questions arising during the trial of an impeachment is properly confined in an opening, a reply, and a conclusion. Volume **VI**, section **474**.

(184) Presentation of Testimony.—Calling of Witnesses and Lists of.

Witnesses on both sides were called at the opening of the Chase trial. Volume **III**, section **2353**.

In the Belknap trial the Senate directed the managers and counsel for respondent to furnish to one another lists of the witnesses they proposed to call. Volume **III**, sections **2156, 2460**.

The managers and respondent in the Swayne case were directed to furnish a list of their witnesses to the Sergeant-at-Arms of the Senate. Volume **III**, section **2479**.

The Senate denied in the Belknap trial the application of respondent's counsel for a statement of the facts which the managers expected to prove by each witness. Volume **III**, section **2156**.

Lists of witnesses to be subpoenaed in a trial of impeachment are supplied by the managers and respondent respectively to the Sergeant-at-Arms of the Senate. Volume **VI**, section **484**.

After the filing of lists of witnesses to be subpoenaed in a trial of impeachment, further witnesses may be subpoenaed on application of the managers or the respondent made to the Presiding Officer. Volume **VI**, section **484**.

In the Archbald trial the Senate provided that lists of witnesses to be subpoenaed should be furnished by managers or counsel to the Sergeant-at-Arms and that additional witnesses desired later should be subpoenaed on application to the Presiding Officer. Volume **VI**, section **508**.

Instances wherein the Senate by order restricted the number of character witnesses which might be called to testify. Volume **VI**, section **510**.

(185) Presentation of Testimony.—Issuing of Subpoenas.

The Senate, sitting on impeachment trials, is empowered by rule to compel the attendance of witnesses. Volume **III**, section **2158**.

Form of subpoena issued to witnesses in impeachment trials. Volume **III**, section **2162**.

Form of direction for service of subpoenas to witnesses in impeachment trials. Volume **III**, section **2162**.

In impeachment trials subpoenas are issued on application of managers or the respondent or his counsel. Volume **III**, section **2162**.

IMPEACHMENT—Continued.**(185) Presentation of Testimony.—Issuing of Subpoenas—Continued.**

An approved number of witnesses for respondent in the Belknap trial were summoned at public expense. Volume **III**, section **2463**.

The Senate provided that subpoenas for respondent's witnesses in the Belknap trial should be issued on recommendation of a committee. Volume **III**, section **2463**.

Forms of subpoena and compulsory process issued by House committee to produce persons and papers for Blount impeachment. Volume **III**, sections **2038, 2039**.

In the Pickering impeachment the subpoenas were directed to the marshal of the district wherein the witness resided. Volume **III**, section **2329**.

In the Pickering case the Senate provided for issuing subpoenas of a specified form on application of managers or of respondent or his counsel. Volume **III**, section **2329**.

Form of direction to the marshal for services of subpoenas in the Pickering trial. Volume **III**, section **2329**.

In the Humphreys impeachment it was first provided that the subpoenas should be served by the Sergeant-at-Arms or his deputy. Volume **III**, section **2393**.

At the beginning of the Humphreys trial the returns on the subpoenas were read and the names of the witnesses called. Volume **III**, section **2394**.

(186) Presentation of Testimony.—Discharging and Excusing Witnesses.

In an impeachment trial the discharge of witnesses is determined by the Senate, sometimes in conformity with the consent of the parties. Volume **III**, section **2354**.

In the Belknap trial the witnesses were discharged before the final arguments. Volume **III**, section **2465**.

A witness unable to attend the Humphreys trial was excused by the court. Volume **III**, section **2394**.

(187) Presentation of Testimony.—Compulsory Process for Witnesses.

The Senate and not the Presiding Officer decides on a motion for attachment of a witness. Volume **III**, sections **2152, 2153**.

The Senate, sitting for the Belknap trial, declined to order process to compel the attendance of a witness who had been subpoenaed by telegraph merely. Volume **III**, section **2159**.

Instance wherein a witness was examined on the question of issuing process for a witness in the Swayne trial. Volume **III**, section **2483**.

Instance wherein, during the Swayne trial, testimony was introduced to show the propriety of an attachment against an absent witness. Volume **III**, sections **2152, 2153**.

The Senate, sitting for the Archbald trial, ordered process to compel the attendance of a witness who had disregarded a subpoena duly served by the Sergeant at Arms. Volume **VI**, section **486**.

A dilatory witness who failed to appear until after attachment had been ordered was admonished by the President pro tempore. Volume **VI**, section **486**.

In the Louderback impeachment the Senate ordered process to compel the attendance of a witness who declined to appear in response to subpoena. Volume **VI**, section **523**.

A witness having refused to testify before a subcommittee was arrested and detained in custody. Volume **VI**, section **523**.

The issuance of process for the attachment of a witness was held not to bar the admission of depositions by such witness pending his arrival. Volume **VI**, section **523**.

(188) Presentation of Testimony.—Production of Papers.

The Senate, sitting for an impeachment trial, has commanded a reluctant witness to produce certain papers in its presence. Volume **III**, section **2160**.

The House, by resolution, authorized its Clerk to produce papers and its Members to give testimony before a court of impeachment. Volume **III**, section **1796**.

A contract having been admitted as evidence in an impeachment trial, it was held competent to show the intention of the parties thereto. Volume **VI**, section **497**.

IMPEACHMENT—Continued.**(188) Presentation of Testimony.—Production of Papers—Continued.**

Stipulations in writing by parties were received by the Senate as though the facts therein agreed upon had been established by evidence. Volume **VI**, section **519**.

(189) Presentation of Testimony.—Delays to Await Witnesses.

Judge Humphreys not appearing, the case was continued, on motion of the managers, to enable the production of testimony. Volume **III**, section **2393**.

The managers not being ready to present testimony at the opening of the Chase trial, the court granted their motion to postpone. Volume **III**, section **2353**.

On motion of counsel for President Johnson the Senate adjourned over to permit time for preparation of testimony for the defense. Volume **III**, section **2433**.

The Senate declined to postpone formally the Belknap trial to await the attendance of a witness for the respondent. Volume **III**, section **2157**.

In the Belknap trial the Senate adjourned to await the attendance of a witness declared by the respondent, on oath, to be “material and necessary for his defense.” Volume **III**, section **2157**.

In the Peck trial, after the witness had been called, the court granted the request of the managers for delay to await a material witness. Volume **III**, section **2376**.

Form of respondent’s application for delay to await a witness in an impeachment trial. Volume **III**, section **2157**.

Respondent’s application in the Belknap trial for delay to await a witness’s arrival was not required to be accompanied by a statement as to what he would prove. Volume **III**, section **2157**.

The Chief Justice held, in the Johnson trial, that the offering of evidence might not be interrupted by a question relating to business incident to the trial or to legislative sessions. Volume **III**, section **2198**.

(190) Presentation of Testimony.—Order of.

The answer and replication being filed in the Chase impeachment the court proceeded to hear testimony. Volume **III**, section **2353**.

In an impeachment trial testimony is presented generally and is not classified according to the article to which it applies. Volume **III**, section **2165**.

Order of proceeding in the Chase trial during the introduction of evidence. Volume **III**, section **2354**.

The presentation of evidence and the arguments in the Peck trial. Volume **III**, section **2378**.

In the Johnson trial the Chief Justice held that evidence might be introduced during final arguments only by order of the Senate. Volume **III**, section **2166**.

During final argument in the Chase trial the managers claimed and obtained the right to introduce testimony to justify evidence of an impeached witness. Volume **III**, section **2190**.

The Senate struck from the record of an impeachment trial certain statements of fact introduced by a manager in argument without support of evidence. Volume **III**, section **2207**.

The order of taking testimony in an impeachment trial is sometimes waived by the consent of both parties. Volume **III**, section **2175**.

By consent, during the Chase trial, a witness for respondent was examined while the managers were presenting testimony. Volume **III**, section **2354**.

Rulings in the Swayne trial as to right of counsel of respondent to introduce documents in evidence during their cross-examination of witnesses for the managers. Volume **III**, section **2212**.

By consent the managers in the Johnson trial reserved the right to supply omissions in evidence after they had closed their testimony. Volume **III**, section **2433**.

During time of presentation of testimony in the Swayne trial counsel of respondent were permitted to file a brief on their pleas to jurisdiction. Volume **III**, section **2125**.

IMPEACHMENT—Continued.**(190) Presentation of Testimony.—Order of—Continued.**

The Senate declined to await the consultation of the managers with the House before hearing evidence as to Judge Pickering's sanity. Volume **III**, section **2334**.

Discussion of the order in which witnesses should be sworn in trial of impeachment. Volume **VI**, section **489**.

Order of the Senate prescribing method of submitting requests, applications, or objections, and regulating colloquys and questions. Volume **VI**, section **504**.

(191) Presentation of Testimony.—Oath Taken by Witnesses.

Form of oath administered to witnesses in impeachment trials. Volume **III**, section **2162**.

Form of oath and mode of examination of witnesses prescribed in the Blount impeachment. Volume **III**, section **2309**.

Form of oath and method of examination for witnesses in the Pickering trial. Volume **III**, section **2331**.

Procedure to be followed in the swearing of witnesses having been left to managers and counsel, witnesses were sworn as produced. Volume **VI**, section **489**.

In the Lauderback impeachment trial witnesses were sworn as called and not en banc. Volume **VI**, section **523**.

(192) Presentation of Testimony.—Examination of Witnesses.

Witnesses in an impeachment trial gave their testimony standing unless specially permitted to sit. Volume **III**, section **2172**.

The Senate assigns the place to be occupied by witnesses testifying in an impeachment trial. Volume **III**, section **2173**.

The Senate prefers that managers and counsel, in examining witnesses in an impeachment trial, shall stand in the center aisle. Volume **III**, section **2171**.

Witnesses in an impeachment are examined by one person on either side. Volume **III**, section **2168**.

In impeachment trials before the House of Lords it is the practice to swear and examine the witnesses in open house. Volume **III**, section **2161**.

Managers and counsel disagreeing as to method of direct and cross examination of a delayed witness, the Senate ordered examination in accordance with the regular practice. Volume **III**, section **2170**.

The Senate decided in the Belknap trial that a witness recalled, after direct and cross examination, to answer a question by a Senator, might not be again subjected to direct examination. Volume **III**, section **2215**.

The Chief Justice held in the Johnson trial that a witness recalled to answer a question by a Senator might be reexamined by counsel for respondent. Volume **III**, section **2214**.

It was decided in the Belknap trial that a witness might not be examined as to the contents of an existing letter without the letter itself being submitted. Volume **III**, sections **2226–2229**.

Rebuttal evidence was offered by the managers in the Swayne trial. Volume **III**, section **2484**.

It was held in the Peck trial that a witness might correct orally testimony already given by him. Volume **III**, section **2205**.

The question as to whether or not testimony in an impeachment trial might be taken by a committee of the Senate. Volume **III**, section **2217**.

Under the parliamentary law witnesses in an impeachment trial may be examined by a committee. Volume **III**, section **2161**.

Decision as to the limits within which counsel in an impeachment trial may criticize a witness. Volume **III**, section **2192**.

Decisions as to the extent to which a witness in an impeachment trial may use memoranda to refresh his memory. Volume **III**, sections **2203, 2204**.

IMPEACHMENT—Continued.**(192) Presentation of Testimony.—Examination of Witnesses—Continued.**

The President pro tempore ruled, in the Archbald trial, that counsel in examination might confine a witness within the limits of his interrogation, but witness should have opportunity either in direct examination or under cross-examination, to explain fully any answer made. Volume **VI**, section **492**.

The most liberal latitude was allowed in the examination of witnesses before the committee which investigated Judge Speer. Volume **VI**, section **527**.

Evidence may be introduced by counsel to contradict testimony in chief given by their own witness only upon statement that such testimony is at variance with that expected and that relying on evidence previously given by the witness, they have been surprised and entrapped. Volume **VI**, section **494**.

Witnesses in an impeachment trial were required to give their testimony standing, but this requirement was held not to apply to counsel. Volume **VI**, section **523**.

Witnesses in an impeachment trial were required to stand when necessary in order to be better heard. Volume **VI**, section **488**.

Witnesses whose testimony was audible when seated were permitted to testify from a seat at the Secretary's desk. Volume **VI**, section **488**.

(193) Presentation of Testimony.—Senators as Witnesses.

In impeachments a Senator called as a witness is sworn and testifies standing in his place. Volume **III**, section **2163**.

Rule of the Senate in the Pickering trial for examination of a Senator. Volume **III**, section **2331**. It was provided in the Blount case that Senators called as witnesses should be sworn and testify standing in their places. Volume **III**, section **2309**.

In the Peck trial a Senator was examined as a witness on behalf of respondent. Volume **III**, section **2378**.

During the Belknap trial Senators were called as witnesses, and were sworn and testified standing in their places. Volume **III**, section **2164**.

No defense being made in the Pickering impeachment, the two Senators from the State of the accused were examined at suggestion of the court. Volume **III**, section **2336**.

(194) Presentation of Testimony.—Cross-Examination of Witnesses.

The Chief Justice declined to rule finally that cross-examination of a witness in an impeachment trial should be concluded before his dismissal. Volume **III**, section **2214**.

Discussion as to whether or not the cross-examination in an impeachment trial may go beyond the scope of the direct examination. Volume **III**, section **2208**.

In the Swayne trial it was held that cross-examination should be responsive to the examination in chief. Volume **III**, sections **2210**, **2211**.

In the Belknap trial the Senate permitted a redirect examination which was not responsive to the facts elicited in cross-examination. Volume **III**, section **2209**.

There being no appearance for Judge Pickering, witnesses presented by the managers were not cross-examined, except for a few questions by the Presiding Officer. Volume **III**, section **2335**.

In the Humphreys trial, with no representatives for the respondent, witnesses were not cross-examined. Volume **III**, section **2395**.

Instance wherein during cross-examination in an impeachment trial the Senate sustained objection to evidence on a point not touched in direct examination and of doubtful pertinency. Volume **III**, section **2213**.

Decision by the President pro tempore in the impeachment trial of Judge Archbald, on the latitude of counsel in cross-examination of witness relative to testimony previously given by the witness before a committee of the House. Volume **VI**, section **496**.

IMPEACHMENT—Continued.**(195) Presentation of Testimony.—Questions of Senators to Witnesses.**

A question put by a Senator to a witness in an impeachment trial is reduced to writing and put by the Presiding Officer. Volume **III**, section **2176**. Volume **VI**, section **522**.

The rules of the Pickering trial provided that a question by a Senator should be in writing and put by the Presiding Officer. Volume **III**, section **2331**.

Question asked by Senators in an impeachment trial, whether of managers, counsel, or witnesses, must be in writing. Volume **III**, sections **2180**, **2181**.

Either managers or counsel in an impeachment trial may object to an answer to a question propounded to a witness by a Senator. Volume **III**, section **2184**.

Chief Justice Chase finally held in the Johnson trial that the managers might object to a witness answering a question put by a Senator. Volume **III**, sections **2182**, **2183**.

The Senate decided that it might, in an impeachment trial, permit a Senator to interrogate a witness, although both managers and counsel for the respondent objected. Volume **III**, section **2185**.

Instance wherein both managers and counsel for respondent were permitted to object to questions proposed by Senators. Volume **III**, sections **2186**, **2187**.

While managers or counsel may agree in objection to a question put to a witness by a Senator in an impeachment trial, the Senate may not reply. Volume **III**, section **2188**.

(196) Presentation of Testimony.—In General.

Forms and ceremonies in the Swayne trial during the presentation of testimony. Volume **III**, section **2483**.

The journal of an impeachment trial records the names of witnesses, but not their testimony, except when it is subject of objection. Volume **III**, section **2354**.

In the Belknap trial the Presiding Officer, on request of respondent's counsel, required the reading in full of letters presented in evidence. Volume **III**, section **2201**.

The Senate fixed the time of proceeding with the evidence in the Belknap trial before respondent's answer on the merits. Volume **III**, section **2460**.

The presentation of evidence in the Archbald trial. Volume **VI**, section **510**.

The managers announced that they had omitted the presentation of certain formal evidence, customary to impeachment proceedings, as relating to facts too obvious to require proof. Volume **VI**, section **522**.

After testimony had been closed and the opening argument concluded in the Louderback trial, further questions were propounded in writing and were answered by the respondent. Volume **VI**, section **524**.

In the Louderback impeachment trial the respondent appeared and testified at length in his own behalf. Volume **VI**, section **524**.

The presentation of evidence and the arguments in the Peck trial. Volume **III**, section **2378**.

By consent the managers in the Johnson trial reserved the right to supply omissions in evidence after they had closed their testimony. Volume **III**, section **2433**.

During the trial of Judge Chase one of the counsel for the respondent was sworn and examined as a witness. Volume **III**, section **2174**.

(197) Questions by Senators to Managers or Counsel.

In defiance of Rule XVIII for impeachment trials the Senate has established the practice that Senators may interrogate managers or counsel for respondent. Volume **III**, sections **2177–2179**.

Instance during an impeachment trial wherein a Member of the Senate called on the managers for an opinion. Volume **III**, section **2006**.

Instance wherein the managers of an impeachment declined to answer a question propounded by a Senator during the trial. Volume **III**, section **2145**.

Instance wherein Senators propounded questions to counsel during arguments as to admissibility of evidence. Volume **III**, section **2222**.

IMPEACHMENT—Continued**(198) Rules of Evidence.—Strictness of.**

After discussion of English precedents the Senate ruled decisively in the Peck trial that the strict rules of evidence in force in the courts should be applied. Volume **III**, section **2218**.

In the Johnson trial the Senate declined to agree to a declaration modifying the strictness of the ordinary rules of evidence. Volume **III**, section **2219**.

In the absence of representation of respondent in the Humphreys trial the Senators insisted on the rules of evidence. Volume **III**, section **2395**.

The trial of impeachments before the Lords is governed by the legal rules of evidence. Volume **III**, section **2155**.

Citation of English precedents as to evidence during the Johnson trial. Volume **III**, section **2238**. Questions as to admissibility of evidence in a trial of impeachment are by long-established custom, submitted by the Presiding Officer to the Senate for decision. Volume **VI**, section **491**.

An instance in which the Senate by order disregarded an established rule of evidence. Volume **VI**, section **510**.

(199) Rules of Evidence.—Hearsay Testimony.

In general during impeachment trials questions as to conversations with third parties not in presence of respondent have been excluded from evidence. Volume **III**, sections **2235–2337**.

In the Swayne trial hearsay testimony, introduced to show inconvenience to litigants from respondent's conduct, was ruled out. Volume **III**, section **2330**.

Testimony as to what was said by the agent or conspirator of respondent in regard to carrying out respondent's order, the said order being a ground of the impeachment, was admitted. Volume **III**, sections **2331–2333**.

In correcting testimony previously given in an impeachment trial a witness was not permitted to put in a paper made up in part from the recollections of other persons. Volume **III**, section **2205**.

The witness having testified that a report of a speech was made partially by others as well as by himself, the report was not admitted in evidence. Volume **III**, section **2282**.

(200) Rules of Evidence.—Testimony Confined to the Pleadings.

In an impeachment trial testimony that can be construed as fairly within the purport of the articles is admitted. Volume **III**, section **2220**.

Having ascertained that certain testimony was within the scope of the articles of impeachment, the Senate reversed a decision that the testimony was immaterial. Volume **III**, section **2208**.

A question being raised in the Swayne trial that certain evidence was immaterial, the pleadings were examined to determine whether or not the issues involved were raised. Volume **III**, section **2224**.

In the Johnson trial the Senate declined to admit evidence of a fact bearing on the question of intent, no issue having been accepted in the pleadings on this point. Volume **III**, section **2222**.

In the Johnson trial the Senate held inadmissible as evidence of an intent specified in the articles an act not specified in the articles. Volume **III**, section **2221**.

Objection that new matter in respondent's answer, not responsive to any charge in the articles, should not lay a foundation for the introduction of evidence. Volume **III**, section **2277**.

Evidence that, from the nature of the charge, was immaterial, was ruled out during the Swayne trial, although respondent's answer had seemed to lay a foundation for it. Volume **III**, section **2223**.

(201) Rules of Evidence.—General Decisions as to Relevancy.

The Senate, in the Belknap trial, declined to admit evidence of a fact occurring after respondent had ceased to hold the civil office. Volume **III**, section **2276**.

IMPEACHMENT—Continued.**(201) Rules of Evidence.—General Decisions as to Relevancy**—Continued.

In the Peck trial a witness was not permitted to testify to general public opinion on a subject not closely related to respondent's act. Volume **III**, section **2280**.

A certified paper, bearing only indirectly on a question at issue, was ruled out in the Swayne trial. Volume **III**, section **2225**.

Instance wherein, during cross-examination in an impeachment trial, the Senate sustained objection to evidence on a point not touched in direct examination and of doubtful pertinency. Volume **III**, section **2213**.

Letters from other judges stating their construction of the law as to expenses were not admitted in behalf of Judge Swayne, charged with submitting false certificates. Volume **III**, section **2277**.

Judge Swayne being charged with submitting false certificates of expenses, evidence tending to show that other judges had submitted similar certificates was excluded. Volume **III**, section **2277**.

Judge Swayne being charged with wrongfully committing persons for contempt, testimony as to the condition of the jail was ruled out as immaterial. Volume **III**, section **2283**.

Testimony admitted in the Swayne trial as material, although objected to as not bearing directly on the issues. Volume **III**, sections **2292, 2293**.

Decisions as to relevancy of testimony during the Peck trial. Volume **III**, sections **2284–2286**.

General decisions during the Johnson and Belknap trials as to the relevancy of testimony. Volume **III**, sections **2287–2291**.

Questions as to admissibility of evidence in impeachment trials are not debatable. Volume **VI**, section **490**.

In the Archbald trial it was held that while witnesses might testify as to the general reputation of the respondent, and as to his reputation for judicial integrity in particular, it was not competent to introduce evidence as to his reputation for ability and industry; and in no event was the personal opinion of a witness on questions of character or reputation admissible. Volume **VI**, section **495**.

(202) Rules of Evidence.—Facts, Not Opinions, Required.

Witnesses in an impeachment trial are required to state facts and not opinions. Volume **III**, sections **2218, 2248–2251**.

It was decided in the Belknap trial that a question to a witness might not be so framed that the answer might imply as opinion. Volume **III**, section **2252**.

In the Swayne trial the opinions of witnesses, including answers to questions of mixed law and facts, were excluded. Volume **III**, sections **2253–2255**.

In the Belknap trial objection was successfully made to an opinion of a subordinate officer as to evidence of the character of respondent's administration. Volume **III**, section **2256**.

In the Johnson trial a witness was not permitted, as a matter of proof of intent, to state that he had formed and communicated an opinion to respondent. Volume **III**, section **2250**.

A witness was permitted in the Balknap trial to give in answer a conclusion derived from a series of facts. Volume **III**, section **2257**.

In impeachment trials witnesses are ordinarily required to state facts, not opinions. Volume **III**, sections **2248–2251**.

(203) Rules of Evidence.—Best Evidence Required.

In impeachment trials the rule that the best evidence procurable should be presented has been followed. Volume **III**, sections **2226–2229**.

Instance in the Swayne case wherein a witness was permitted to testify as to the nature of a document which was on record in the trial. Volume **III**, section **2264**.

(204) Rules of Evidence.—Declarations in General as Showing Intent.

In the Johnson trial declarations of respondent, made anterior to the act and even concomitant with it, were held inadmissible as evidence. Volume **III**, section **2238**.

IMPEACHMENT—Continued.**(204) Rules of Evidence.—Declarations in General as Showing Intent—Continued.**

Evidence as to statements of Judge Swayne, to provide intention as to residence and made before impeachment proceedings were suggested, was the subject of diverse rulings during the trial. Volume **III**, section **2239**.

In the Johnson trial the Senate sustained the Chief Justice in admitting as showing intent, on the principle of *res gestae*, evidence of respondent's verbal statement of the act to his cabinet. Volume **III**, section **2242**.

By a majority of one the Senate in the Johnson trial sustained the Chief Justice's ruling that evidence as to the respondent's declaration of intent, made at the time of the act, was admissible. Volume **III**, section **2240**.

Comment of the Chief Justice on the Senate's decisions on evidence as to respondent's declarations at or near the time of the act. Volume **III**, section **2244**.

Declarations of the respondent made during the act were admitted to rebut evidence of other declarations, made also during the act, but on a different day. Volume **III**, section **2241**.

The Senate in the Johnson trial declined to exclude evidence as to fact on the ground that it might lead to evidence as to declarations. Volume **III**, section **2238**.

(205) Rules of Evidence.—Declarations After the Act as Showing Intent.

An alleged coconspirator was permitted to testify as to declarations of the respondent as a time after the act, the testimony being responsive to similar evidence on the other side. Volume **III**, section **2234**.

It was decided in the Chase trial that declarations of the respondent after the act might not be admitted to show the intent. Volume **III**, section **2243**.

In the Johnson trial the Senate ruled out evidence as to respondent's declarations of intent, made after the act. Volume **III**, section **2244**.

In the Johnson trial the Chief Justice ruled that an official message transmitted after the act was not admissible as evidence to show intent. Volume **III**, section **2245**.

Evidence of declarations of respondent after the fact was excluded in the Johnson trial, although related to an act admitted in proof to show intent. Volume **III**, section **2246**.

(206) Rules of Evidence.—General Testimony as to Intent.

The Chief Justice admitted during the Johnson trial as showing intent a question as to action by the respondent, although taken after the impeachment. Volume **III**, section **2247**.

The Chief Justice was sustained in admitting during the Johnson trial evidence of an act after the fact as showing intent. Volume **III**, section **2246**.

In the Belknap trial the Senate by a bare majority admitted, to show intent, evidence that respondent had not inquired into newspaper charges reflecting on his subordinates. Volume **III**, section **2279**.

In the Belknap trial testimony cumulative as to the fact but not as to the intent of respondent was admitted. Volume **III**, section **2275**.

(207) Rules of Evidence.—Introduction of Documents.

In impeachment trials public documents are admitted in evidence for what they may be worth. Volume **III**, sections **2260**, **2261**.

In the Johnson trial a message of President Buchanan, published as a Senate document, was admitted as evidence. Volume **III**, section **2262**.

The Senate declined to admit in the Belknap trial testimony taken before a House committee and published as a public document. Volume **III**, section **2268**.

By a close vote, after elaborate argument, the record of Congressional debates was admitted during the Swayne trial as having a bearing on the construction of a law. Volume **III**, section **2267**.

In the Johnson trial the Senate sustained the Chief Justice in admitting as evidence of a general practice tabular statements of documents relating to particular instances. Volume **III**, section **2258**.

IMPEACHMENT—Continued.**(207) Rules of Evidence.—Introduction of Documents.—Continued.**

A statement signed by the Secretary of the Treasury, but not under seal, summarizing the contents of official documents, was objected to as evidence in the Swayne trial. Volume **III**, section **2277**.

A summary by counsel of the contents of documents was held to be in the nature of argument and not admissible as evidence. Volume **III**, section **2259**.

Instance in the Belknap trial wherein a document not pertinent on its face was admitted to prove the negative of a pertinent proposition. Volume **III**, section **2274**.

In the Johnson trial the Chief Justice was sustained in admitting as evidence the warrant and papers in a legal proceeding to which respondent was related, but not a party directly. Volume **III**, sections **2272**, **2273**.

In the Johnson trial the managers were not required, in submitting a letter of respondent, to also submit accompanying but not necessarily pertinent documents. Volume **III**, section **2263**.

In the Belknap trial the Presiding Officer on request of respondent's counsel required the reading in full of letters presented in evidence. Volume **III**, section **2201**.

Instance in the Swayne trial wherein, with the concurrence of counsel, the managers introduced without oral testimony a certified copy of a court record. Volume **III**, section **2265**.

In the Swayne trial, evidently by written stipulation between managers and counsel, certified copies of records were used in the same way as the original might have been used. Volume **III**, sections **2265**, **2266**.

(208) Rules of Evidence.—Affidavits.

Instance wherein depositions offered in an impeachment trial were purged of matters in conflict with the rule laid down as to evidence. Volume **III**, section **2206**.

In the Pickering case the Presiding Officer ruled that in presenting affidavits to show the insanity of the accused only the pertinent parts should be read. Volume **III**, section **2334**.

(209) Rules of Evidence.—In General.

Testimony taken before a House committee and seen by respondent was admitted in the Belknap trial not as evidence of the fact, but as a partial foundation for an inference. Volume **III**, section **2269**.

Although Judge Swayne had been a voluntary witness before the House investigating committee, the Senate decided that the record of his testimony was prohibited by statute from use in the trial. Volume **III**, section **2270**.

Decisions as to the extent to which a witness in an impeachment trial may use memoranda to refresh his memory. Volume **III**, sections **2203**, **2204**.

Decision as to the limits within which expert testimony may be admitted in an impeachment trial. Volume **III**, section **2218**.

The Senate refused in the Johnson trial to admit as evidence in mitigation testimony held otherwise inadmissible. Volume **III**, section **2222**.

The managers in the Swayne trial having offered to prove a statement made by respondent before the House committee, counsel successfully resisted the reading of the statement as part of the offer. Volume **III**, section **2169**.

An argument by counsel for respondent against the "offer of proof" method of presenting evidence in an impeachment trial. Volume **III**, section **2169**.

The Senate in the Belknap trial declined to admit evidence of an act which in substance amounted only to a refusal of respondent to confess culpability. Volume **III**, section **2278**.

In the Peck trial the person alleged to have been oppressed by respondent was required to testify as to acts of his own implying malice against the respondent after the said alleged oppression. Volume **III**, section **2281**.

Leading questions were ruled out during the Johnson trial. Volume **III**, section **2238**.

IMPEACHMENT—Continued.**(209) Rules of Evidence.—In General.—Continued.**

In the Belknap trial, by consent of both sides, a statement of what would be proven by an absent witness was admitted, subject to objection as to its relevancy. Volume **III**, section **2199**.

In proving the contents of lost letters the Senate in the Belknap trial permitted the witness to be interrogated generally as to the import of a series of letters. Volume **III**, section **2271**.

In the Johnson trial the Senate declined to admit as rebutting evidence a document not responsive to any evidence offered on the other side. Volume **III**, section **2216**.

The Chief Justice held in the Johnston trial that the offering of evidence might not be interrupted by a question relating to business incident to the trial or to legislative sessions. Volume **III**, section **2198**.

In the Johnson trial the Chief Justice held that evidence might be introduced during final arguments only by order of the Senate. Volume **III**, section **2166**.

Under recognized rules of evidence, leading questions were ruled out in a trial of impeachment and witnesses were admonished to observe established procedure. Volume **VI**, section **493**.

Evidence relating to events occurring prior to Judge Louderback's appointment to the Federal bench were admitted to establish matters pertinent to the impeachment proceedings. Volume **VI**, section **523**.

No rebuttal evidence was offered by the managers in the Archbald trial. Volume **VI**, section **511**.

Instance of a ruling by the President pro tempore on a question of evidence in an impeachment trial. Volume **VI**, section **497**.

In the Archbald trial the Senate declined to admit and reserve decision on the admissibility of evidence to the admission of which an objection was pending. Volume **VI**, section **490**.

(210) Objections to Evidence.

The proposition that evidence in an impeachment trial may be admitted or excluded by a majority vote has not been questioned seriously. Volume **III**, section **2167**.

Instance wherein during the introduction of evidence an objection withdrawn by a manager was renewed by a Senator. Volume **III**, section **2241**.

Instance wherein a Senator objected to evidence which was not objected to by managers or counsel. Volume **III**, section **2268**.

The presentation and reading of a document during introduction of evidence in an impeachment trial was held not to preclude an objection as to its admissibility. Volume **III**, section **2200**.

The Chief Justice held in the Johnson trial that offer of documentary proof should state its nature only, but that the Senate might order it to be read in full before acting on the objection. Volume **III**, section **2202**.

The Senate finally decided in the Swayne trial that under the rule debate on the admissibility of evidence might not take place in open Senate. Volume **III**, section **2196**.

In an argument as to the admissibility of evidence it is not proper to read the very evidence objected to. Volume **III**, section **2197**.

Instance wherein during cross-examination in an impeachment trial the Senate sustained objection to evidence on a point not touched in direct examination and of doubtful pertinency. Volume **III**, section **2213**.

Managers and counsel for respondent were required to address motions or objections directly to the Officer and not otherwise. Volume **VI**, section **519**.

Exhibits relating to the case at bar but also embodying extraneous and irrelevant material were admitted in full over the objection that only the pertinent matters should be read into the record. Volume **VI**, section **523**.

IMPEACHMENT—Continued.**(211) Final Arguments.—Order of.**

The claim of the managers to the closing of all arguments arising in course of an impeachment trial has been denied after examination of American and English precedents. Volume **III**, sections **2136–2139**.

The final argument on the merits in an impeachment trial is opened and closed by the House of Representatives. Volume **III**, section **2132**.

In the Chase impeachment, by agreement, the managers had the opening and closing of the final arguments. Volume **III**, section **2355**.

The order in which closing arguments in the Archbald trial should be made was arranged by stipulation between managers and counsel. Volume **VI**, section **511**.

On the final arguments in the Peck trial the managers had the opening and closing. Volume **III**, section **2378**.

The order of the final arguments in the trial of President Johnson. Volume **III**, section **2434**.

Order of final arguments in the Swayne case. Volume **III**, section **2484**.

The final arguments on the merits in an impeachment trial are made by two persons on each side, unless ordered otherwise upon application. Volume **III**, section **2132**.

In the final argument in the Johnson trial the conclusion was required to be by one manager. Volume **III**, section **2135**.

In the Belknap trial the closing speech of the final arguments was by one of the managers. Volume **III**, section **2465**.

In the Belknap trial the Senate permitted three managers and three counsel to argue on the final question, and in such order as might be agreed on. Volume **III**, section **2465**.

The illness of counsel or managers were certified to as reason for disarranging the order of final argument in the Belknap trial. Volume **III**, section **2465**.

By permission, before the final arguments in the Swayne trial, the managers filed a brief on the respondent's plea to jurisdiction. Volume **III**, section **2015**.

The Senate struck from the record of an impeachment trial certain statements of fact introduced by a manager in argument without support of evidence. Volume **III**, section **2207**.

The counsel for the respondent having touched on extraneous matters in his final argument in the Louderback trial, was admonished by the presiding officer to confine himself to the record. Volume **VI**, section **524**.

Instance wherein leave was given to take further testimony and produce additional evidence after briefs had been filed and arguments heard. Volume **VI**, section **134**.

(212) Final Arguments.—Time of.

Those making the final arguments of the Chase trial were limited neither as to time nor numbers. Volume **III**, section **2355**.

The Senate limited the time but did not restrict the number participating in the final arguments in the Louderback impeachment. Volume **VI**, section **524**.

At the trial of President Johnson both managers and counsel for respondent objected successfully to the rule limiting the number speaking in final argument. Volume **III**, section **2135**.

In the Johnson trial the Senate declined to limit the time of the final arguments. Volume **III**, section **2135**.

The Senate declined to restrict the time of final arguments in the Belknap trial. Volume **III**, section **2465**.

The Senate limited the time of the final arguments in the Swayne impeachment trial. Volume **III**, section **2484**.

The Senate limited the time of the final arguments in the impeachment trial of Judge Archbald. Volume **VI**, section **511**.

(213) Final Arguments.—Written Instead of Oral.

The privilege of submitting a written instead of an oral argument in the final summing up was allowed in the Johnson trial. Volume **III**, section **2135**.

IMPEACHMENT—Continued.**(213) Final Arguments.—Written Instead of Oral—Continued.**

The Senate, after deliberation, permitted written arguments to be filed in the Swayne case, but only in such way as would permit reply. Volume **III**, section **2284**.

The Senate permitted argument in manuscript to be filed with the reporter and included in the printed report of the proceeding. Volume **VI**, section **511**.

(214) Final Arguments.—When not Made.

The respondent not being represented in the Humphreys trial the managers, without argument, demanded judgment. Volume **III**, section **2395**.

In the Pickering case one of the managers submitted the case finally without extended argument. Volume **III**, section **2336**.

(215) Voting on the Articles.—The Form of Final Question.

Form of question put in ascertaining the judgment of the court in the Peck trial. Volume **III**, section **2383**.

The final question in the Pickering judgment was on the removal of the accused from office. Volume **III**, section **2339**.

The court in the Pickering judgment declined to permit an expression as to whether the offenses constituted high crimes and misdemeanors. Volume **III**, section **2339**.

The court determined to confine the question in the judgment on Judge Pickering to the simple question of guilt on the charges. Volume **III**, section **2339**.

In the Pickering impeachment certain Senators retired from the court because dissatisfied with form of the question on final judgment. Volume **III**, section **2340**.

In the Chase trial the court modified its former rule as to form of final question. Volume **III**, section **2363**.

Form of question on verdict of the court in the Humphreys trial. Volume **III**, section **2396**.

Having disagreed as to the form of final question in the Johnson trial the Senate left it to the Chief Justice. Volume **III**, section **2438**.

In the Johnson trial the Senate adopted the form of final question and method of voting suggested by the Chief Justice. Volume **III**, section **2439**.

There was much deliberation over the form of the final question in the Belknap trial. Volume **III**, section **2466**.

(216) Voting on the Articles.—Order and Method of.

On the final question whether an impeachment is sustained the yeas and nays are taken on each article separately. Volume **III**, section **2098**.

In conformity with English precedents the Senate pronounced judgment article by article in the Pickering case. Volume **III**, section **2339**.

The Senate adopted an order governing its deliberations and voting on the final question in the Johnson trial. Volume **III**, section **2437**.

The Senate rescinded its order prescribing the method of voting on the articles in the Johnson trial, although it was partially executed. Volume **III**, section **2442**.

In the Johnson trial the Senate voted on the articles in an order different from the numerical order. Volume **III**, section **2440**.

Form of voting in the Senate on the final question in the trial of President Johnson. Volume **III**, section **2440**.

Views of the Chief Justice on form of final question in the Johnson trial and on division of the articles for voting. Volume **III**, section **2439**.

The Senate, overruling the Chief Justice, decided that a motion to adjourn over was in order during the voting on the articles in the Johnson trial. Volume **III**, section **2441**.

After voting on one article in the Johnson trial the Senate adjourned to a day fixed. Volume **III**, section **2441**.

The Senate, in secret session, adopted an order to govern the voting on the articles in the Belknap impeachment. Volume **III**, section **2466**.

IMPEACHMENT—Continued.**(216) Voting on the Articles.—Order and Method of**—Continued.

The Senate, in secret session, framed the rule for voting on the articles impeaching Judge Swayne. Volume **III**, section **2485**.

Forms of voting on the articles and declaring the result in the Swayne impeachment. Volume **III**, section **2485**.

The Presiding Officer ruled that testimony might not be read during the voting on the articles impeaching Judge Humphreys. Volume **III**, section **2396**.

By unanimous consent, in the Humphreys trial, a Senator was permitted to vote after the decision on the articles had been declared. Volume **III**, section **2396**.

Method of taking the vote in judgment in English impeachment trials. Volume **III**, section **2027**.

The Senate fixed the time at which a final vote should be taken on the articles of impeachment presented against Judge Archbald and notified the House by message. Volume **VI**, section **511**.

It is in order to demand a division of the question on agreeing to a resolution of impeachment and a separate vote may be had on each article. Volume **VI**, section **545**.

The expenses of the Archbald trial were defrayed from the Treasury. Volume **VI**, section **478**.

The voting on the articles in the Archbald impeachment was without debate but each Senator was permitted to file an opinion to be published in the printed proceedings. Volume **VI**, section **511**.

It was announced that pairs would not be arranged or recognized in the final vote on the articles of impeachment in the Louderback trial. Volume **VI**, section **524**.

(217) Voting on the Articles.—Senators Excused From.

Mr. Senator Benton was excused from voting on a preliminary question in the Peck impeachment. Volume **III**, section **2367**.

A Senator who had been a witness for respondent was excused from voting on the judgment in the Peck trial. Volume **III**, section **2383**.

A Senator who had taken his seat after part of the testimony in the Peck trial had been taken was excused from voting. Volume **III**, section **2383**.

Various Senators were excused from voting on the judgment in the Humphreys case. Volume **III**, section **2396**.

In the Swayne trial a Senator who had not heard the evidence was excused from voting on the question of guilt. Volume **III**, section **2114**.

Various Senators were excused from voting on a part or all of the articles of impeachment. Volume **VI**, section **516**.

Senators were permitted to excuse themselves from voting on articles of impeachment as they were reached without having given notice of such intention prior to the vote on Article I. Volume **VI**, section **524**.

(218) Voting on the Articles.—Disqualifying Personal Interest.

The doctrine of disqualifying personal interest as applied to a Senator sitting in an impeachment trial. Volume **III**, section **2061**.

Reference to a discussion as to the right to challenge the competency of a Senator to sit in an impeachment trial. Volume **III**, section **2062**.

A question as to the time when the competency of a Senator to sit in an impeachment trial should be challenged for disqualifying personal interest. Volume **III**, section **2061**.

A Senator related to President Johnson by family ties voted on the final question of the impeachment without challenge. Volume **III**, section **2061**.

In 1868 the president pro tempore of the Senate voted on the final question at the Johnson trial, although a conviction would have made him the successor. Volume **III**, section **2061**.

IMPEACHMENT—Continued.**(218) Voting on the Articles.—Disqualifying Personal Interest—Continued.**

In the Pickering trial a Senator, who as a Member of the House had voted for impeachment, was challenged, but voted. Volume **III**, section **2327**.

(219) Voting on the Articles.—Two-thirds Required for Conviction.

“Two-thirds of the Members present” are required by the Constitution for conviction on impeachment. Volume **III**, section **2055**.

(220) Voting on the Articles.—Announcement by Presiding Officer.

By direction of the Senate, the Chief Justice announced the result after the vote on each article in the Johnson trial. Volume **III**, section **2440**.

The Presiding Officer announced the result of the vote on each article of the Archbald impeachment and the conviction or acquittal of respondent on each. Volume **VI**, section **512**.

(221) Judgment of the Senate.—Time for, Set and House Informed.

At the conclusion of the final arguments in the Chase trial the court set a day and hour for giving final judgment. Volume **III**, section **2363**.

The court of impeachment declined to postpone judgment until Judge Pickering could be brought personally before it for inspection as to sanity. Volume **III**, section **2337**.

The Senate informed the House of the day and hour fixed for pronouncing judgment in the Pickering impeachment. Volume **III**, section **2337**.

The Senate notified the House that it had made a decision in the Blount case and set a time for receiving the managers and rendering judgment. Volume **III**, section **2318**.

(222) Judgment of the Senate.—Acquittal.

If an impeachment is not sustained by a two-thirds vote on any article, a judgment of acquittal shall be entered. Volume **III**, section **2098**.

Judgment of acquittal entered in the Swayne case by direction of the Presiding Officer. Volume **III**, section **2485**.

Two-thirds not having voted guilty on any article, the Presiding Officer declared Mr. Justice Chase acquitted. Volume **III**, section **2363**.

Two-thirds not having voted guilty on any article, the presiding officer declared Judge Louderback acquitted. Volume **VI**, section **524**.

Two-thirds not voting guilty, the Vice-President declared Judge Peck acquitted. Volume **III**, section **2383**.

Form of judgment pronounced by the Presiding Officer in the Humphreys trial. Volume **III**, section **2397**.

Before announcing the adjournment voted by the Senate, the Chief Justice directed the Clerk to enter a judgment of acquittal of President Johnson. Volume **III**, section **2443**.

Form of acquittal entered in the Journal of the trial of President Johnson. Volume **III**, section **2443**.

Having announced the result of the voting in the Belknap case, the President pro tempore directed the entry of a judgment of acquittal. Volume **III**, section **2467**.

The President pro tempore announced the result of the vote on each article and the acquittal of respondent on each. Volume **III**, section **2467**.

(223) Judgment of the Senate.—Conviction.

If the respondent be convicted by a two-thirds vote on any article of impeachment, the Senate shall pronounce judgment. Volume **III**, section **2098**.

Form of judgment pronounced by the Vice-President in the Blount impeachment. Volume **III**, section **2318**.

In final judgment the court found Judge Pickering guilty in all the articles and decreed his removal from office. Volume **III**, section **2341**.

The decision of the court on the articles in the Humphreys case was guilty as to a portion of the articles. Volume **III**, section **2396**.

IMPEACHMENT—Continued.**(224) Judgment of the Senate.—Removal and Disqualification.**

The Constitution limits judgment in impeachment cases to removal from office and disqualification to hold office. Volume **III**, section **2055**.

Debate as to whether or not the Constitution requires both removal and disqualification on conviction by impeachment. Volume **III**, section **2397**.

The Presiding Officer held that the question on removal and disqualification was divisible. Volume **III**, section **512**.

Having found Judge Humphreys guilty, the court proceeded to pronounce judgment of removal and disqualification. Volume **III**, section **2397**.

Having found Judge Archbald guilty, the Senate proceeded to pronounce judgment of removal and disqualification. Volume **VI**, section **512**.

Treason, bribery, or other high crimes and misdemeanors require removal of President, Vice-President, or other civil officers on conviction by impeachment. Volume **III**, section **2001**.

(225) Judgment of the Senate.—Enforcement of.

Discussion as to the power of the Senate sitting on impeachments to enforce its final judgment. Volume **III**, section **2158**.

Discussion as to the power of the Senate sitting on impeachment trials to command assistance of the military, naval, or civil service of the United States. Volume **III**, section **2158**.

The Sergeant-at-Arms is authorized by rule to employ necessary aid to enforce the lawful orders, writs, etc., of the Senate sitting on impeachment trails. Volume **III**, section **2158**.

The Senate sitting on impeachment trials has authority to enforce obedience to its orders, writs, judgments, etc., punish contempt and make lawful orders and rules. Volume **III**, section **2158**.

(226) Judgment of the Senate.—In General.

A certified copy of the judgment in an impeachment case is deposited with the Secretary of State. Volume **III**, section **2098**.

The Senate ordered an attested copy of the court's decision in the Humphreys case to be sent to the President of the United States. Volume **III**, section **2397**.

The House determined to investigate an allegation that the decision of the Senate in an impeachment case had been determined by improper influences. Volume **III**, section **1744**.

A person convicted in an impeachment trial is still liable, under the Constitution, to the punishment of the courts of law. Volume **III**, section **2055**.

The judgment of the Lords in impeachments is given in accordance with the law of the land. Volume **III**, section **2155**.

The court of impeachment declined to postpone judgment until Judge Pickering could be brought personally before it for inspection as to sanity. Volume **III**, section **2337**.

Summary of deductions drawn from judgments of the Senate in impeachment trails. Volume **VI**, section **457**.

The respondent in impeachment proceedings attended throughout the trial and was present when the articles were voted on and judgment rendered. Volume **VI**, section **524**.

The respondent, who had attended throughout the Archbald trial, was represented by counsel, out was not present at the time of rendering judgment. Volume **VI**, section **512**.

(227) Final Adjournment of the Senate Sitting for the Trial.

Final judgment being pronounced, the court of impeachment in Pickering's case adjourned sine die. Volume **III**, section **2341**.

Judgment being rendered in the Peck impeachment, the Vice-President directed an adjournment sine die. Volume **III**, section **2383**.

Judgment being pronounced in the Humphreys case, the court adjourned without day. Volume **III**, section **2397**.

Having voted on three of the eleven articles the Senate, sitting for the trial of President Johnson, adjourned without day. Volume **III**, section **2443**.

IMPEACHMENT—Continued.**(227) Final Adjournment of the Senate Sitting for the Trial.—Continued.**

The adjournment without day of the Senate sitting for the Belknap case was pronounced after vote of the Senate. Volume **III**, section **2467**.

The Swayne trial being concluded the Senate, on motion, adjourned without day. Volume **III**, section **2485**.

(228) Reports to the House.

The Senate delivered to the managers for transmission to the House an attested copy of its judgment in the Blount case. Volume **III**, section **2318**.

Judgment being given in the Blount impeachment, the managers submitted to the House a report in writing. Volume **III**, section **2318**.

The House having heard judgment in the Pickering impeachment the managers made no report, and no record appears on the House Journal. Volume **III**, section **2338**.

A report of the acquittal of Judge Peck was made in the House in the report of the Chairman of the Committee of the Whole. Volume **III**, section **2384**.

The judgment of the court in the Humphreys trial was communicated to the House by the report of the Chairman of the Committee of the Whole. Volume **III**, section **2397**.

Form of report of Chairman of the Committee of the Whole on returning from the Humphreys trial. Volume **III**, section **2393**.

The acquittal of President Johnson was announced in the House through the report of the Chairman of the Committee of the Whole. Volume **III**, section **2443**.

At the conclusion of the Belknap trial the managers presented to the House a written report of the judgment and certain features of the trial. Volume **III**, section **2468**.

The Senate announced to the House by message the acquittal of Judge Swayne. Volume **III**, section **2485**.

No report, on the conclusion of the Archbald trial, was made to the House by the managers, but the Senate, by message, announced the judgment. Volume **VI**, section **512**.

(229) The Various Impeachments.

The impeachment of William Blount, a United States Senator, in 1797. Volume **III**, sections **2294–2318**.

The impeachment and trial of John Pickering, judge of the United States district court for New Hampshire, in 1803. Volume **III**, sections **2319–2341**.

The impeachment and trial of Samuel Chase, Associate Justice of the Supreme Court of the United States, in 1804. Volume **III**, sections **2342–2363**.

The impeachment and trial of James H. Peck, United States judge for the district of Missouri. Volume **III**, sections **2364–2384**.

The impeachment and trial of West H. Humphreys, United States judge for the several districts of Tennessee. Volume **III**, sections **2385–2397**.

The first attempt to impeach Andrew Johnson, President of the United States. Volume **III**, sections **2399–2407**.

The impeachment and trial of Andrew Johnson, President of the United States. Volume **III**, sections **2408–2443**.

The impeachment and trial of William W. Belknap, late Secretary of War. Volume **III**, sections **2444–2468**.

The impeachment of Mark H. Delahay, United States district judge of Kansas. Volume **III**, sections **2504–5058**.

The impeachment and trial of Charles Swayne, judge of the northern district of Florida. Volume **III**, sections **2469–4858**.

(230) Various Investigations With View to.—Of Judges.

The inquiry into the conduct of Judge George Turner in 1796. Volume **III**, section **2486**.

The investigation of the conduct of Richard Peters, United States district judge for Pennsylvania, in 1804. Volume **III**, section **2342**.

The inquiry into the conduct of Judge Peter B. Bruin in 1808. Volume **III**, section **2487**.

IMPEACHMENT—Continued.**(230) Various Investigations With View to.—Of Judges**—Continued.

- The inquiry into the conduct of Judge Henry Toulmin in 1811. Volume **III**, section **2488**.
- The inquiry into the conduct of Judge William P. Van Ness, Matthias B. Tallmadge, and William Stephens in 1818. Volume **III**, section **2489**.
- The inquiry into the conduct of Judge Joseph L. Smith in 1825 and 1826. Volume **III**, section **2490**.
- The investigations into the conduct of Judge Buckner Thruston in 1825 and 1837. Volume **III**, section **2491**.
- The investigation into the conduct of Judge Alfred Conklin in 1829. Volume **III**, section **2492**.
- The investigation into the conduct of Benjamin Johnson, a judge of the superior court of the Territory of Arkansas, in 1833. Volume **III**, section **2493**.
- The investigation into the conduct of Judge P.K. Lawrence in 1839. Volume **III**, section **2494**.
- A select committee recommended the impeachment of Judge P.K. Lawrence in 1839. Volume **III**, section **2494**.
- The conduct of Judge Watrous was the subject of reports, favorable and unfavorable, in four Congresses. Volume **III**, sections **2495–2499**.
- The investigations into the conduct of John C. Watrous, United States judge for the district of Texas. Volume **III**, sections **2495–2499**.
- In the Watrous investigation of 1857 the committee, being equally divided, reported the evidence and two propositions, each supported by minority views. Volume **III**, section **2497**.
- After the investigation of 1857 the House decided that the evidence did not justify the impeachment of Judge Watrous. Volume **III**, section **2498**.
- The Judiciary Committee reported, in 1860, in favor of the impeachment of Judge Watrous. Volume **III**, section **2499**.
- The investigation of the conduct of Judge Thomas Irwin in 1859. Volume **III**, section **2500**.
- The investigation of the conduct of Edward H. Durell, United States district judge for Louisiana. Volume **III**, sections **2506–2509**.
- The investigation into the conduct of Charles T. Sherman, district judge of the United States for the northern district of Ohio. Volume **III**, section **2511**.
- The investigation into the conduct of Richard Busteed, United States district judge for Alabama. Volume **III**, section **2512**.
- The investigation into the conduct of William Storey, United States judge for the western district of Arkansas. Volume **III**, section **2513**.
- The investigation of the conduct of Henry W. Blodgett, United States judge for the northern district of Illinois. Volume **III**, section **2516**.
- The investigation into the conduct of Aleck Boarman, United States judge for the western district of Louisiana. Volume **III**, sections **2517, 2518**.
- The inquiry into the conduct of J.G. Jenkins, United States circuit judge for the seventh circuit. Volume **III**, section **2519**.
- The investigation into the conduct of Augustus J. Ricks, United States judge for the northern district of Ohio. Volume **III**, section **2520**.
- The majority of the Judiciary Committee reported a resolution censuring Judge Ricks. Volume **III**, section **2520**.
- The impeachment and trial of Robert W. Archbald, United States circuit judge, designated as a member of the Commerce Court. Volume **VI**, sections **498–512**.
- The impeachment and trial of Harold Louderback, Judge of the Northern District of California. Volume **VI**, section **513**.
- The inquiry into the conduct of Lebbeus R. Wilfley, Judge of United States Court for China. Volume **VI**, section **525**.

IMPEACHMENT—Continued.**(230) Various Investigations With View to.—Of Judges—Continued.**

- The inquiry into the conduct of Judge Cornelius H. Hanford, United States circuit judge for the western district of Washington, in 1912. Volume **VI**, section **526**.
- The investigation into the conduct of Judge Emory Speer. Volume **VI**, section **527**.
- The investigation into the conduct of Daniel Thew Wright, associate justice of the Supreme Court of the District of Columbia. Volume **VI**, section **528**.
- The investigation into the conduct of Alston G. Dayton, United States district judge for the northern district of West Virginia in 1915. Volume **VI**, section **592**.
- The investigation into the conduct of Judge Kennesaw Mountain Landis. Volume **VI**, section **535**.
- The inquiry into the conduct of Harry B. Anderson, United States judge for the western district of Tennessee, in 1931. Volume **VI**, section **542**.
- The investigation into the conduct of William E. Baker, United States district judge for the northern district of West Virginia. Volume **VI**, section **543**.
- The inquiry into the conduct of Judge George W. English, United States judge for the eastern judicial district of Illinois. Volume **VI**, section **544**.
- The inquiry into the conduct of Judge Frank Cooper, in 1927. Volume **VI**, section **549**.
- The inquiry into the conduct of Francis A. Winslow judge of the southern district of New York, in 1929. Volume **VI**, section **550**.
- The inquiry into the conduct of Harry B. Anderson, judge of the western district of Tennessee, in 1930. Volume **VI**, section **551**.
- The inquiry into the conduct of Grover M. Moscowitz, judge for the eastern district of New York, in 1930. Volume **VI**, section **552**.

(231) Various Investigations With View to.—Of Other Officers.

- The inquiry as to the conduct of Schuyler Colfax, Vice-President of the United States. Volume **III**, section **2510**.
- The investigation into the conduct of George F. Seward, late consul-general at Shanghai. Volume **III**, section **2514**.
- The investigation into the conduct of Oliver B. Bradford, late vice-consul-general at Shanghai. Volume **III**, section **2515**.
- The proposition to inquire into the conduct of William B. West, consul at Dublin. Volume **III**, section **2502**.
- The investigation into the conduct of Henry A. Smythe, collector of the port of New York. Volume **III**, section **2501**.
- The inquiry into the conduct of H. Snowden Marshall, United States district attorney for the southern district of New York. Volume **VI**, sections **468, 530–534**.
- The investigation of charges against Attorney General Henry M. Daugherty. Volume **VI**, sections **536–538**.
- Proposed inquiry into the eligibility of Andrew W. Mellon to serve as Secretary of the Treasury, in 1932. Volume **VI**, section **540**.
- A proposal to investigate the official conduct of the President of the United States with a view to impeachment was laid on the table. Volume **VI**, section **541**.
- The investigation into the conduct of Frederick A. Fenning, a commissioner of the District of Columbia, in 1926. Volume **VI**, section **548**.

IMPORTATIONS.

- The Committee on Agriculture has reported as to export bounties, regulation of importation of trees, shrubs, etc., and as to the effects of the tariff on agriculture. Volume **IV**, section **4155**.
- The Committee on Agriculture has reported as to the regulation of importation and inspection of livestock and dairy products, and the establishment and maintenance of quarantine stations for that purpose. Volume **VII**, section **1862**.

IMPORTATIONS—Continued.

The adulteration of agricultural products and their importation and control are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1873**.

Bills relating to the importation of narcotics, of adulterated or misbranded seeds, and of women for immoral purposes have been reported, but not exclusively, by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1820**.

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant diseases, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1863**.

The Committee on Ways and Means has jurisdiction over legislation relating to the importation of narcotics. Volume **VII**, section **1733**.

IMPRISONMENT.

(1) **Of Members by authority of the courts.**

(2) **Of persons by authority of the House.—For contempt in general.**

(3) **Of persons by authority of the House.—For contumacy of a witness.**

(4) **Of persons by authority of the House.—Discussion of the power.**

(5) **Of persons by authority of the House.—The warrant.**

(6) **Of persons by authority of the House.—Discharge of, on purging or otherwise.**

(7) **Of persons by authority of the House.—Relation of, to authority of the courts.**

(8) **Of persons by authority of the House.—Questions of privilege relating to.**

(9) **Of respondent in an impeachment.**

(1) Of Members by Authority of the Courts.

The House has decided that a Member arrested during vacation was entitled to discharge from arrest and imprisonment on the assembling of Congress. Volume **III**, section **2676**.

A Member having been arrested and detained under mesne process in a civil suit, the House liberated him and restored him to his seat by the hands of its own officer. Volume **III**, section **2676**.

On suggestion based on a newspaper report the House investigated the arrest and detention of a Member by authority of a court. Volume **III**, section **2676**.

(2) Of Persons by Authority of the House.—For Contempt in General.

For contempt in attempting to bribe its Members the House committed Robert Randall in 1795. Volume **II**, section **1603**.

For assaulting a Member returning to the House from an absence on leave Patrick Woods was committed for a term extending beyond the adjournment of the session but not beyond the term of the existing House. Volume **II**, section **1628**.

William Duane, for a publication tending to defame the Senate, was found guilty of contempt and imprisoned by order of that body. Volume **II**, section **1604**.

The Senate committed John Nugent for contempt in publishing a treaty pending in executive session. Volume **II**, section **1640**.

(3) Of Persons by Authority of the House.—For Contumacy of a Witness.

A recalcitrant witness having remained obdurate when arraigned at the bar was committed to custody. Volume **III**, section **1669**.

The House declined to commit to custody an alleged contumacious witness until he had been arraigned and answered at the bar of the House. Volume **III**, section **1689**.

A witness having declined to answer a pertinent question before a select committee, he was arraigned before the House and, persisting in contumacy, was committed. Volume **III**, section **1666**.

A witness having, when arraigned for contempt submitted an answer disrespectful to the House, he was ordered into custody for contempt. Volume **III**, section **1693**.

A joint committee has ordered a contumacious witness into custody. Volume **III**, section **1720**.

IMPRISONMENT—Continued.**(3) Of Persons by Authority of the House.—For Contumacy of a Witness—Continued.**

In 1858 the House imprisoned John W. Wolcott for contempt in refusing as a witness to answer a question which he contended was inquisitorial but which the House held to be pertinent. Volume **III**, section **1671**.

In 1862 Henry Wikoff was imprisoned by the House for refusing to testify before a committee. Volume **III**, section **1684**.

In 1868 a contumacious witness, Charles W. Woolley, who declined to answer for the alleged reason that the examination was inquisitorial, was imprisoned for contempt. Volume **III**, section **1686**.

In 1873 Joseph B. Stewart was imprisoned for contempt of the House in refusing as a witness to answer a question which, he claimed, related to the relations of attorney and client and, therefore, was inquisitorial. Volume **III**, section **1689**.

In 1874 the House imprisoned in the common jail a contumacious witness, Richard B. Irwin, who contended that the inquiry proposed by the House committee was unauthorized and exceeded the power of the House. Volume **III**, sections **1690**, **1691**.

In 1877 the House imprisoned members of a State canvassing board for contempt in refusing to obey a subpoena duces tecum for the production of certain papers relating to the election of Presidential electors. Volume **III**, section **1698**.

(4) Of person by Authority of the House.—Discussion of the Power.

A discussion as to the power of the House to imprison for a period after the adjournment of the session. Volume **II**, section **1629**.

No court “may inquire directly into the correctness or propriety” of a commitment by either House or discharge the prisoner on habeas corpus. Volume **II**, section **1640**.

The attempt, in 1876, to punish Hallet Kilbourn for declining to testify before a committee resulted in a decision of the Supreme Court denying that the House has an unlimited power to punish for contempt of its authority. Volume **II**, section **1611**.

The implied power to punish for contempt is limited to imprisonment and such imprisonment may not extend beyond the session of the body in which the contempt occurred. Volume **VI**, section **534**.

A committee asserted the power of the House to arrest and imprison recalcitrant Members in order to compel obedience to its summons. Volume **VI**, section **537**.

(5) Of Persons by Authority of the House.—The Warrant.

Form of Speaker’s warrant for commitment of a person in contempt and of Sergeant-at-Arms’s return thereon. Volume **II**, section **1628**.

A warrant of commitment “need not set forth the particular facts which constitute the alleged contempt.” Volume **II**, section **1640**.

In the Wolcott case the House provided that the resolution ordering him to be taken into custody should be a sufficient warrant. Volume **III**, section **1671**.

Form of warrant signed by the President of the Senate for taking William Duane into custody. Form **II**, section **1604**.

(6) Of Persons by Authority of the House.—Discharge of, on Purging or Otherwise.

The House having ordered a person into custody “until he shall purge himself of said contempt,” he was, on purging himself, discharged without further order. Volume **III**, section **1684**.

A witness imprisoned for contempt before a committee purges himself by stating to the House his readiness to go before the committee and not by testifying directly to the House. Volume **III**, section **1686**.

A proposed order to the Sergeant-at-Arms to hold a person in custody in jail until the latter should have purged himself of contempt was criticised and an unconditional order was agreed to. Volume **III**, section **1690**.

At the end of a Congress the House, by a general order, directed the discharge of all persons in custody for contempt. Volume **III**, section **1698**.

IMPRISONMENT—Continued.**(7) Of persons by Authority of the House.—Relation of, to Authority of the Courts.**

While confined in jail for contempt the witness Kilborn was released by habeas corpus proceedings, the court intimating that the punishment of law superseded the right of the House of punish. Volume **II**, section **1610**.

A witness imprisoned by the House for contempt was indicted under the law, whereupon the House ordered his delivery to the officers of the court. Volume **III**, section **1672**.

In making return in the habeas corpus proceedings in the Kilbourn case the Sergeant-at-Arms produced the body of the prisoner. Volume **II**, section **1610**.

Although the House imprisoned Wolcott for contempt, the Speaker also certified the case to the district attorney in pursuance of law. Volume **III**, section **1672**.

A prisoner of the House was taken by its order and in custody of the Sergeant-at-Arms to testify in the court of a State. Volume **II**, section **1627**.

In 1894 Elverton R. Chapman was convicted by the court and committed by contempt of the United States Senate in declining as a witness to answer a pertinent question. Volume **II**, section **1614**.

(8) Of Persons by Authority of the House.—Questions of Privilege Relating to.

A resolution relating to the discharge of a person in custody for contempt is a matter of privilege. Volume **III**, section **1672**.

A resolution relating to the place of imprisonment of persons in custody for contempt was admitted as a matter of privilege. Volume **III**, section **1698**.

(9) Of Respondent in an Impeachment.

In impeaching the spokesman of the Commons asks that the delinquent be sequestered from his seat or committed or that the Peers take order for his appearance. Volume **III**, section **2026**.

Upon the impeachment of William Blount the Senate took him into custody and required bonds for his appearance and informed the House thereof. Volume **III**, section **2296**.

It was concluded by a Senate committee in Pickering's impeachment that the Senate had no power to take into custody the body of the accused. Volume **III**, section **2324**.

IMPROVEMENTS.

The Appropriations Committee may report appropriations in fulfillment of contracts authorized by law for the improvement of rivers and harbors. Volume **IV**, section **4036**.

Appropriations for the improvement of an Indian reservation were held to be authorized if for construction of roads within the reservation, and unauthorized if for construction of roads beyond the reservation. Volume **VII**, section **1221**.

An appropriation for "other needed work and improvement" was held to be sanctioned by law authorizing the service for which proposed. Volume **VII**, section **1266**.

An appropriation for improvement of a quarantine station, including the building of wharves, was held to be in continuation of a public work. Volume **VII**, section **1372**.

An appropriation for improvements to an existing plant owned and operated by the Government was held to be in continuation of a work in progress. Volume **VII**, section **1380**.

While repairs of buildings used in the public service are held to be continuation of a public work, improvements for such buildings do not come within the rule. Volume **VII**, section **1367**.

Authorization of interstate agreements relating to river improvements is a subject not within the jurisdiction of the Committee on Rivers and Harbors. Volume **VII**, section **1845**.

Subjects relating to canals and their improvements are not within the jurisdiction of the Committee on Rivers and Harbors. Volume **VIII**, section **2287**.

The construction and maintenance, but not the rental, of equipment necessary for river improvement are subjects within the jurisdiction of the Committee on Rivers and Harbors. Volume **VII**, section **1835**.

IMPROVEMENTS—Continued.

The taxation, improvement, irrigation, and control of Indian lands and the construction of roads, cutting of timber, and granting of easements thereon are subjects within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1937**.

The Committee on Interstate and Foreign Commerce's former jurisdiction over legislation relating to the navigation, commerce, shipping facilities, and pollution of the Great Lakes and the survey and improvement of navigation therefrom to the Sea via the St. Lawrence River has been transferred to the Committee on Merchant Marine and Fisheries. Volume **VII**, section **1809**.

INAUGURATION.

Arrangements for the inauguration of the President of the United States (but not of the Vice-President) made by a joint committee of the two Houses. Volume **III**, sections **1998**, **1999**.

Arrangements for the inauguration of the President elect and Vice President of the United States made by a joint committee of the two Houses. Volume **VI**, section **451**.

Review of procedure at the several inaugurations of the Presidents, with record of the participation of the House therein. Volume **III**, sections **1986–1995**. Volume **VI**, sections **447–453**.

References to the early agitation in the House for a voice in making arrangements for the inauguration of President. Volume **III**, section **1996**.

Ceremonies at the administration of the oath of office to Millard Fillmore, President of the United States. Volume **III**, section **1997**.

In appointing a committee to officiate at the administration of the oath to President Fillmore the Speaker selected the majority, including the chairman, from the political party of the President, which was the minority party of the House. Volume **III**, section **1997**.

The Senate constituted its committee to officiate at the administration of the oath to President Fillmore, with a majority from the minority side of the Chamber. Volume **III**, section **1997**.

When March 4 falls on Sunday the inauguration of the President of the United States occurs at noon, March 5. Volume **III**, section **1996**.

When the inaugural date falls on Sunday the inauguration of the President of the United States occurs at noon, the following day. Volume **VI**, section **449**.

A proposition that the House cooperate with the Senate in the conduct of the ceremonies of the President's inauguration was held not to present a question of privilege. Volume **III**, section **2622**.

Bills for preserving public order, etc., within the District at times of inaugurations have been reported by the Committee for the District of Columbia. Volume **IV**, section **4292**.

An instance wherein, owing to inclemency of the weather, the President elect took the oath and delivered his inaugural address in the Senate Chamber. Volume **VI**, section **447**.

The concurrent resolution creating a joint committee authorized to arrange for the quadrennial inauguration ceremonies is considered authorization for the necessary appropriations for that purpose. Volume **VI**, section **452**.

INCOMPATIBLE OFFICES. See "Elections of Representatives."**INCORPORATIONS.**

Bills of incorporation are referred to the Committee on the Judiciary. Volume **IV**, section **4057**. Volume **VII**, section **1763**.

The incorporation of the American National Red Cross and the protection of its insignia are subjects within the jurisdiction of the Committee on Foreign Affairs. Volume **IV**, section **4173**.

Bills to incorporate certain agricultural societies have been reported by the Committee on Agriculture. Volume **IV**, section **4159**.

A bill to incorporate an international bank was reported by the Committee on Banking and Currency. Volume **IV**, section **4086**.

INCORPORATIONS—Continued.

The Committee for the District of Columbia has reported bills for the incorporation of organizations and societies. Volume **IV**, section **4288**. Volume **VII**, sections **2006**, **2013**.

The general affairs of the Smithsonian Institution, accepting appropriations therefor, and the incorporation of similar institutions, are within the jurisdiction of the House branch of the Joint Committee on the Library. Volume **IV**, section **4346**. Volume **VII**, section **2084**.

INDECENT LANGUAGE.

Indecent language against the proceedings of the House or reflections on its prior determinations are not in order in debate. Volume **V**, section **5131**.

INDECENT PUBLICATIONS.

Bills to prevent the carriage from one State to another of indecent or harmful pictures or literature have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4116**.

INDEMNITY.

Bill authorizing indemnity of foreign governments for death of subjects in the United States are properly referred to the union calendar. Volume **VII**, section **1882**.

An appropriation to indemnify owners of animals destroyed by direction of the department in the eradication of tuberculosis was held to be a deficiency and in order on an appropriation bill. Volume **VII**, section **1176**.

INDEX.

References to statutes providing for various indexes. Volume **V**, section **7343**.

INDEX CLERK.

Decision of the Comptroller of the Treasury as to the employment of the index clerk. Volume **V**, section **7234**.

INDIAN AFFAIRS, COMMITTEE ON.

The creation and history of the Committee on Indian Affairs, section 16 of Rule XI. Volume **IV**, section **4204**.

Recent history of the committee on Indian Affairs. Section 16 of Rule XI. Volume **VII**, section **1933**.

The rule gives to the Committee on Indian Affairs jurisdiction of subjects relating "to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor." Volume **IV**, section **4204**.

The Committee on Indian Affairs has a broad jurisdiction of subjects relating to the care, education and management of the Indians, including the care and allotment of their lands. Volume **IV**, section **4205**.

The Committee on Indian Affairs has a jurisdiction of both general and special bills as to claims which are paid out of Indian funds. Volume **IV**, section **4206**.

The Committee on Indian Affairs has jurisdiction of subjects relating to education of the Indians. Volume **VII**, section **1939**.

Requirement that the Secretary of the Interior should provide for Eskimo support and education "through the Bureau of Indian Affairs" was held to interfere with executive authority and to constitute legislation. Volume **VI**, section **240**.

As to jurisdiction in relation to over-due bonds of certain States, held in the Treasury as part of Indian trust funds. Volume **IV**, section **4207**.

Employment of clerks in the Indian Office is within the jurisdiction of the Committee on Appropriations and not of the Committee on Indian Affairs. Volume **IV**, sections **4034**, **4035**.

Bills pertaining to the business and government of the Indian tribes are properly referred to the Committee on Indian Affairs unless carrying appropriations, in which event they are properly within the jurisdiction of the Committee on Appropriations. Volume **VII**, section **1940**.

INDIAN AFFAIRS, COMMITTEE ON.

- Bills relating to the adjudication of claims of Indians and Indian tribes against the United States come within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1935**.
- The reservation, alienation, transfer, leasing, or allotment of Indian lands are subjects within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1936**.
- Bills relating to the use, control, management, and expenditure of Indian funds are within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1938**.
- The taxation, improvement, irrigation, and control of Indian lands and the construction of roads, cutting of timber, and granting of easements thereon are subjects within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1937**.
- General and special bills as to claims to be paid out of Indian funds and the adjudication of claims arising out of Indian depredations come within the jurisdiction of the Committee on Indian Affairs and not the Committee on Claims. Volume **VI**, section **1934**.

INDIAN APPROPRIATION BILL.

- A treaty with Indians is not in order for ratification on an Indian appropriation bill. Volume **IV**, section **3882**.

INDIAN LANDS.

- Indian lands have not been considered "property" of the Government within the meaning of the rule requiring consideration in Committee of the Whole. Volume **IV**, sections **4844, 4845**.
- The taxation, improvement, irrigation, and control of Indian lands and the construction of roads, cutting of timber, and granting of easements thereon are subjects within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1937**.
- The reservation, alienation, transfer, leasing, or allotment of Indian lands are subjects within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1936**.
- Indian lands have not been considered "property" of the Government within the meaning of the rule requiring consideration in Committee of the Whole. Volume **VIII**, section **2413**.

INDIAN SERVICE.

- A summary of authorizations of appropriations for the Indian Service. Volume **VII**, section **1215**.

INDIAN TREATIES.

- After long discussion, the House, in 1871, successfully asserted its right to a voice in approving Indian treaties. Volume **II**, sections **1535, 1536**.
- Even in the case of an application for papers relating to an Indian treaty, President Jackson asserted the Executive prerogative as opposed to the contention of the House. Volume **II**, section **1534**.

INDIAN WARS.

- The Committee on War Claims has reported in a few instances bills relating to claims arising out of Indian hostilities. Volume **IV**, section **4272**.

INDIANA.

- At the electoral count of 1817 the votes of Indiana were counted, although given previous to the admission of the State to the Union. Volume **III**, section **1935**.

House election cases from:

- Eleventh Congress.—Randolph v. Jennings. Volume **I**, section **766**.
- Thirty-ninth Congress.—Washburn v. Voorhees. Volume **II**, sections **857, 858**.
- Forty-first Congress.—Reid v. Julian. Volume **II**, sections **881, 882**.
- Forty-second Congress.—Gooding v. Wilson. Volume **II**, section **888**.
- Forty-sixth Congress.—McCabe v. Orth. Volume **I**, section **752**.

INDIANA—Continued.

House elected cases from—Continued

- Forty-eighth Congress.—English v. Peele. Volume **II**, section **990**.
- Forty-ninth Congress.—Kidd v. Steele. Volume **II**, section **1005**.
- Fiftieth Congress.—Lowry v. White. Volume **I**, sections **424, 425**.
- Fifty-first Congress.—Posey v. Parrett. Volume **II**, section **1029**.

Senate election cases from:

- Thirty-fourth Congress.—Lane and McCarthy v. Fitch and Bright. Volume **I**, sections **545, 546**.
- Thirty-fifth Congress.—Lane and McCarthy v. Fitch and Bright. Volume **I**, sections **545, 546**.
- Fiftieth Congress.—David Turpie. Volume **I**, section **551**.
- Fifty-ninth Congress.—James A. Hemenway. Volume **II**, section **1229**.
- Seventy-first Congress.—Updike v. Ludlow. Volume **VI**, sections **55, 185**.

INDIANS.

- Petitions from Indians within the limits of the United States have been received. Volume **IV**, section **3341**.
- Reaffirmation of former decision of the House relating to votes cast by native Indians. Volume **VI**, section **114**.
- Native Indians who had severed tribal relationship held to be citizens and entitled to vote. Volume **VI**, section **148**.

INDICTABLE OFFENSES. See “Impeachment”.**INDICTMENT.**

- A Member indicted for felony remains a Member of the House until convicted. Volume **II**, section **1260**.
- A Member having been indicted by a grand jury, a committee of the House assumed that until final disposition of his case he would take no part in any business of the House or its committees. Volume **VI**, section **403**.
- A Member under criminal indictment retained his position as chairman of a committee but refrained from active participation in legislative proceedings pending judicial determination. Volume **VIII**, section **2205**.
- A Senator having been indicted by a grand jury, asked and obtained an investigation by a committee of the Senate Volume **III**, section **1839**.
- A Senator being indicted for fraud, made a personal explanation and withdrew from the Senate pending the trial. Volume **II**, section **1278**.
- A Senator having been indicted by a grand jury, asked and obtained an investigation by a committee of the Senate. Volume **VI**, section **399**.
- A Senator having been indicted in the United States district court, the Senate, prior to the trial, investigated the charges and exonerated him. Volume **VI**, section **399**.
- In the English usage the articles of impeachment are substituted for an indictment, and distinguished from it by less particularity of specification. Volume **III**, section **2117**.
- For testifying falsely before a congressional committee of investigation a witness was certified to the district attorney and indicted by a Federal grand jury. Volume **VI**, section **355**.
- A witness refusing to testify before a committee of the Senate was indicted and tried in the district court. Volume **VI**, section **337**.

INDIVIDUAL

- In making motions to suspend the rules individuals have the preference on the first Monday of the month and committees on the third. Volume **V**, section **6790**.
- Discussion of the power of investigation possessed by Congress in relation to the individual’s right of privacy. Volume **III**, section **1766**.

INDUSTRIAL ARTS AND EXPOSITIONS, COMMITTEE ON.

The creation and history of the Committee on Industrial Arts and Expositions. section 60 of Rule XI. Volume **IV**, section **4353**.

History of the former Committee on Industrial Arts and Expositions. Volume **VII**, section **2062**.

The rule gives to the Committee on Industrial Arts and Expositions jurisdiction of “all matters (except those relating to the revenue and appropriations) referring to the centennial of the Louisiana Purchase and to proposed expositions.” Volume **IV**, section **4353**.

The Committee on Industrial Arts and Expositions has taken a jurisdiction as to expositions which was formerly divided among other committees. Volume **IV**, section **4354**.

Proposed legislation relating to foreign expositions was held by the House to belong to the jurisdiction of the Committee on Industrial Arts and Expositions rather than to that of the Committee on Foreign Affairs. Volume **VII**, section **2064**.

Examples of jurisdiction exercised by the Committee on Industrial Arts and Expositions. Volume **VII**, section **2063**.

INDUSTRIES.

The rule gives to the Committee on Manufactures jurisdiction of subjects relating “to the manufacturing industries.” Volume **IV**, section **4221**.

INFANCY.

Legislation providing for the protection of maternity and infancy belongs within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1827**.

An appropriation for investigation of infant mortality and dangerous occupations was held to be authorized by law. Volume **VI**, section **1262**.

INFERENCE.

Testimony taken before a House committee and seen by respondent was admitted in the Belknap trail, not as evidence of the fact, but as a partial foundation for an inference. Volume **III**, section **2269**.

INFLUENCE.

A resolution charging that a Member’s action in his representative capacity had been influenced by support received in his election to the House was presented as a question of privilege. Volume **VI**, section **582**.

Intimation that Members were influenced by mercenary considerations in the exercise of their official duties was held to give rise to a question of privilege. Volume **VIII**, section **3495**.

Form of resolutions of the House creating, empowering, and instructing the select committee which investigated charges that Members have been improperly influenced in their official capacity. Volume **VI**, section **396**.

A resolution charging conspiracy to influence Members of Congress improperly was considered as a matter of privilege. Volume **VI**, section **580**.

A resolution for the investigation of an organization alleged to have raised money to influence legislation was considered as a matter of privilege. Volume **VI**, section **581**.

INFORMAL RISING OF COMMITTEE OF THE WHOLE. See “Committee of the Whole.”**INFORMALITIES IN ELECTIONS. See “Elections of Representatives.”****INFORMALITIES IN ELECTORAL CERTIFICATES.**

At the electoral count of 1809 an informality in a certificate from one of the States was noticed, but no action was taken in relation to it. Volume **III**, section **1933**.

INFORMALITIES IN REPORTS.

Although a privileged matter may lose its privilege by an informal manner of making the report, the injury may be repaired by a new report. Volume **IV**, section **3146**.

INFORMALITIES IN REPORTS—Continued.

A question of privilege (as distinguished from a privileged question) does not lose its privilege through informality in the manner of reporting it. Volume **III**, section **2555**.

INFORMATION.

A person being on trial for contempt, both the information given by Members and their testimony were required to be under oath. Volume **II**, section **1602**.

On the evidence of Members, who in their places gave information of attempts to bribe them, the House issued an order for the arrest of the person charged with the offense. Volume **II**, section **1599**.

An early instance wherein a Member, in secret session, informed the House of a breach of privilege occurring on the floor between two other Members. Volume **II**, section **1642**.

The fact that testimony sought by a committee of the House might militate against the interest of the witness in a pending suit was held not to excuse him from supplying information properly within the scope of the inquiry. Volume **VI**, section **338**.

Congress has power to obtain information to be used as an aid in formulating legislation, and may require witnesses to testify for that purpose. Volume **VI**, section **355**.

It is to be presumed that the object of the Senate in ordering an investigation is to secure information which will aid it in legislating. Volume **VI**, section **342**.

Provision for payment of reward for information as to violation of a statute was reported by the Committee on the Judiciary. Volume **VII**, section **1758**.

A resolution providing for an investigation of charges that Members of the House and Senate had profited in the stock market by the use of official information was held to involve a question of privilege. Volume **VI**, section **394**.

An appropriation for "collection of information at home and abroad" by the naval service was held to be authorized by law. Volume **VII**, section **1239**.

INGALLS.

The Senate election case of John J. Ingalls, from Kansas, in the Forty-sixth Congress. Volume **I**, section **690**.

INGERSOLL.

The Pennsylvania election case of Ingersoll v. Naylor in the Twenty-sixth Congress. Volume **I**, sections **803**, **804**.

INHABITANCY AS QUALIFICATION FOR MEMBERSHIP IN HOUSE. See "Elections of Representatives."**INHERENT POWER.**

Discussion by Jefferson as to the inherent power of the House to punish for contempt without prior sanction of law. Volume **II**, section **1597**.

Discussion of the theory that the House has the inherent power to punish for contempts wherever committed. Volume **II**, section **1615**.

INJUNCTION.

The Committee on the Judiciary has exercised jurisdiction over subjects related to the relations of laborers, especially organized laborers, to the courts, and to corporations. Volume **IV**, section **4072**.

May a notary, acting under the authority of the law of 1851, require the production of ballots against the injunction of the State court? Volume **II**, section **1070**.

INLAND WATERWAYS.

Bills relating to intrastate inland waterways have been held to fall within the jurisdiction of the Committee on Rivers and Harbors rather than that of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1840**.

INQUEST.

In 1868 the Senate ceased in its rules to describe the House of Representatives, while acting in impeachment cases, as the grand inquest of the nation. Volume **III**, section **2126**.

INQUEST—Continued.

Under the parliamentary law of impeachment, the Commons, as grand inquest of the nation and as accusers, become suitors for penal justice at the bar of the Lords. Volume **III**, section **2026**.

INQUIRY.

- (1) **Resolutions of.—Form of.**
- (2) **Resolutions of.—Privileged status of.—In general.**
- (3) **Resolutions of.—Privileged status of.—Destroyed by asking for opinions.**
- (4) **Resolutions of.—Privileged status of.—Destroyed by requiring investigation.**
- (5) **Resolutions of.—Time limit as to report on, and motion to discharge.**
- (6) **Resolutions of.—Consideration in House.**
- (7) **Resolutions of.—Questions of privilege in relation to.**
- (8) **Resolutions of.—Qualifying clause in those addressed to President and State**

Department.

- (9) **Resolutions of.—Power of House as related to Executive.**
- (10) **Resolutions of.—Conflicts between House and Executive.**
- (11) **Resolutions of.—Reports of subordinate officers.**
- (12) **Resolutions of.—In general.**
- (13) **In nature of investigations.**

(1) Resolutions of.—Form of.

A resolution of inquiry is usually simple rather than concurrent in form. Volume **III**, section **1875**. Joint resolutions are not required for calling for information from the Executive Departments.

Volume **III**, section **1876**.

A resolution authorizing a committee to request information has been treated as a resolution of inquiry. Volume **III**, section **1860**.

Resolutions of inquiry are delivered under direction of the Clerk. Volume **III**, section **1879**.

To a proposition for the appointment of a select committee to investigate a certain subject an amendment proposing an inquiry of the Executive on that subject was held not to be germane. Volume **V**, section **5891**.

An amendment which would have changed a resolution of inquiry to one of instruction was held to be not germane. Volume **V**, section **5804**.

In a resolution ordering an inquiry it is not necessary for the House or Senate to specify its legislative purposes; for inasmuch as this is the only legitimate purpose under which such investigations may be conducted, in the absence of evidence to the contrary, such purpose is presumed. Volume **VI**, section **342**.

(2) Resolutions of.—Privileged Status of.—In General.

Resolutions of inquiry are privileged for report and consideration at any time after their reference. Volume **III**, section **1870**.

A resolution of inquiry is not privileged until it has been referred to a committee, and then only under conditions prescribed by the rules. Volume **III**, section **1857**.

Only resolutions of inquiry addressed to the heads of Executive Departments are privileged. Volume **III**, sections **1861–1863**. Volume **VI**, section **406**.

The term “Heads of Executive Departments” refers exclusively to members of the President’s Cabinet. Volume **VI**, section **406**.

A resolution of inquiry addressed to the Federal Reserve Board is not privileged. Volume **VI**, section **406**.

The privilege of resolutions of inquiry applies to those addressed to the President of the United States. Volume **III**, section **1864**.

A resolution of inquiry to enjoy its privilege should call for facts rather than opinions and should not require an investigation. Volume **III**, sections **1872–1874**.

INQUIRY—Continued.**(2) Resolutions of.—Privileged Status of.—In General—Continued.**

The privilege of a resolution of inquiry may be destroyed by a preamble, although the matter therein recited may be germane to the subject of inquiry. Volume **III**, sections **1877**, **1878**. The privilege of a resolution of inquiry may be destroyed by a preamble. Volume **VI**, section **422**. The privilege of a resolution of inquiry is destroyed by a preamble reciting an assertion of fact. Volume **VI**, section **427**.

Resolutions the adoption of which would commit the House to an assertion of fact do not come within the privilege. Volume **VI**, section **427**.

Instance wherein a resolution held to be without privilege was altered to conform to the requirements of the rule. Volume **VI**, section **435**.

Resolutions of inquiry when reported from the committee to which referred are privileged. Volume **VI**, section **414**.

A resolution of inquiry may be reported at any time, and, when reported, remain privileged until disposed of. Volume **VI**, section **413**.

A privileged resolution is reported from the floor and not be filing with the clerk. Volume **VI**, section **404**.

A privileged resolution should be reported from the floor and, if reported through the basket, loses its privilege, but if ruled out of order on that ground may be immediately submitted from the floor without loss of privilege. Volume **VI**, section **419**.

If a portion of a resolution of inquiry is without privilege the entire resolution is without privilege. Volume **VI**, section **422**.

The privilege of a resolution of inquiry, when in question, is strictly construed. Volume **VI**, section **427**.

A resolution of inquiry when reported either favorably or unfavorably is privileged for immediate consideration. Volume **VI**, section **404**.

The rule authorizing reference to the Calender of Adverse Reports, on request, does not apply to privileged resolutions of inquiry. Volume **VI**, section **411**.

A resolution of inquiry, though adversely reported, is privileged if on the calender. Volume **VI**, section **410**.

A resolution of inquiry retains its privilege after reference to the calender. Volume **VI**, section **407**. The reference to the calendar of a resolution of inquiry does not operate to deprive it of any privilege it may possess. Volume **VI**, section **431**.

A resolution of inquiry, though adversely reported, is privileged if on the calendar. Volume **VI**, section **410**.

The report of the committee on a resolution of inquiry does not affect its privileged status, and such resolution is privileged for consideration from the time it is placed on the calendar. Volume **VI**, section **424**.

(3) Resolutions of.—Privileged Status of.—Destroyed by Asking for Opinions.

A resolution of inquiry, to enjoy its privilege, should call for facts rather than for opinions. Volume **VI**, sections **422**, **435**.

A resolution of inquiry, to enjoy its privilege, should call for facts rather than opinions and should not require an investigation. Volume **VI**, section **413**.

A resolution of inquiry asking “why” certain action had not been taken was held to be a request for facts and not for opinions, and therefore to be privileged. Volume **VI**, section **419**.

A resolution asking “the cause of delay” was held to be a request for facts and not a request for an opinion, and therefore privileged under the rule. Volume **VI**, section **420**.

A request for facts “on which he based” certain charges was held not to constitute a request for an opinion. Volume **VI**, section **422**.

INQUIRY—Continued.**(3) Resolutions of.—Privileged Status of.—Destroyed by Asking for Opinions—Continued.**

A resolution inquiring as to the “result” of certain proceedings was held to be a request for facts and therefore entitled to privilege. Volume **VI**, section **423**.

A resolution asking for the “cost” of an extended undertaking, an adult of which might give rise to a difference of opinion, was construed as a request for facts and not for opinions. Volume **VI**, section **421**.

A resolution of inquiry asking for a citation of “the authority” under which certain action had been taken was held to call for facts rather than opinions. Volume **VI**, section **425**.

A resolution inquiring “Under the authority of what law” certain actions were taken, was construed to ask for facts rather than opinions. Volume **VI**, section **426**.

A resolution of inquiry asking for facts justifying a specified action was held to ask for an opinion and therefore to be without privilege. Volume **VI**, section **431**.

A resolution of inquiry asking for “reasons” was held to be a request for an opinion rather than for facts and therefore not entitled to privileges. Volume **VI**, section **430**.

A resolution of inquiry to be privileged as such should not ask for opinions or require an investigation. Volume **VI**, section **429**.

A resolution of inquiry asking “why” a certain course of action has been followed is a request for reasons and is without privilege. Volume **VI**, section **428**.

A resolution of inquiry asking “why” certain action has been taken is a request for opinions and is not admissible under the rule. Volume **VI**, section **432**.

An inquiry as to whether “facts exist to justify” a course of procedure was held to be a request for opinions rather than for facts and therefore not within the rule. Volume **VI**, section **424**.

A resolution calling for “reasons which make it inexpedient” to take specified action was held to ask for opinions rather than facts, while a resolution asking “what facts make expedient” such action was admitted under the rule. Volume **VI**, section **418**.

A request in a resolution of inquiry for “The reason why” is a request for an opinion, and destroys its privilege. Volume **VI**, section **413**.

A resolution of inquiry asking for “reason” and “cause” was held to ask for opinion rather than facts. Volume **VIII**, section **2310**.

(4) Resolutions of.—Privileged Status of.—Destroyed by Requiring Investigation.

A resolution of inquiry to enjoy its privileges not require an investigation. Volume **VI**, sections **427**, **432**.

A resolution of inquiry to be privileged as such should not ask for opinions or require an investigation. Volume **VI**, section **429**.

A resolution of inquiry, to enjoy its privilege, should call for facts rather than opinions and should not require an investigation. Volume **VI**, section **413**.

A resolution inquiring whether certain agencies “Claim exemption” was held to require an investigation. Volume **VI**, section **429**.

A resolution of inquiry should not require an investigation, but if on its face it calls for facts, the chair is not required to investigate the probability of the existence of those facts. Volume **VI**, section **422**.

An inquiry for “complete information” when only partial information was available, held not to constitute a request for an investigation, and to be privileged under the rule. Volume **VI**, section **410**.

(5) Resolutions of.—Time Limit as to Report on, and Motion to Discharge.

Committees are required to report resolutions of inquiry back to the House within one week of the reference. Volume **III**, section **1856**.

A committee not having reported a resolution of inquiry within the time fixed by the rule, the House may reach the resolution only by a motion to discharge the committee from its consideration. Volume **III**, section **1865**.

INQUIRY—Continued.**(5) Resolutions of.—Time Limit as to Report on, and Motion to Discharge—Continued.**

A resolution of inquiry not being reported back within one week, a motion to discharge the committee from the consideration of it presents a privileged question. Volume **III**, sections **1866–1870**.

A week's time required to make a resolution of inquiry privileged is seven days, exclusive of either the first or last day. Volume **III**, sections **1858, 1859**.

At the expiration of a week a motion to discharge a committee from the consideration of a resolution of inquiry is privileged, although the resolution may have been delayed in reaching the committee. Volume **III**, section **1871**.

The motion to discharge a committee from further consideration of a resolution of inquiry is not privileged after its report to the House. Volume **VI**, section **405**.

The motion to discharge a committee from the consideration of a resolution of inquiry is not debatable. Volume **III**, section **1868**. Volume **VI**, section **415**.

While the motion to discharge a committee is not debatable, the motion to discharge a committee and pass a measure before them is subject to debate if undivided. Volume **VI**, section **410**.

The motion to discharge a committee from the consideration of a resolution of inquiry is not debatable, but the motion having been agreed to, the resolution is before the House and subject to debate under the hour rule. Volume **VI**, section **417**.

The motion to discharge a committee is not debatable, and the proposition to lay on the table a motion to discharge a committee from the consideration of a resolution of inquiry is in order and takes precedence even though the proponent of that motion demands the floor. Volume **VI**, section **415**.

The time of delivery of reports to the clerk fixes the time at which such reports are made and a motion to discharge a committee comes too late after a report has been filed regardless of whether it has been printed. Volume **VI**, section **405**.

(6) Resolutions of.—Consideration in House.

By an exceptional decision it was held that a resolution of inquiry was privileged for consideration only on motion authorized by the committee having jurisdiction. Volume **VIII**, section **2310**.

No objection having been made to the reference of a resolution of inquiry adversely reported, it was held on one occasion that it could then be called up from the calendar only by authorization of the committee reporting it. Volume **VI**, section **413**.

A privileged resolution of inquiry, on which the question of consideration has been raised and decided adversely, is placed on the calendar although under section 2 of Rule XIII it is not otherwise eligible for reference to the calendar. Volume **VI**, section **404**.

A Member may demand the question of consideration; although the Member in charge may demand the floor for debate. Volume **VI**, section **404**.

The Member presenting a committee report from the floor is entitled to prior recognition. Volume **VI**, section **411**.

While members of the committee are entitled to priority of recognition for debate, a motion to lay a proposition on the table is in order before the Member entitled to prior recognition for debate has begun his remarks. Volume **VI**, section **413**.

The House having agreed to a motion to discharge a committee from further consideration of a resolution, the proponent of the motion was recognized to debate the resolution. Volume **VI**, section **417**.

A committee having been discharged from the further consideration of a resolution of inquiry, debate is in order under the hour rule unless the previous question is ordered. Volume **VI**, section **416**.

A point of order may be raised against a substitute reported by committee, although the original resolution may have been privileged. Volume **VI**, section **418**.

The rule authorizing reference to the Calendar of Adverse Reports, on request, does not apply to privileged resolutions of inquiry. Volume **VI**, section **411**.

INQUIRY—Continued.**(6) Resolutions of.—Consideration in House**—Continued.

A resolution of inquiry adversely reported to the House and undisposed of becomes unfinished business and may be called up at the will of the House. Volume **VI**, section **411**.

A resolution of inquiry undisposed of at adjournment retains its privilege and is the unfinished business when that class of business is again in order under the rules. Volume **VI**, section **412**.

The reference to the calendar of a resolution of inquiry does not operate to deprive it of any privilege it may possess. Volume **VI**, section **431**.

A privileged resolution of inquiry is in order on days on which it is in order to move to suspend the rules, and takes precedence of a call of the Unanimous Consent Calendar. Volume **VI**, section **409**.

A resolution of inquiry may not be called up on Wednesday. Volume **VII**, section **898**.

(7) Resolutions of.—Questions of Privilege in Relation to.

The head of a Department having declined to respond to an inquiry of the House, a demand for a further answer was entertained as a matter of privilege. Volume **III**, section **1891**.

A demand that the head of an Executive Department transmit a more complete reply to a resolution of inquiry may not be presented as a matter of privilege. Volume **III**, section **1892**.

A proposition to investigate whether or not the head of an Executive Department had failed or declined to respond to an inquiry of the House was held not to be a matter of privilege. Volume **III**, section **1893**.

(8) Resolutions of.—Qualifying Clause in Those Addressed to President and State Department.

Resolutions of inquiry addressed to the President have usually contained the clause “if not incompatible with the public interest,” especially when on the subject of diplomatic affairs. Volume **III**, sections **1896–1901**.

While it is customary to use the clause “If not incompatible with the public interest” in resolutions of inquiry addressed to the President and to the State Department, it is not ordinarily used in resolutions addressed to other executive departments. Volume **VI**, section **436**.

A resolution addressed to the President requesting the transmission of papers having been offered, the Senate modified it by incorporation of the clause “if not incompatible with the public interest.” Volume **VI**, section **433**.

After a full discussion of its relations to the Executive the House inserted a qualifying clause in its request for information as to certain foreign relations. Volume **II**, section **1547**.

An early instance wherein a resolution making inquiry of the President of the United States contained the condition “if not incompatible with the public interest.” Volume **V**, section **5759**.

The clause “if not, in his judgment, incompatible with the public interest,” is generally used by the Senate in resolutions of inquiry directed to the President. Volume **III**, sections **1902, 1903**.

In some instances the House has made its inquiries of the President without condition and has even made the inquiry imperative. Volume **III**, sections **1896–1901**.

It has been considered proper to use the word “request” in asking for information from the President and “direct” in addressing the heads of Departments. Volume **III**, section **1895**.

As to the use of the words “request” and “direct” in resolutions of inquiry addressed to the Executive (footnote). Volume **III**, section **1856**.

Discussion in the Senate as to the practice of requiring information from the heads of Departments and requesting it of the President. Volume **III**, section **1904**.

In response to a request for information “not incompatible with the public interest,” the head of a department replied that it would be incompatible with the public interest to submit the information requested. Volume **VI**, section **414**.

INQUIRY—Continued.**(9) Resolutions of.—Power of House as Related to Executive.**

- The House declared in 1796 that its constitutional requests of the Executive for information need not be accompanied by a statement of purposes. Volume **II**, section **1509**.
- The President having failed to respond to a resolution of inquiry, the House respectfully reminded him of the fact. Volume **III**, section **1890**.
- In 1822 the House called generally and specifically for papers relating to the treaty of Ghent and obtained them, although the Executive advised against their publication. Volume **II**, sections **1512, 1513**.
- The House has requested the President to lay before it information as to the carrying out and the violation of treaties, and the information has been furnished. Volume **II**, sections **1510, 1511**.
- The head of a department having failed to respond to a resolution of inquiry, the House transmitted a further resolution. Volume **VI**, section **435**.
- On request President Johnson furnished to the House the minutes of a meeting of the Cabinet. Volume **III**, section **1888**.
- In 1837 a committee discussed the authority of the House in calling for papers from the Executive Departments and the kind of papers properly subject to its demand. Volume **III**, section **1738**.
- Discussion of the right of the House to demand papers from a public officer. Volume **III**, section **1700**.
- A discussion in the Senate as to its powers in calling for papers from the President. Volume **III**, sections **1902, 1903**.
- The House, after debate, called on the President for a list of appointments of Members of Congress to offices (footnote). Volume **III**, section **1864**.

(10) Resolutions of.—Conflicts Between House and Executive.

- President Washington, in 1796, declined the request of the House that he transmit the correspondence relating to the recently ratified treaty with Great Britain. Volume **II**, section **1509**.
- In 1842 the House vigorously asserted and President Tyler as vigorously denied the right of the House to all papers and information in possession of the Executive relating to subjects over which the jurisdiction of the House extended. Volume **III**, sections **1884, 1885**.
- In 1846 President Polk, for reasons of public policy, declined to inform the House as to expenditures from the secret or contingent fund of the State Department. Volume **II**, section **1561**.
- In 1848 President Polk declined, on constitutional grounds, to honor the unconditional request of the House for a copy of the instructions to the minister sent to negotiate a treaty with Mexico. Volume **II**, sections **1518, 1519**.
- Even in the case of an application for papers relating to an Indian treaty, President Jackson asserted the Executive prerogative as opposed to the contention of the House. Volume **II**, section **1534**.
- President Jackson declined to furnish to the Senate a copy of a paper purporting to have been read by him to the heads of the Executive Departments. Volume **III**, section **1887**.
- President Grant declined to answer an inquiry of the House as to whether or not he had performed any Executive acts at a distance from the seat of government. Volume **III**, section **1889**.
- The House having asserted its right to direct the heads of the Executive Departments to furnish information, the Secretary of War returned an answer to a portion of the inquiry, declining to respond to the remainder. Volume **III**, section **1886**.
- In 1886 the refusal of the Attorney-General to transmit certain papers called for by the Senate led to a discussion of prerogatives and a declaration by the Senate. Volume **III**, section **1894**.
- Instance wherein an executive officer declined to transmit information requested by the House. Volume **VI**, section **402**.

INQUIRY—Continued.**(10) Resolutions of.—Conflicts Between House and Executive—Continued.**

The President declined to submit to the Senate in response to its request certain papers touching the London Naval Treaty 1930 on the ground that such compliance would be incompatible with the public interest. Volume **VI**, section **433**.

Instance wherein the Secretary of War declined to respond to an inquiry of the House on grounds of incompatibility with the public interest. Volume **VI**, section **434**.

Executive departments in response to resolutions of inquiry may not comment on debate in the House, include explanations tending to vindicate action by the department or enter into argument not specifically requested. Volume **VI**, section **437**.

(11) Resolutions of.—Reports of Subordinate Officers.

A subordinate officer of the Government to whom the House has directed a resolution of inquiry may respond directly or through his superior. Volume **III**, sections **1908–1910**.

Discussion of the status of the Department of State in relation to resolutions of inquiry, Volume **III**, section **1905**.

(12) Resolutions of.—In General.

A letter from the head of an Executive Department responding to a resolution of inquiry is not printed in full in the Journal, but a brief summary of its contents is printed. Volume **IV**, section **2858**.

The Senate returned to the Secretary of the Navy an impertinent document transmitted in response to an inquiry. Volume **III**, section **1907**.

The Postmaster-General having responded to an inquiry in a manner considered disrespectful, the Senate referred the matter to the President, whereat an explanation was forthcoming. Volume **III**, section **1906**.

No objection having been made to the reference of a resolution of inquiry adversely reported, it was held on one occasion that it could then be called up from the calendar only by authorization of the committee reporting it. Volume **VI**, section **413**.

Instance wherein an amendment was recommended to protect the confidential files of the department. Volume **VI**, section **414**.

A resolution calling upon an executive officer to give his reasons for pursuing any certain course of action is out of harmony with the principles governing the use of privileged resolutions of inquiry. Volume **VI**, section **432**.

The head of a department having failed to respond to a resolution of inquiry, the House transmitted a further resolution. Volume **VI**, section **435**.

(13) In Nature of Investigations.

The power of inquiry as related to the power of impeachment. Volume **II**, section **1596**.

The House does not possess the general power to inquire into the private affairs of the citizen. Volume **II**, section **1611**.

Discussion distinguishing a case of impeachment from the ordinary investigation for legislative purposes. Volume **III**, section **1700**.

President Jackson resisted with vigor the attempt of a committee of the House to secure his assistance in an investigation of his Administration. Volume **III**, section **1737**.

When an inquiry by a committee involves a Member the committee may only report to the House, whereupon the Member is heard or the committee is given authority to inquire concerning him. Volume **IV**, section **4557**.

Congress, by concurrent resolution, directs executive officers to make investigations in river and harbor matters. Volume **II**, section **1593**.

INQUIRY, PARLIAMENTARY.

The Journal does not record the response of the Speaker to a parliamentary inquiry. Volume **IV**, section **2842**.

An appeal may not be taken from a response of the Speaker to a parliamentary inquiry. Volume **V**, section **6955**. Volume **VIII**, section **3457**.

INQUIRY, PARLIAMENTARY—Continued.

Recognition to propound a parliamentary inquiry is within the discretion of the Chair and may interrupt proceedings of high privilege. Volume **VI**, section **541**.

A Member may not prefer a parliamentary inquiry while another Member is in possession of the floor. Volume **VIII**, section **2455**.

During the reading of a bill for amendment in Committee of the Whole, it is not in order to interrupt the reading of a paragraph or section with a parliamentary inquiry. Volume **VIII**, section **2873**.

A Member rising to make a parliamentary inquiry may not under the guise offer a motion to strike out the enacting clause, but must have the floor in his own right for that purpose. Volume **VIII**, section **2625**.

The reading of the Journal may be interrupted by a parliamentary inquiry. Volume **VI**, section **624**.

INQUISITORIAL.

An inquiry as to the integrity of Senators was held to be within the power of the Senate, and questions relating thereto were not unreasonable intrusions into the affairs of the citizen. Volume **II**, section **1614**.

Form of subpoena duces tecum used for compelling production of telegrams in 1877, but criticized as too general and verbally defective. Volume **III**, section **1695**.

INSANE HOSPITAL

The Government Hospital for the Insane and Congressional Cemetery have been within the jurisdiction of the Committee on the District of Columbia. Volume **VI**, section **4285**.

INSECTS.

The adulteration of seeds, insect pests, protection of birds and animals in forest reserves, grading of grain, etc., are subjects within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4157**.

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant diseases, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1863**.

INSERT MOTION TO.

(1) **General principles as to perfecting, etc.**

(2) **The motion to strike out and insert.**

(1) General Principles as to Perfecting, etc.

When it is proposed to amend by inserting a paragraph it should be perfected by amendment before the question is put on inserting. Volume **V**, section **5758**.

When it is proposed to perfect a paragraph the motions to insert or strike out, if already pending, must remain in abeyance until the amendments to perfect have been moved and voted on. Volume **V**, section **5758**.

After a vote to insert a new section in a bill it is too late to perfect the section by amendment. Volume **V**, sections **5761**, **5762**. Volume **VIII**, section **2857**.

After a vote to insert a proposition in a bill it is too late to perfect the proposition by amendment. Volume **VIII**, section **2852**.

Words once inserted in a paragraph by way of amendment may not be stricken out by another motion to amend, but words on the same subject, even though inconsistent, may be added to the paragraph. Volume **V**, section **5759**.

Words inserted by amendment may not afterwards be changed. Volume **VIII**, section **2853**.

Words inserted by amendment may not afterwards be changed, except that a portion of the original paragraph including the words so inserted may be stricken out if in effect it presents a new proposition, and a new coherence may also be inserted in place of that stricken out. Volume **V**, section **5758**.

INSERT MOTION TO—Continued.**(1) General Principles as to Perfecting, etc.—Continued.**

While it is not in order to strike out a portion of an amendment once agreed to, yet words may be added to the amendment. Volume **V**, sections **5764, 5764**.

It is not in order to amend an amendment that has been agreed to, but the amendment with other words of the original paragraph may be stricken out in order to insert a new text of a different meaning. Volume **V**, section **5763**.

To a motion to insert words in a bill a motion to strike out certain words of the bill may not be offered as a substitute. Volume **V**, section **5790**.

It is in order by a motion to insert to effect a transfer of paragraph from the latter to the first portion of a bill. Volume **V**, sections **5775, 5776**. Volume **VIII**, section **2875**.

A substitute amendment may be amended by striking out all after its first word and inserting a new text. Volume **V**, sections **5793, 5794**.

It is in order to insert by way of amendment a paragraph similar (if not actually identical) to one already stricken out by amendment. Volume **V**, section **5760**.

When it is proposed to amend by inserting or adding, the matter is divisible if it contains more than one substantive proposition. Volume **V**, sections **6129–6133**.

Where the Senate had amended a House bill by striking out a section, it was held in order in the House to concur with an amendment inserting a new text in lieu of that stricken out. Volume **V**, section **6186**.

(2) The Motion to Strike Out and Insert.

The motion to strike out and insert may not be divided for the vote. Volume **V**, section **5767**.

A rule provides that a motion to strike out and insert shall not be divided. Volume **V**, section **6123**.

A motion to strike out and insert is indivisible either as to the two branches of the motion or the language proposed for insertion. Volume **VIII**, section **3169**.

Although it is not in order in connection with a motion to recommit to offer instructions striking out an amendment agreed to by the House and insert other provisions in its place, it is in order to propose instructions to strike out such an amendment with other portions of the original paragraph so that a text of different meaning may be inserted. Volume **VIII**, section **2727**.

A motion to strike out and insert is not in order as a substitute for a simple motion to strike out. Volume **VIII**, section **2849**.

The motion to strike out and insert is a perfecting amendment and takes precedence of a simple motion to strike out. Volume **VIII**, section **2849**.

To a motion to strike out certain words in a bill and insert others, a simple motion to strike out the words in the bill may not be offered as a substitute, section **VIII**, section **2847**.

A proposition to strike out all after the first two words of an amendment and insert a new text in lieu thereof was held to be an amendment and not a substitute. Volume **VIII**, section **2882**.

On a motion to strike out a resolution and insert several connected resolutions a division of the question so as to vote separately on each substantive proposition of the matter to be inserted was decided not to be in order. (Speaker overruled.) Volume **V**, sections **6124, 6125**.

Substitute resolutions offered as an amendment are not divisible, but when agreed to a division of the original as amended may be demanded. Volume **V**, sections **6127, 6128**.

A rule of the House provides that even though a motion to strike out a proposition be decided in the negative, yet the proposition may be amended, even by a motion to strike out and insert. Volume **V**, section **5767**.

A negative vote on a motion to strike out and insert does not prevent the offering of another similar motion or a simple motion to strike out. Volume **V**, section **5758**.

INSERT, MOTION TO—Continued.**(2) The Motion to Strike Out and Insert**—Continued.

When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs, the substitute may be moved to the first paragraph with notice that if it be agreed to motions will be made to strike out the remaining paragraphs. Volume **V**, section **5795**.

INSIST, MOTION TO.

- (1) Nature of.**
- (2) Precedence of.**
- (3) In relation to motion to ask a conference.**
- (4) In relation to adherence and conference after.**

(1) Nature of.

The negative of the motion to recede is not equivalent to the affirmative of the motion to insist. Volume **V**, section **6164**.

A motion to recede being decided in the negative, the House does not thereby vote to insist. Volume **V**, sections **6205, 6206**.

When the originating House disagrees to the amendment of the other House the latter may recede from or insist on its own amendment, but may not couple an amendment with this action. Volume **V**, section **6163**.

Adoption of a motion to disagree or to insist on disagreement to a Senate amendment does not preclude consideration of subsequent motions instructing conferees to take other action on such amendments or parts thereof. Volume **VIII**, section **3237**.

(2) Precedence of.

The parliamentary law governing the precedence and effect of the motions to agree, disagree, recede, insist, and adhere. Volume **V**, section **6164**.

The motions to recede, insist, and adhere have precedence in the order named without regard to the order in which they may be offered. Volume **V**, section **6324**.

The stage of disagreement having been reached the motion to insist has precedence of the motion to refer. Volume **V**, section **6225**.

The motion to recede takes precedence of the motion to insist. Volume **V**, sections **6204, 6308**.

The motion to recede takes precedence of the motion to insist or the motion to ask a conference. Volume **V**, section **6270**.

Although the previous question may have been demanded on a motion to insist it has been held that a motion to recede and concur might be admitted to precedence. Volume **V**, section **6321a**.

The motion to recede and concur in a Senate amendment with an amendment takes precedence of a motion to insist further on the House's disagreement to the Senate amendment. Volume **V**, section **6224**.

The motion to recede and concur takes precedence of the motion to further insist. Volume **VIII**, section **3194**.

A motion to insist on disagreement to a Senate amendment yields to a motion to agree and is not acted on in event of rejection of the latter motion. Volume **VIII**, section **3183**.

A motion to recede and concur in a Senate amendment takes precedence of a motion to insist further on disagreement to the Senate amendment. Volume **VIII**, section **3205**.

The motion to recede from disagreement and concur in a Senate amendment has precedence of a motion to insist further, but a member by offering such motion may not deprive the member-in-charge of the floor. Volume **VIII**, section **3193**.

(3) In Relation to Motion to Ask a Conference.

When one House amends a bill of the other House and at the same time asks a conference it may or may not vote to insist on its amendment before asking the conference. Volume **V**, sections **6293-6300**.

INSIST, MOTION TO—Continued.**(3) In Relation to Motion to Ask a Conference**—Continued.

Under the former practice the House disagreeing to an amendment of the other did not ask a conference, leaving that to the other House if it should decide to insist. Volume **V**, section **6324**. Both Houses insisting and neither asking a conference the bill failed. Volume **V**, section **6228**.

The Senate having disagreed to an amendment of the House it was held that a motion to ask a conference should not be made before a motion to recede or insist had been made and decided. Volume **V**, section **6270**.

Instance wherein, after managers of a conference had reported their inability to agree, a resolution insisting on the House's disagreement to Senate amendments and asking a further conference was admitted as privileged. Volume **V**, section **6272**.

The House having under consideration a number of Senate amendments, it was held that a motion to insist on disagreement to one amendment might not include agreement to conference asked by the Senate until disposition of all pending amendments had been determined. Volume **VIII**, section **3210**.

(4) In Relation to Adherence and Conference After.

When both Houses have insisted, neither inclining to recede, it is in order to adhere, but in Parliament adherence is not usually voted until there have been at least two conferences. Volume **V**, section **6163**.

One House having adhered the other may further insist and ask a conference. Volume **V**, sections **6245**, **6246**.

The Senate having adhered to their amendment to a House bill, the House decided to ask a conference without the preliminary of voting to insist. Volume **V**, section **6311**.

Where one House votes to adhere to its attitude of disagreement the other may vote to insist and ask a conference. Volume **V**, section **6308**.

The House having adhered the Senate insisted and asked a conference, whereupon the House insisted on its adherence and agreed to the conference. Volume **V**, section **6325**.

After an adherence by one House the other has asked a conference, both with and without having voted to insist. Volume **V**, sections **6242**, **6244**.

INSPECTION.

The inspection of steam vessels as to hulls and boilers is generally within the jurisdiction of the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4133**.

The inspection of steamboats, the regulation of officering and manning vessels, and the classification and salaries of clerks in the Steamboat-Inspection Service are subjects within the jurisdiction of the Committee on the Merchant Marine and Fisheries. Volume **VII**, section **1854**.

The Committee on Agriculture has reported as to the regulation of importation and inspection of livestock and dairy products, and the establishment and maintenance of quarantine stations for that purpose. Volume **VII**, section **1862**.

An appropriation for boards of inspection was held to be in order on an appropriation bill. Volume **VII**, section **1236**.

A system of inspection being provided for by law it was held in order to appropriate for inspectors and motor cycles for their official use. Volume **VII**, section **1184**.

The law empowering the commissioners of the District of Columbia to make building regulations was held to authorize the appointment of building inspectors. Volume **VII**, section **1191**.

INSTITUTIONS.

A private bill is a bill for the relief of one or several specified persons, corporations, institutions, etc., and is distinguished from a public bill, which relates to public matters and deals with individuals only by classes. Volume **IV**, section **3285**.

INSTITUTIONS—Continued.

- A bill providing for individuals, corporations, or private institutions is classed as a private bill. Volume **VII**, section **869**.
- A treaty establishing an international institute authorizes an appropriation in a general appropriation bill for sending delegates to the institute. Volume **VII**, section **1138**.
- An appropriation for maintaining an international institute, in excess of the amount provided by treaty as the quota which the United States should contribute for that purpose, is not in order on an appropriation bill. Volume **VII**, section **1138**.
- The enactment establishing an institution was held not to authorize construction of a new building therein. Volume **VII**, section **1267**.
- Law limiting the labor of inmates to duties necessary for the construction and maintenance of an institution was held not to authorize an appropriation for construction of additional buildings for the institution. Volume **VII**, section **1267**.
- Appointments to boards and commissions having jurisdiction over institutions and affairs connected with the Military Service have been reported by the Committee on Military Affairs. Volume **VII**, section **1901**.

INSTRUCTION. See “Committees” and “Conferences.”**INSULAR AFFAIRS, COMMITTEE ON.**

- The creation and history of the Committee on Insular Affairs, section 18 of Rule XI. Volume **IV**, section **4213**.
- Recent history of the Committee on Insular Affairs, section 18 of Rule XI, Volume **VII**, section **1946**.
- The rule gives to Insular Affairs jurisdiction of all subjects, other than revenue and appropriations, relating to the islands which came to the United States by the Spanish treaty of 1899. Volume **IV**, section **4213**.
- The Committee on Insular Affairs exercises practically an exclusive jurisdiction over the affairs of the islands ceded by the treaty of 1899, except as to matters of revenue and appropriations. Volume **IV**, section **4214**.
- A proposition to establish a system for dealing with a certain class of claims in the Philippines was referred by the House to the Committee on Insular Affairs. Volume **IV**, section **4216**.
- The rule creating the Committee on Insular Affairs gave to it jurisdiction of subjects relating to Cuba. Volume **IV**, section **4213**.
- Although there is a specific rule giving to Insular Affairs the jurisdiction of matters relating to Cuba, the House has decided that they belong rather to Foreign Affairs. Volume **IV**, section **4215**.
- The revenue relations of the United States with Porto Rico and the Philippines are within the jurisdiction of the Committee on Ways and Means. Volume **IV**, section **4024**.
- The rules give to the Resident Commissioner of Porto Rico the status of a Delegate in the House and assign to him an additional place on the Committee on Insular Affairs. Volume **II**, section **1806**.
- Legislation relating to Porto Rico, with the exception of matters of revenue and appropriations, are within the jurisdiction of the Committee on Insular Affairs. Volume **VII**, section **1949**.
- The Committee on Insular Affairs has general jurisdiction of subjects relating to the Philippine Islands. Volume **VII**, section **1948**.
- The Committee on Insular Affairs exercises a general jurisdiction of subjects relating to the Virgin Islands, with the exception of matters of revenue and appropriations. Volume **VII**, section **1950**.
- The Committee on Insular Affairs exercises practically an exclusive jurisdiction over the affairs of the islands ceded by the treaty of 1899, except as to matters of revenue and appropriations. Volume **VII**, section **1947**.

INSULAR COURTS.

The Committee on the Judiciary have exercised jurisdiction of bills relating to insular courts. Volume **VII**, section **1767**.

INSULAR POSSESSIONS, STANDARDS OF VALUE IN.

Legislation relating to the establishment of legal standards of value in insular possession of the United States is considered by the Committee on Coinage, Weight, and Measures. Volume **VII**, section **1802**.

INSULT.

An insult to the Speaker has been held to raise a question of privilege not governed by the ordinary rule about taking down disorderly words as soon as uttered. Volume **II**, section **1248**.

When the House was considering a resolution censuring a Member for an alleged insult to the Speaker, the Speaker called another Member to the chair. Volume **II**, section **1248**.

A Member was censured for presenting a resolution insulting to the House. Volume **II**, section **1246**.

Any petition or memorial of an obscene or insulting nature may be returned by the Speaker to the Member presenting it for reference. Volume **IV**, section **3364**.

INSURANCE.

The Committee for the District of Columbia has exercised jurisdiction generally of the subject of insurance in the District. Volume **IV**, section **4278**.

Bills relating to the subject of farm risk insurance have been referred to the Committee on Agriculture. Volume **VII**, section **1875**.

INTEGRITY.

Bills relating to the efficiency and integrity of the public service have been considered by the several committees on expenditures. Volume **IV**, section **4320**.

The President having transmitted to the House a message reflecting on the integrity of its membership, the House declared it a breach of privilege and ordered it laid on the table. Volume **VI**, section **330**.

Charges published as newspaper advertising that "Bad bills pass without reading" and "Steals are attempted" were held so to reflect upon the integrity of the proceeding of the House as to support a question of privilege. Volume **VI**, section **576**.

Discussion of the power of the House to punish persons other than members for offenses affecting the dignity, orderly procedure, or integrity of the House. Volume **VI**, section **398**.

Report of a committee holding in contempt of the House a Member who had permitted the dissemination of letters in his name reflecting upon the honor and integrity of Members of the House. Volume **VI**, section **400**.

INTENT. See "Elections of Representatives."**INTEREST, PERSONAL.**

(1) **Of Member in voting.—General principles.**

(2) **Of Member in voting.—On question relating to Member's title to a seat.**

(3) **Of Member in voting.—Authority of Speaker in relation to the vote.**

(4) **Of a Senator sitting in an impeachment trial.**

(5) **Of the Speaker in presiding.**

(6) **Of a member of a legislature in election of a Senator.**

(1) Of Member in Voting.—General Principles.

Every Member shall be present and vote unless he have a direct personal or pecuniary interest in the question. Volume **V**, section **5941**.

The rule of parliamentary law as to the conduct of a Member when his private interests are concerned in a question. Volume **V**, section **5949**.

INTEREST, PERSONAL—Continued.**(1) Of Members in Voting.—General Principles**—Continued.

A Member against whom a resolution of censures was pending cast a decisive vote on an incidental question, but on the main question did not vote, except once in the negative on the motion to lay the resolution on the table. Volume **V**, section **5961**.

On a resolution in the Senate censuring two Senators the names of both were called but neither voted. Volume **II**, section **1665**.

A Member who had been assaulted was excused from voting on questions relating to the punishment of his assailant. Volume **V**, section **5962**.

A Member who had preferred charges against Judge Boatner declined as a member of the Judiciary Committee to vote on his case. Volume **III**, section **2518**.

Where the subject-matter before the House affects a class rather than individuals, the personal interest of Members who belong to the class is not such as to disqualify them from voting. Volume **V**, section **5952**.

Members who were stockholders in the Bank of the United States were excused from voting on a question relating to that institution. Volume **V**, section **5954**.

Where the subject matter before the House affects a class rather than individual, the personal interest of Members who belong to the class is not such as to disqualify them from voting. Volume **VIII**, section **3072**.

The question as to whether a Member's personal interest is such as to disqualify him from voting is a question for the Member himself to decide and the Speaker will not rule against the constitutional right of a Member to represent his constituency. Volume **VIII**, section **3071**.

The power of the House to deprive one of its Members of the right to vote on any question is doubtful. Volume **VIII**, section **3072**.

The rule prohibiting Members from voting on questions affecting their direct personal or pecuniary interest was held not to apply to votes on propositions increasing the salaries of Members elect. Volume **VIII**, sections **3073**.

(2) Of Members in Voting.—On Question Relating to Member's Title to a Seat.

The same question affecting the right of four Members to their seats, each voted on the cases of his associates, but not on his own. Volume **V**, section **5958**.

In the proceedings relating to the New Jersey Members in 1839 each contestant did not generally vote on his own case, but voted on the identical cases of his associates. Volume **V**, section **5957**.

It was held in 1840 that the sitting Members from New Jersey might vote on incidental questions arising during the consideration of their titles to their seats. Volume **V**, section **5953**.

On a motion to discharge a committee from consideration of a resolution affecting the seats of several Members, the Chair held that the Members concerned might vote. Volume **V**, section **5960**.

A Senator having voted on a question affecting directly his title to his seat, the Senate ordered that the vote be not received in determining the question. Volume **V**, section **5959**.

(3) Of Member in Voting.—Authority of Speaker in Relation to the Vote.

The Speaker has usually held that the Member himself should determine whether or not his personal interest in a pending matter should cause him to withhold his vote. Volume **V**, sections **5950**, **5951**.

A point of order being made that a Member was disqualified for voting by a personal interest, the Speaker held that the Chair might not deprive a Member of his constitutional right to represent his constituency. Volume **V**, section **5956**.

A bill affecting a particular corporation being before the House, the Speaker held that a Member directly interested in that corporation as a shareholder had no right to vote. Volume **V**, section **5955**.

INTEREST, PERSONAL—Continued.**(3) Of Members in Voting.—Authority of Speaker in Relation to the Vote**—Continued.

An instance wherein the Speaker decided that a Member should not vote because of disqualifying personal interest. Volume **V**, section **5958**.

Sometimes the House has excused Members from voting on questions in which they had a personal interest (footnote). Volume **V**, section **5950**.

In determining whether the personal interest of a Member in the pending question is such as to disqualify him from voting thereon a distinction has been drawn between those affected individually and those affected as a class. Volume **VIII**, section **3071**.

(4) Of a Senator Sitting in an Impeachment Trial.

The doctrine of disqualifying personal interest as applied to a Senator sitting in an impeachment trial. Volume **III**, section **2061**.

A question as to the time when the competency of a Senator to sit in an impeachment trial should be challenged for disqualifying personal interest. Volume **III**, section **2061**.

A Senator related to President Johnson by family ties voted on the final question of the impeachment without challenge. Volume **III**, section **2061**.

In 1868 the President pro tempore of the Senate voted on the final question at the Johnson trial, although a conviction would have made him the successor. Volume **III**, section **2061**.

In the Pickering trial a Senator, who as a member of the House had voted for impeachment, was challenged, but voted. Volume **III**, section **2327**.

A Senator who had been a witness for respondent was excused from voting on the judgment in the Peck trial. Volume **III**, section **2383**.

(5) Of the Speaker in Presiding.

The Speaker leaves the chair during the transaction of any business concerning himself, even the reference of a paper. Volume **II**, section **1359**.

A matter concerning himself being before the House, the Speaker called a Member to the chair. Volume **II**, section **1360**.

Resolutions censuring the conduct of the Speaker being presented unexpectedly, he was excused from deciding a point of order in relation thereto. Volume **II**, section **1357**.

An amendment to the Journal disapproving a ruling of the Speaker was held out of order without question as to the propriety of calling another to the chair. Volume **IV**, section **2848**.

The Speaker of the House, being the Vice-President-elect, called a Member to the chair during discussion of a question relating to the electoral count. Volume **II**, section **1365**.

A newspaper having made certain charges against the official character of the Speaker, he called a Member to the chair and moved an investigation, which was voted. Volume **II**, section **1364**.

In asking an investigation of his conduct, Mr. Speaker Clay addressed the House from the chair, but immediately left it when the House was to act. Volume **II**, section **1362**.

(6) Of a Member of a Legislature in Election of a Senator.

A member of a State legislature having cast for himself a decisive vote for United States Senator, the Senate declined to hold the election illegal. Volume **V**, section **5963**.

INTERLOCUTORY MOTIONS.

In an impeachment trial all preliminary or interlocutory questions and all motions are argued not over an hour on a side. Volume **III**, sections **2091–2093**.

The Senate declined to sanction unlimited argument on interlocutory questions in impeachment trials. Volume **III**, sections **2091–2093**.

In arguing interlocutory questions in impeachment trials the opening and closing belong to the side making the motion or objection. Volume **III**, sections **2091–2093**.

The Senate, by order, may extend the time for the argument of motions and interlocutory questions in impeachment trials. Volume **III**, sections **2091–2093**.

INTERNAL REVENUE.

Bills imposing an internal revenue tax on oleomargarine are, by action of the House, included within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4156**.

Bills to discourage fictitious and gambling transactions in farm products have been considered within the jurisdiction of the Committee on Agriculture, even when an internal revenue question was included. Volume **IV**, section **4161**. Volume **VII**, section **1861**.

Bills relating to allowances on internal-revenue duties are reported by the Committee on Ways and Means. Volume **VII**, section **1734**.

INTERNATIONAL ARBITRATION.

The subjects of extradition with foreign nations, international arbitration, and violations of neutrality have been within the jurisdiction of the Committee on Foreign Affairs. Volume **IV**, section **4178a**.

INTERNATIONAL ARRANGEMENT.

The subject of rules to prevent collisions at sea and international arrangements therefor have been reported by the Committee on Merchant Marine and Fisheries. Volume **IV**, section **4135**.

The Committee on Rivers and Harbors has reported on the subject of an international arrangement as to the use of water at the outlet of the Great Lakes. Volume **IV**, section **4126**.

The Committee on Merchant Marine and Fisheries has reported on bills relating to international and interstate agreements on subjects within its jurisdiction. Volume **VII**, section **1858**.

INTERNATIONAL BANK.

A bill to incorporate an international bank was reported by the Committee on Banking and Currency. Volume **IV**, section **4086**.

INTERNATIONAL BOUNDARIES.

The boundaries between the United States and foreign nations and naval strength, bridges, and dams on waters along such boundaries are subjects within the jurisdiction of the Committee on Foreign Affairs. Volume **IV**, section **4166**.

Control of the waters, and preservation of natural resources, of international boundary streams are within the general but not the exclusive jurisdiction of the Committee on Foreign Affairs. Volume **VII**, section **1881**.

Navigation of International boundary streams and the construction of aids thereto, have been considered by the Committee on Rivers and Harbors. Volume **VII**, section **1843**.

INTERNATIONAL BUREAUS, COMMISSIONS, INSTITUTES.

A treaty providing for mutual reports by contracting nations to an international bureau was held to sanction appropriations for the bureau's maintenance although no treaty had been entered into providing for establishment of the bureau. Volume **VII**, section **1142**.

Appropriations for the annual quota of the United States in support of the International Trade-Mark Bureau and the International Hydrographic Bureau were held not to be authorized by existing law. Volume **VII**, section **1256**.

Appropriations for the annual quota of the United States in support of the International Trade-Mark Bureau and the International Hydrographic Bureau were held not to be authorized by existing law. Volume **VI**, section **1256**.

Ratification by law of appointment of delegates to a convention was not construed to authorize appropriations for expenses of an international commission organized by the convention. Volume **VII**, section **1247**.

Provision by law for appointment of an international commission with appropriation for its maintenance for the fiscal year was held not to authorize appropriations for subsequent years. Volume **VII**, section **1254**.

An appropriation for maintaining an international institute, in excess of the amount provided by treaty as the quota which the United States should contribute for that purpose, is not in order on an appropriation bill. Volume **VII**, section **1138**.

INTERNATIONAL CLAIMS.

The jurisdiction of general legislation relating to international claims has been exercised frequently by the Committee on the Judiciary. Volume **IV**, section **4081**.

The Committee on Foreign Affairs has exercised a general but not exclusive jurisdiction over projects of general legislation relating to claims having international relations. Volume **IV**, section **4168**. Volume **VII**, section **1882**.

INTERNATIONAL CONFERENCE.

The Committee on Foreign Affairs has general jurisdiction of the subject of international conferences and congresses. Volume **IV**, section **4177**. Volume **VII**, section **1884**.

The subject of an international patent conference was considered by the Committee on Patents. Volume **IV**, section **4255**.

Subjects relating to health, spread of leprosy and other contagious diseases, international congress of hygiene, etc., have been considered by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4111**.

An appropriation to continue representation of the United States at an adjourned meeting of an international conference was held not to be in continuance of a public work. Volume **VII**, section **1135**.

Bills for the stimulation of production, sale, and distribution of livestock and livestock products and the authorization of appropriations for international conferences on poultry and poultry products have been reported by the Committee on Agriculture. Volume **VII**, section **1867**.

INTERNATIONAL COPYRIGHT.

The Committee on Patents has jurisdiction of general and special legislation relating to copyrights, although its title to the jurisdiction of international copyright is not entirely clear. Volume **IV**, section **4257**.

The Committee on the Judiciary has exercised jurisdiction over the subject of international copyright, although the clearest title seems to be with the Committee on Patents. Volume **IV**, section **4075**.

INTERNATIONAL COURT.

A treaty sanctioning employment of counsel to represent an international court was held not to authorize employment of counsel to represent this Government before such court. Volume **VII**, section **1140**.

Conferring of jurisdiction relative to determination of rights of American citizens under treaties or in international litigation is a subject within the jurisdiction of the Committee on the Judiciary. Volume **VII**, section **1784**.

The participation by the United States in a World Court of International Justice is a subject within the jurisdiction of the Committee on Foreign Affairs. Volume **VI**, section **326**.

While conceding that its prerogative relative to participation in foreign relations has not been definitely established, the House asserted its right to originate legislation relating to foreign affairs upon which the injunction of secrecy is not imposed and questions appertaining to an international judiciary in particular. Volume **VI**, section **326**.

INTERNATIONAL WATERS.

The privileges of foreign vessels in American ports, bills of lading, contracts in export trade, and wrecks in international waters have been reported generally by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4144**.

INTERPRETER.

The House declined to allow a Delegate to introduce an interpreter on the floor. Volume **II**, section **1296**.

INTERSTATE.

The jurisdiction of subjects relating to interstate commerce belongs generally to the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4096**.

INTERSTATE—Continued.

- Bills relating to convict labor and the entry of goods made by convicts into interstate commerce have been reported by the Committee on Labor. Volume **IV**, section **4248**.
- Regulation of the traffic in intoxicating liquors, etc., through control of interstate commerce relations, is within the jurisdiction of the Committee on the Judiciary. Volume **IV**, section **4061**.
- Propositions to regulate interstate commerce in products of child labor have been within the jurisdiction of the Committee on Labor. Volume **VII**, section **1981**.
- The Committee on Coinage, Weights, and Measures exercises jurisdiction over legislation providing for the establishment of standard packages and grades in interstate commerce. Volume **VII**, section **1799**.
- Registration and supervision of motor vehicles engaged in interstate commerce and the licensing of operators thereof are subjects within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1819**.
- Bills relating to convict labor and the entry of goods made by convicts into interstate commerce have been reported by the Committee on Labor. Volume **VII**, section **1980**.
- The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant diseases, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1863**.
- Authorization of interstate agreements relating to river improvements is a subject not within the jurisdiction of the Committee on Rivers and Harbors. Volume **VII**, section **1845**.
- The Committee on Merchant Marine and Fisheries has reported on bills relating to international and interstate agreements on subjects within its jurisdiction. Volume **VII**, section **1858**.
- The Committee on Irrigation and Reclamation has reported on propositions to authorize interstate compacts and agreements relative to apportionment of waters for irrigation purposes. Volume **VII**, section **2033**.
- Bills proposing punishment of crimes against interstate or foreign shipments belong within the jurisdiction of the Committee on the Judiciary. Volume **VII**, section **1757**.

INTERSTATE AND FOREIGN COMMERCE, COMMITTEE ON.

- (1) **Creation of.**
 - (2) **Jurisdiction of.—In general.**
 - (3) **Jurisdiction of.—As to common carriers and aviation.**
 - (4) **Jurisdiction of.—Aids to ocean navigation, etc.**
 - (5) **Jurisdiction of.—Revenue cutters, entry at custom-houses, etc.**
 - (6) **Jurisdiction of.—Marine hospitals, quarantine, etc.**
 - (7) **Jurisdiction of.—Navigable streams, dams, bridges, etc.**
- (1) **Creation of.**
The creation and history of the Committee on Interstate and Foreign Commerce. Section 7 of Rule XI. Volume **IV**, section **4096**.
Recent history of the Committee on Interstate and Foreign Commerce, section 7 of Rule XI. Volume **VII**, section **1803**.
 - (2) **Jurisdiction of.—In General.**
The rule gives to the Committee on Interstate and Foreign Commerce jurisdiction of subjects relating to “commerce, Life-Saving Service, and light-houses,” but not including appropriations therefor. Volume **IV**, section **4096**.
The Committee on Interstate and Foreign Commerce has jurisdiction of bills affecting domestic and foreign commerce, except such as may affect the revenue. Volume **IV**, section **4097**.

INTERSTATE AND FOREIGN COMMERCE, COMMITTEE ON—Continued.**(2) Jurisdiction of.—In General—Continued.**

- Bills establishing the Department of Commerce and Labor and relating to the Interstate Commerce Commission were reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4098**.
- The Committee on Interstate and Foreign Commerce reported a bill creating an Interstate Trade Commission. Volume **VII**, section **1821**.
- The subject of a canal between the Atlantic and Pacific, and to a limited extent the general subject of canals in the United States, have been considered by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4103**.
- A bill creating a commission to assist in the purchase, sale, and distribution of newsprint paper was considered by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1826**.
- The regulation of exportation of live stock, meat, and other agricultural products has been to a certain extent within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4113**.
- Bills regulating commerce with public enemies have been reported by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1823**.
- Jurisdiction over legislation providing for regulation of interstate telegraph and telephone facilities and ocean cables has been given to the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1804**.
- Bills relating to ocean cables have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4106**.
- Bills to prevent the adulteration, misbranding, etc., of foods and drugs have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4112**.
- The control of stockyards and packing plants and the regulation of interstate and foreign commerce in livestock, dairy and livestock products, poultry and poultry products, are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1869**.
- Standards of quality and regulations for the control of interstate distribution of coal and other fuels and the procuring and publication of statistics relative thereto, are subjects within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1830**.
- Bills relating to commercial travelers as agents of interstate commerce and branding of articles going into such commerce have been considered by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4115**.
- Bills relating to the importation of narcotics, of adulterated or misbranded seeds, and of women for immoral purposes have been reported, but not exclusively, by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1820**.
- Bill to prevent the carriage from one State to another of indecent or harmful pictures or literature have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4116**.
- The subject of protection of game through prohibition of interstate transportation has been considered by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4117**.
- The Committee on Interstate and Foreign Commerce has considered bills providing for a topographical survey of the United States. Volume **VII**, section **1829**.
- Subjects relating to hygiene and demography come within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1824**.
- A proposition for the establishment of a children's bureau was held by the House to be within the jurisdiction of the Committee on Labor rather than the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1982**.
- Legislation providing for the protection of maternity and infancy belongs within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1827**.

INTERSTATE AND FOREIGN COMMERCE, COMMITTEE ON—Continued.**(2) Jurisdiction of.—In General—Continued.**

Establishment of zones for standard time and provisions for daylight saving are subjects within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1828**.

A bill relating to the medical treatment of persons in Hawaii was transferred from the Committee on Interstate and Foreign Commerce to the Committee on Territories. Volume **VII**, section **1945**.

Bills relating to the fraudulent or unethical sale of securities were taken from the Committee on Interstate and Foreign Commerce and referred to the Committee on the Judiciary. Volume **VII**, section **1782**.

A bill limiting effects of regulating Interstate and Foreign Commerce was transferred to the Committee on the Judiciary. Volume **VII**, section **1776**.

(2) Jurisdiction of.—As to Common Carriers and Aviation.

The regulation of railroads through the relation which they bear to interstate commerce is within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4114**.

Registration and supervision of motor vehicles engaged in interstate commerce and the licensing of operators thereof are subjects within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1819**.

Legislation relating to the financing, valuation, operation, and regulation of common carriers is within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1805**.

Bills relating to commercial and national aviation have been considered by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1822**.

(2) Jurisdiction of.—Aids to Ocean Navigation, etc.

Bills establishing a bureau of lighthouses, authorizing sale of lighthouse reservations, and providing for aids to navigation in the Lighthouse Service, formerly within the jurisdiction of the Committee on Interstate and Foreign Commerce, are now reported by the Committee on Merchant Marine and Fisheries. Volume **VII**, section **1814**.

Bills establishing light-houses and fog signals and authorizing light ships are reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4104**.

Bills relating to ocean derelicts, lumber rafts, and hydrographic office charts have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4105**.

Collisions, coasting districts, marine schools, etc., are subjects of doubtful jurisdiction between the Committees on Merchant Marine and Fisheries and Interstate and Foreign Commerce. Volume **IV**, section **4146**.

Lights and signals on vessels are subjects that have been considered both by the Committees on Merchant Marine and Fisheries and Interstate and Foreign Commerce. Volume **IV**, section **4135**.

The regulation of harbors, and the placing of works likely to be obstructive to navigation, such as pipes and tunnels, are subjects within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4102**.

Bills relating to the establishment of harbor lines have been reported by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1825**.

(2) Jurisdiction of.—Revenue Cutters, Entry at Custom-Houses, etc.

Bills authorizing the construction of revenue cutters and auxiliary craft of the customs service are reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4108**.

The former jurisdiction of the Committee on Interstate and Foreign Commerce over customs matters related most closely to commerce has passed to the Committee on Ways and Means. Volume **IV**, section **4026**.

INTERSTATE AND FOREIGN COMMERCE, COMMITTEE ON—Continued.**(5) Jurisdiction of.—Revenue Cutters, Entry at Custom-Houses, etc.—Continued.**

The privileges of foreign vessels in American ports, bills of lading, contracts in export trade, and wrecks in international waters, have been reported generally by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4144**.

Bills of lading, liability of shipowners, and entering and clearing of vessels are subjects which have been within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4137**.

Jurisdiction of Committees on Ways and Means and Interstate and Foreign Commerce over bills relating to ports of entry and delivery. Volume **IV**, section **4027**.

Bills authorizing the establishment of Coast Guard stations and regulating pay of enlisted men in the Coast Guard Service, formerly reported by the Committee on Merchant Marine and Fisheries. Volume **VII**, section **1815**.

Bills relating to personnel of the Revenue-Cutter Service have been given the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1818**.

(6) Jurisdiction of.—Marine Hospitals, Quarantine, etc.

Bills authorizing the construction of marine hospitals and the acquisition of sites therefor are reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4110**.

The general subjects of quarantine and the establishment of quarantine stations are within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4109**.

Subjects relating to health, spread of leprosy and other contagious diseases, international congress and hygiene, etc., have been considered by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4111**.

(7) Jurisdiction of.—Navigable Streams, Dams, Bridges, etc.

Bills declaring as to whether or not streams are navigable, and for preventing hindrances to navigation are reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4101**.

Legislation relating to the construction of bridges over navigable waters belongs to the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4099**.

Legislation relating to the construction of bridges over boundary streams between the United States and foreign countries have been reported by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1811**.

The construction of a memorial bridge across a navigable stream is a subject within the jurisdiction of the Committee on Interstate and Foreign Commerce and not the Committee on the Library. Volume **VII**, section **1812**.

The Committee on Interstate and Foreign Commerce considers bills relating to dams in navigable streams unless they are related to improvements under jurisdiction of the Committee on Rivers and Harbors. Volume **IV**, section **4100**.

The Committee on Interstate and Foreign Commerce has exercised jurisdiction of legislation relating to canals. Volume **VII**, section **1806**.

Construction of the Panama Canal and government of the Canal Zone, subjects formerly within the jurisdiction of the Committee on Interstate and Foreign Commerce, are now referred to the Committee on Merchant Marine and Fisheries. Volume **VII**, section **1807**.

A bill granting easements across Government land and under a Government canal was reported by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1813**.

Legislation relating to dikes, dams, levees, and telephone and telegraph wires across navigable streams, and to change of name, navigability or diversion of water from such streams, belongs to the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1810**.

INTERSTATE AND FOREIGN COMMERCE, COMMITTEE ON—Continued.**(7) Jurisdiction of.—Navigable Streams, Dams, Bridges, etc.—Continued.**

The Committee on Interstate and Foreign Commerce's former jurisdiction over legislation relating to the navigation, commerce, shipping facilities, and pollution of the Great Lakes, and the survey and improvement of navigation therefrom to the Sea via the St. Lawrence River has been transferred to the Committee on Merchant Marine and Fisheries. Volume **VII**, section **1809**.

The investigation of water resources, the creation of a Federal Power Commission, the leasing of power sites, and the supervision and development of water power are subjects which have been committed to the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1808**.

The Committee on Interstate and Foreign Commerce exercises jurisdiction over bills authorizing the construction of dams across navigable streams. Volume **VII**, section **1831**.

Bills relating to interstate inland waterways have been held to fall within the jurisdiction of the Committee on Rivers and Harbors rather than that of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1840**.

The construction of locks on navigable streams is a subject within the jurisdiction of the Committee on Rivers and Harbors rather than that of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1834**.

INTERVENING BUSINESS.

(1) To justify repetition of the motion to adjourn.

(2) To justify repetition of the motion to lay on the table.

(1) To Justify Repetition of the Motion to Adjourn.

There must be intervening business before a motion to adjourn may be repeated. Volume **V**, section **5373**.

A motion to adjourn may be repeated after debate, although no question may have been put or decided in the meantime. Volume **V**, section **5374**.

The reception of a message from the Senate, the making of an announcement by a Member, and the submitting of a motion in relation thereto were held to constitute sufficient intervening business to permit a motion to adjourn to be repeated. Volume **V**, section **5375**.

Ordering the yeas and nays is such intervening business as to justify the repetition of the motion to adjourn. Volume **V**, sections **5376**, **5377**.

The decision of the Chair on a question of order is such intervening business as permits the repetition of a motion to adjourn. Volume **V**, section **5378**.

A motion to adjourn is not of itself such intervening business as to allow the repetition of a motion to fix the day to which the House shall adjourn. Volume **V**, sections **5385**, **5386**.

When privileged, the motion to fix the day to which the House shall adjourn may be repeated. After the intervening business. Volume **V**, sections **5383**, **5384**.

(2) To Justify Repetition of the Motion to Lay on the Table.

The motion to lay on the table may be repeated after intervening business. Volume **V**, sections **5398–5400**.

The ordering of the previous question on a resolution does not carry the business to such new stage as to justify the repetition of a motion to lay on the table. Volume **V**, section **5709**.

INTERVENING MOTIONS.

Where a special order for the consideration of a bill prohibited "intervening motion" between the vote on an amendment and a final vote, it was held to exclude a motion to reconsider. Volume **IV**, section **3203**.

Provision that "the House shall immediately proceed to vote on the bill without any intervening motion" was construed to prevent the offering of the motion to recommit and to be in violation of the second paragraph of section 56 of Rule XI. Volume **VIII**, section **2263**.

INTERVENING MOTIONS—Continued.

A resolution reported by the Committee on Rules authorizing the Speaker to appoint conferees “without intervening motion” was held to be in conflict with the limitation placed upon the Committee on Rules on section 56 of Rule XI. Volume **VIII**, section **2264**.

INTERVENTION.

The joint resolution of 1898 declaring the intervention of the United States to remedy conditions existing in the island of Cuba originated in the House. Volume **II**, section **1540**.

Resolutions of intervention abroad and declarations of war are within the jurisdiction of the Committee on Foreign Affairs. Volume **IV**, section **4164**.

Resolutions of intervention abroad and declarations of war and peace are within the jurisdiction of the Committee on Foreign Affairs. Volume **VII**, section **1880**.

INTIMIDATION AT ELECTIONS. See “Elections of Representatives.”**INTOXICATING LIQUORS.**

No intoxicating Liquors may be sold within the Capitol. Volume **V**, section **7312**.

References to the practice governing management of the House restaurant, especially as to the sale of intoxicating liquors. Volume **V**, section **7244**.

Regulation of the traffic in intoxicating liquors, etc., through control of interstate commerce relations, is within the jurisdiction of the Committee on the Judiciary. Volume **IV**, section **4061**.

The Committee for the District of Columbia has exercised general jurisdiction of bills for the regulation of the sale of intoxicating liquors in the District. Volume **IV**, section **4281**.

The Committee on Alcoholic liquor Traffic has general jurisdiction of subjects relating to the alcoholic liquor traffic. Volume **IV**, section **4305**.

INTERSTATE WATERWAYS.

Bills relating to intrastate inland waterways have been held to fall within the jurisdiction of the Committee on Rivers and Harbors rather than that of the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1840**.

INTRODUCER.

The right of the “mover, proposer, or introducer of the matter pending” to close debate does not belong to a Member who has merely moved to reconsider the vote on a bill which he did not report. Volume **V**, section **4995**.

INTRODUCTION OF BILLS.

Discussion and distinction between public and private bills and method of introduction and reference. Volume **VII**, section **864**.

Under the modern practice the Clerk of the House accepts bills and resolutions for introduction prior to the opening day of the session. Volume **VII**, section **1027**.

Petitions, memorials, and bills are introduced by the Member delivering them to the Clerk. Volume **IV**, section **3364**.

The House having agreed to the introduction of a bill after adjournment, the Speaker announced its reference to a committee. Volume **VII**, section **1030**.

Early practice of introducing bills on leave and the gradual evolution of the present system. Volume **IV**, section **3365**.

An instance in which permission was given for the introduction of a bill at a time when the House would not be in session. Volume **VII**, section **1030**.

Members introducing private bills endorse upon them the name of the committee to which referred under the rule. Volume **VII**, section **1032**.

Number of bills introduced in various Congresses from 1863 to 1907 (footnote). Volume **IV**, section **3365**.

A Member may have a bill, resolution, or memorial recorded as introduced “by request.” Volume **IV**, section **3366**.

INTRODUCTION OF BILLS—Continued.

Although a Member in introducing a bill may read it in full to the House, yet it would not therefore appear in full in either the Journal or Congressional Record. Volume **V**, section **6967**. The mere asking of leave to introduce a bill was considered general legislative business in the Senate. Volume **I**, section **123**.

A resolution authorizing an investigation of the propriety of introducing bills in the name of more than one Member was held to involve a question of privilege. Volume **VI**, section **574**.

Two or more Members may not jointly introduce a bill, petition, or resolution. Volume **VII**, section **1029**.

Summaries showing number of bills introduced, number of reports submitted by committees, number of laws enacted, and number of acts of Congress declared unconstitutional by the Supreme Court. Volume **VII**, section **1028**.

A motion relating to the introduction of bills without authorization was entertained as a question of privilege. Volume **VI**, section **573**.

INVALID PENSIONS, COMMITTEE ON.

The creation and history of the Committee on Invalid Pensions, section 29 of Rule XI. Volume **IV**, section **4258**.

Recent history of the Committee on Invalid Pensions section 24 of Rule XI. Volume **VII**, section **1987**.

The rule gives to the Committee on Invalid Pensions/jurisdiction as “to the pensions of the civil war.” Volume **IV**, section **4258**.

The Committees on Rules, Elections, Ways and Means, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts, may report at any time on certain matters. Volume **IV**, section **4621**.

A bill for the payment or adjudication of any private claims against the Government must be referred to one of these committees—Claims, War Claims, Private Land Claims, Pensions, Invalid Pensions, Accounts. Volume **IV**, section **4380**.

The Committee on Invalid Pensions reports general and special bills authorizing payments of pensions to soldiers of the civil war, but the actual appropriation therefor are reported by the Committee on Appropriations. Volume **IV**, section **4259**. Volume **VII**, section **1988**.

Private bills and joint resolutions, and amendments thereto, carrying appropriations within the limits of the jurisdiction of the Committees on Invalid Pensions, Pensions, Claims, War Claims, Public Lands, and Accounts, do not fall within the rule forbidding consideration of items proposing appropriations in connection with bills reported by non-appropriating committees. Volume **VII**, section **2134**.

A bill for the payment or adjudication of any private claim against the Government must be referred to one of these committees: Invalid Pensions, Pensions, Claims, War Claims, Public Lands, Accounts. Volume **VII**, section **2129**.

The Committees on Rules, Elections, Ways and Means, Appropriations, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **VIII**, section **2251**.

General pension bills reported by the Committee on Invalid Pensions are privileged for consideration at any time. Volume **VIII**, section **2291**.

While the Committee on Invalid Pensions is privileged to report at any time on general pension bills, this right does not extend to the Committee on Pensions. Volume **VIII**, section **2293**.

A bill to extend the provisions of pension law to State militia was held to be a general pension bill and privileged when reported by the Committee on Invalid Pensions. Volume **VIII**, section **2292**.

INVALID PENSIONS, COMMITTEE ON—Continued.

A bill authorizing monthly payment of pensions in lieu of quarterly payments was classified as a general pension bill and held to be within the privilege accorded the Committee on Invalid Pension to report at any time. Volume **VIII**, section **2291**.

A privileged motion to proceed to the consideration of a general pension bill reported by the Committee on Invalid Pensions is in order on Friday as on other days. Volume **VIII**, section **2292**.

INVENTORY.

The Doorkeeper is required at stated times to return inventories of the Government properly in his possession. Volume **I**, section **262**.

At the commencement and close of each session of Congress the Doorkeeper is required to make and submit to the House for examination by the Committee on Accounts an inventory of furniture, books, etc. Volume **I**, section **261**.

INVESTIGATIONS. See also "Committees," "Contempt," "Elections of Representatives," and "Impeachment."

- (1) **General power of the House.—As to conduct of Members.**
 - (2) **General power of the House.—As to the Executive.**
 - (3) **General power of the House.—As to the Army and Navy.**
 - (4) **General power of the House.—As related to authority of a State.**
 - (5) **General power of the House.—As related to private affairs of a citizen.**
 - (6) **General power of the House.—In legislative matters.**
 - (7) **General power of the House.—Miscellaneous matters.**
 - (8) **Privilege of propositions relating to.**
 - (9) **Subjects of.—Membership of the House.**
 - (10) **Subjects of.—Membership of the Senate.**
 - (11) **Subjects of.—Speaker and other officers of House.**
 - (12) **Subjects of.—Vice-President and other officers of the Government.**
 - (13) **Subjects of.—In general.**
 - (14) **Basis for ordering (cases of impeachment not included).**
 - (15) **Basis for ordering.—Requests for.**
 - (16) **Forms of resolutions authorizing.**
 - (17) **Demanding evidence of Members.**
 - (18) **Examination of Members and officers of the other House.**
 - (19) **Subpoenas.—Signing and issue of, in general.**
 - (20) **Subpoenas.—Signing and issue of, during recesses.**
 - (21) **Subpoenas.—Forms of.**
 - (22) **Subpoenas.—Service and return of.**
 - (23) **Witnesses, generally. See also "Committees."**
 - (24) **Subpoenas duces tecum.**
 - (25) **Procuring papers of the Executive.**
 - (26) **At the bar of the House.—Various instances of.**
 - (27) **At the bar of the House.—Answer of the person arraigned.**
 - (28) **At the bar of the House.—Method of examination.**
 - (29) **Jurisdiction over propositions to make.**
 - (30) **Power to send for persons and papers.**
 - (31) **Expenses of.**
 - (32) **In general.**
- (1) **General Power of the House.—As to Conduct of Members.**
 In the Irwin case the House asserted its authority, as grand inquest of the nation, to investigate, with the attendant right of punishment for contempt, in case of offenses in a preceding Congress. Volume **III**, section **1690**.

INVESTIGATIONS—Continued.**(1) General Power of the House.—As to Conduct of Members—Continued.**

A resolution creating a select committee to investigate charges involving Members of the House was referred to a standing committee with instructions to conduct the investigation. Volume **VI**, section **394**.

Discussions as to investigation of the conduct of Members and their punishment for offenses in a preceding Congress. Volume **II**, sections **1283–1289**.

Review of precedents relating to investigations of charges in regard to conduct of a Member at a time preceding the existing term of service. Volume **III**, section **2725**.

Proceedings when it is necessary to put a Member under arrest, or when on public inquiry matter arises affecting a Member. Volume **II**, section **1238**.

An inquiry as to the integrity of Senators was held to be within the power of the Senate, and questions relating thereto were not unreasonable intrusions into the affairs of the citizen. Volume **II**, section **1614**.

Discussion of the extent of the Senate's power of investigation. Volume **III**, section **1722**.

The House, when advised by the Attorney General that certain charges against Members were under investigation by the Department of Justice, did not insist on its request for information relative thereto. Volume **VI**, section **402**.

A Member having been indicted by a grand jury, a committee of the House assumed that until final disposition of his case he would take no part in any business of the House or its committee. Volume **VI**, section **403**.

A committee appointed to investigate the propriety of a Member's remarks appearing in the Record affords the Member an opportunity to be heard in person or by counsel. Volume **VIII**, section **3491**.

A committee which had been empowered to investigate charges of corruption against Members recommended that action by the House be delayed pending trial in the courts. Volume **VI**, section **403**.

It is the uniform practice of the House not to investigate charges of crime against a Member when denied by him and subject to prosecution in the courts. Volume **VI**, section **137**.

Discussion by a committee of the power of the House to expel or otherwise punish its Members for disorderly behavior. Volume **VI**, section **398**.

Charges against Members of the House and Senate being unsubstantiated, the resolution and report thereon were laid on the table. Volume **VI**, section **394**.

The investigation of charges against John W. Langley, of Kentucky, and Frederick N. Zihlman, of Maryland. Volume **VI**, section **402**.

Charges having been preferred by a Member of the House, the committee to which the matter was referred reported a resolution providing for the creation of a special committee of investigation. Volume **VI**, section **551**.

A committee of investigation in its report criticized a Member who had imputed corrupt motives to other Members of the House. Volume **VI**, section **395**.

In directing an investigation of charges against certain of its Members the House provided that all meetings of the committee for the purpose of taking testimony or hearing arguments should be open to the public. Volume **VI**, section **396**.

Form of resolutions of the House creating, empowering, and instructing the select committee which investigated charges that Members have been improperly influenced in their official capacity. Volume **VI**, section **396**.

(2) General Power of the House.—As to the Executive.

The power of inquiry as related to the power of impeachment. Volume **II**, section **1596**.

In 1837 a committee took the view that the House might inquire into alleged corrupt violations of duty by the Executive only with impeachment in view. Volume **III**, section **1740**.

The House of Representatives having appointed a committee to inquire into the conduct of the President of the United States, and the President having protested, the House insisted on its right so to do. Volume **II**, section **1596**.

INVESTIGATIONS—Continued.**(2) General Power of the House.—As to the Executive—Continued.**

In cases where its investigations have suggested the culpability of executive officers, the House has by resolution submitted advice or requests to the Executive. Volume **II**, sections **1581–1584**.

The House very early overruled the objection that its inquiry into the conduct of clerks in the Executive Departments would be an infringement on the Executive power. **III**, section **1729**. The right and duty of the House to inquire into the manner of expenditure of public money by the executive branch was early asserted. Volume **III**, section **1726**.

Having the constitutional right to concur in appropriating the public money, the House has exercised also the right to examine the application of those appropriations. Volume **III**, section **1730**.

In cases where its investigations have suggested the culpability of executive officers, the Senate has by resolution submitted advice or suggestions to the Executive. Volume **VI**, section **331**.

(3) General Power of the House.—As to the Army and Navy.

In 1792 the House declined to request the President to inquire into the causes of the defeat of General St. Clair's army and asserted its own right to make the investigation. Volume **III**, section **1725**.

In 1807 the House, after mature consideration, declined to investigate charges against the Chief of the Army, but requested the President to make such an inquiry. Volume **III**, section **1726**.

In 1810 the House, after mature consideration, determined that it had the right to investigate the conduct of General Wilkinson, although he was not an officer within the impeaching power of the House. Volume **III**, section **1727**.

In 1861 the two Houses, by concurrent action, assumed without question the right to investigate the conduct of the war. Volume **III**, section **1728**.

While a committee of the House reported it inexpedient for the House to investigate the charges of a subordinate against a captain in the Navy, they expressly asserted the power of the House so to do. Volume **III**, section **1743**.

(4) General Power of the House.—As Related to Authority of a State.

The Houses of Congress do not have, in counting the electoral vote, the power to inquire into the circumstances under which the primary vote for Presidential electors is given in a State. Volume **III**, section **1977**.

Reference to inquiry as to existence of a republican form of government in a State. Volume **I**, section **346**.

A subject being within the power of the House to investigate, it was held that State officers might not decline to produce records on the plea that they possessed them in their official capacities. Volume **III**, section **1698**.

In 1877 the House imprisoned members of a State canvassing board for contempt in refusing to obey a subpoena duces tecum for the production of certain papers relating to the election of Presidential electors. Volume **III**, section **1698**.

Discussion of the effect of a State law as a limitation on the right of the House to investigate. Volume **III**, section **1696**.

(5) General Power of the House.—As related to Private Affairs of a Citizen.

The House does not possess the general power to inquire into the private affairs of the citizen. Volume **II**, section **1611**.

Discussion of the power of investigation possessed by Congress in relation to the individual's right of privacy. Volume **III**, section **1766**.

The general authority of the House to compel testimony and the production of papers in an investigation and the relation of their right to the rights of individuals to privacy in business affairs were discussed in 1837. Volume **III**, section **1733**.

INVESTIGATIONS—Continued.**(5) General Power of the House.—As Related to Private Affairs of a Citizen—Continued.**

In authorizing an investigation of the bank of the United States in 1832 a distinction was drawn between the public relations of the bank to the Government and its dealings with private individuals. Volume **III**, section **1731**.

The investigation of the Bank of the United States in 1834 was objected to on the ground that it involved a general search of the affairs of private individuals. Volume **III**, section **1732**.

In 1834 the directors of the bank of the United States resisted the authority of the House to compel the production of books of the bank before an investigating committee. Volume **III**, section **1732**.

In 1873 Joseph B. Stewart was imprisoned for contempt of the House in refusing, as a witness, to answer a question which, he claimed, related to the relations of attorney and client and therefore was inquisitorial. Volume **III**, section **1689**.

In the Kilbourn case the court decided that the resolution authorizing the investigation was in excess of the constitutional power of the House. Volume **II**, section **1611**.

In 1860 a proposition to arrest a Government official for refusing to produce a paper which he declared to be entirely private in its nature was abandoned after discussion. Volume **III**, section **1683**.

An inquiry as to the integrity of Members may compel pertinent testimony without liability of unwarranted intrusion into the private affairs of the citizen. Volume **II**, section **1614**.

At the suggestion of a committee charged with an investigation its authority to inspect private and secret archives was canceled. Volume **VI**, section **370**.

(6) General Power of the House.—In Legislative Matters.

The House, after extended discussion, assumed the right to compel the attendance of witnesses in an inquiry entirely legislative in its character. Volume **III**, sections **1816–1820**.

Instance wherein the House empowered the Ways and Means Committee to send for persons and papers in any matter arising out of business referred to the committee. Volume **III**, section **1813**.

The Senate has authorized the compulsory attendance of witnesses in legislative inquiries. Volume **III**, sections **1814, 1815**.

It is to be presumed that the object of the Senate in ordering an investigation is to secure information which will aid it in legislating. Volume **VI**, section **342**.

A resolution for the investigation of an organization alleged to have raised money to influence legislation was considered as a matter of privilege. Volume **VI**, section **581**.

Instance wherein the House investigated delay in the reference and transmission of paper to a committee. Volume **VI**, section **371**.

Congress has power to obtain information to be used as an aid in formulating legislation, and may require witnesses to testify for that purpose. Volume **VI**, section **355**.

The lobby investigation in the Sixty-third Congress. Volume **VI**, sections **396–398**.

In a resolution ordering an inquiry it is not necessary for the House or Senate to specify its legislative purposes; for inasmuch as this is the only legitimate purpose under which such investigations may be conducted, in the absence of evidence to the contrary, such purpose is presumed. Volume **VI**, section **342**.

(7) General Power of the House.—Miscellaneous Matters.

A law confers on either House of Congress the power to direct by simple resolution that the Secretary of Commerce and Labor make certain investigations. Volume **II**, section **1594**.

Instance wherein the House, upon request of a committee of investigation, limited the scope of its inquiry. Volume **VI**, section **370**.

INVESTIGATIONS—Continued.**(7) General Power of the House.—Miscellaneous Matters—Continued.**

While Cabinet officers are frequently summoned to testify before committees either voluntarily or by subpoena, they are no longer called to give information on the floor of the House. Volume **VI**, section **432**.

At the suggestion of a committee charged with an investigation its authority to inspect private and secret archives was canceled. Volume **VI**, section **370**.

Form of resolution authorizing continuance of an investigation beyond the expiration of the Congress in which instituted. Volume **VI**, section **386**.

The House sometimes enlarges the powers of a committee of investigations. Volume **VI**, section **385**.

(8) Privilege of Propositions Relating to.

Propositions to investigate charges against Members have been presented as questions of privilege. Volume **III**, sections **1828–1830**.

A Member on his own responsibility presenting a statement of a charge against another Member, a resolution of investigation was held to be privileged. Volume **III**, section **1827**.

Dicta to the effect that a resolution and preamble proposing investigation of charges of corruption against the membership of a committee or a Member of the House is privileged. Volume **VIII**, section **2316**.

A resolution to investigate the charge that a Member had improperly abstracted papers from the files of an Executive Department was entertained as privileged. (Speaker over-ruled.) Volume **III**, section **2655**.

A proposition to investigate charges against Members was presented as a question of privilege. Volume **VI**, section **403**.

A proposition to investigate as to duels occurring on account of words spoken in debate was admitted as a question of privilege. Volume **III**, section **2679**.

The House has entertained as a question of privilege and ordered the investigation of newspaper charges against a Member in his representative capacity. Volume **III**, sections **2699–2699**.

A proposition to investigate the propriety merely of a citizen's conduct at a time before he became a Member, may not be presented as a question of privilege. Volume **III**, section **2725**.

A charge that the chairman of an investigating committee had suppressed evidence was presented as a matter of privilege. Volume **III**, section **1786**.

A report of an investigating committee, in the form of a letter to the Speaker, relating to contempt of a witness, was presented as a question of privilege. Volume **III**, section **1697**.

A telegram from the chairman of a committee making investigations in a distant place, addressed to the Speaker and on the subject of contumacious witnesses, was held in order as a communication of high privilege. Volume **III**, section **1799**.

A resolution directing the Judiciary Committee to resume an investigation with a view to an impeachment was held to be privileged. Volume **III**, section **2401**.

A proposition to instruct a committee to investigate new charges in an impeachment case was held to be privileged. Volume **III**, section **2402**.

A mere proposition to investigate the conduct of a civil officer is not presented as a matter of constitutional privilege, even though impeachment may be contemplated as a possibility. Volume **III**, section **2050**.

A mere proposition to investigate, even though impeachment may be a possible consequence, does not involve a question of privilege. Volume **III**, section **2546**.

A resolution authorizing an investigation of the propriety of introducing bills in the name of more than one Member was held to involve a question of privilege. Volume **VI**, section **574**.

INVESTIGATIONS—Continued.**(8) Privilege of Propositions Relating to—Continued.**

- A resolution proposing an investigation of improper reporting of bills by a committee of the House was entertained as raising a question of privilege. Volume **VI**, section **575**.
- A resolution providing for an investigation of the propriety of remarks, alleged to be an abuse of the leave to print, is entertained as a matter of privilege. Volume **VIII**, section **3495**.
- A resolution providing for investigation of the propriety of language referring to the President of the United States and said to violate the privileges of debate was considered as privileged. Volume **VIII**, section **2499**.
- A resolution providing for the investigation of a question of privilege loses its privileged character if including an appropriation. Volume **VI**, section **395**.
- The report of a committee authorized to report “during the present session” is privileged. Volume **VI**, section **370**.

(9) Subjects of.—Membership of the House.

- Assaults by one Member on another for words spoken in debate were made the subject of investigation by select committees. Volume **II**, sections **1645, 1649, 1650, 1651, 1655**.
- Examination by the House as to an assault between Members on the floor. Volume **II**, section **1642**.
- Investigation of assault on a Member. Volume **II**, section **1624**.
- Investigation of an assault on a Senator by a Member. Volume **II**, sections **1621, 1622**.
- Published charges of corruption sustained by declaration of a Member caused the House to investigate its membership. Volume **II**, section **1275**.
- Various investigations of the membership, especially with reference to offenses committed before election. Volume **II**, sections **1283–1289**.
- Investigation of the circumstances of a duel between Members. Volume **II**, section **1644**.
- Various investigations as to membership. Volume **III**, sections **1669, 1671, 1701** (footnote), **1827–1839, 1843, 1844, 1850–1854**.
- A committee which had been empowered to investigate specific charges against certain Members recommended general legislation dealing with such offenses. Volume **VI**, section **398**.
- A committee of investigation appointed by the House, having declared a Member guilty of conduct of grave impropriety and warranting censure, the Member resigned and the House discontinued the proceeding. Volume **VI**, section **398**.
- A Member who had been defamed in his reputation as a Representative by a newspaper article presented the case as one of privilege and the House ordered an investigation. Volume **VI**, section **396**.
- Conclusion reached by a committee of investigation condemning the formulation and prosecution of groundless charge against a Member of the House. Volume **VI**, section **400**.
- Resolution to investigate compatibility of office of Representative with other offices held by Member, is privileged. Volume **VI**, section **62**.

(10) Subjects of.—Membership of the Senate.

- Investigation of general charges against the membership of the Senate. Volume **II**, section **1612**.
- The investigation of charges against Stanley Matthews, a Senator from Ohio. Volume **III**, section **1837**.
- The investigation of charges against L. F. Grover, a Senator from Oregon. Volume **III**, section **1838**.
- An attempt of the House to investigate alleged corruption in connection with the votes of Senators during the Johnson trial was the subject of discussion and investigation in the Senate. Volume **III**, section **2064**.
- The House determined to investigate an allegation that the decision of the Senate in an impeachment case had been determined by improper influences. Volume **III**, section **1744**.

INVESTIGATIONS—Continued.**(10) Subjects of.—Membership of the Senate—Continued.**

An investigation by the House of the conduct of Senators in an impeachment trial. Volume **III**, sections **1685, 1744**.

A Senator having been indicted by a grand jury, asked and obtained an investigation by a committee of the Senate. Volume **VI**, section **399**.

A Senator having been indicted in the United States district court, the Senate, prior to the trial, investigated the charges and exonerated him. Volume **VI**, section **399**.

The investigation of charges against Burton K. Wheeler, a Senator from Montana. Volume **VI**, section **399**.

Form of resolution providing for investigation of charges against a Senator. Volume **VI**, section **399**.

(11) Subjects of.—Speaker and Other Officers of House.

Investigation of charges made against the Speaker by a newspaper. Volume **II**, section **1364**.

Charges being made against the Speaker, he called another Member to the chair and from the floor moved a committee of investigation. Volume **II**, section **1286**.

Investigation of the conduct of Mr. Speaker Clay ordered on his own request. Volume **II**, section **1362**.

In case of a deficit in the funds committed to the custody of the Sergeant-at-Arms. Volume **I**, section **293**.

Investigation of charge against the Chief clerk (footnote). Volume **I**, section **294**.

Investigation of a conflict of authority between officers of the House. Volume **I**, section **250**.

Investigation of an officer of the House on his own petition. Volume **I**, sections **294, 295**.

Vice-President Calhoun asked the House, as the grand inquest of the nation, to investigate certain charges made against his conduct as Secretary of War, and the House granted the request. Volume **III**, section **1736**.

Members of the President's Cabinet, whose reputations and conduct have been assailed on the floor of the House, have sometimes asked for an investigation. Volume **III**, sections **1734, 1735**.

The House in 1824 investigated, on application of the United States minister to Mexico, a controversy on a public matter between him and the Secretary of the Treasury. Volume **III**, section **1741**.

Various investigations of the conduct of the Executive Departments of the Government. Volume **III**, sections **1667, 1694, 1699, 1725, 1727, 1729, 1730, 1736–1742, 1753, 1777, 1782**.

President Jackson resisted with vigor the attempt of a committee of the House to secure his assistance in an investigation of his administration. Volume **III**, section **1737**.

The falsification of a House document was made the subject of examination by a select committee. Volume **V**, section **7239**.

The Committee on Accounts are to inquire into the enforcement of the statutes relating to employees of the House, and are empowered to send for persons and papers. Volume **V**, section **7233**.

(12) Subjects of.—Vice-President and Other Officers of the Government.

The inquiry as to the conduct of Schuyler Colfax, Vice-President of the United States. Volume **III**, section **2510**.

The Senate declined to investigate charges against the Vice-President, it being urged that he was subject to impeachment proceedings only. Volume **II**, section **1242**.

Proposed inquiry into the eligibility of Andrew W. Mellon to serve as Secretary of the Treasury, in 1932. Volume **VI**, section **540**.

A memorial addressed to the Speaker and setting forth charges against a civil officer was referred to the Committee on the Judiciary, which recommended an investigation. Volume **VI**, section **543**.

INVESTIGATIONS—Continued.**(12) Subjects of.—Vice-President and Other Officers of the Government—Continued.**

The investigation of the Federal Reserve Board in 1917. Volume **VI**, section **469**.

An officer of the Senate being charged with authorship of a magazine article prejudicial to the reputations of Members of Congress, was suspended pending an investigation. Volume **VI**, section **37**.

(13) Subjects of.—In General.

Various instances of investigations by the House. Volume **III**, sections **1746–1748**.

An instance wherein the House investigated political troubles within a State. Volume **III**, section **1745**.

Reference to investigation as to existence of a republican form of government in a State. Volume **I**, section **346**.

Reference to an investigation of elections. Volume **III**, sections **1698, 1752, 1770**.

The investigation into the conduct of the Bank of the United States and other banks. Volume **III**, sections **1731, 1732, 1733**.

Examination of newspaper reporters at the bar of the House for published charges against the membership. Volume **II**, sections **1633, 1635**.

Reference to the Senate investigation of John Brown's raid on Harpers Ferry. Volume **III**, section **1718**.

Instances of investigation directed by legislation. Volume **III**, section **1765**.

Instances of investigation by joint committees. Volume **III**, sections **1721, 1728**.

Investigation of the Department of the Interior and the Department of Agriculture has been considered to be within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1877**.

Instance wherein the House, upon request of a committee of investigation, limited the scope of its inquiry. Volume **VI**, section **370**.

A bill messaged from the Senate to the House having been retained on the Speaker's table indefinitely without reference to a committee of the House, the Senate declined to act on a resolution proposing investigation of the delay. Volume **VI**, section **727**.

Instance in which the House authorized an investigation of purported violations of its privileges and its power to punish contempt. Volume **VI**, section **531**.

It is not a valid objection to such investigation that it might disclose wrongdoing by a public official named in the resolution. Volume **VI**, section **343**.

The Department of Justice having instituted proceedings involving an investigation of subjects previously entrusted to a committee on investigation appointed by the House, the committee of its own initiative abandoned that phase of the investigation and confined its attention to other subjects committed to it by the House. Volume **VI**, section **374**.

Instance wherein the House investigated delay in the reference and transmission of paper to a committee. Volume **VI**, section **371**.

(14) Basis for Ordering (Cases of Impeachment Not Included).

Published charges of corruption sustained by declaration of a Member caused the House to investigate its membership. Volume **II**, section **1275**.

A Member having stated that a portion of a House document had been suppressed, the House, on request of the printers, ordered an investigation. Volume **III**, section **1795**.

A contention that common fame was sufficient basis for the House to entertain a proposition relating to the privileges of the House. Volume **III**, section **2701**.

A Member who had been defamed in his reputation as a Representative by a newspaper article presented the case as one of privilege and the House ordered an investigation. Volume **III**, section **1832**. Volume **VI**, section **396**.

The House has sometimes ordered investigations on the basis of general and more or less vague newspaper charges. Volume **III**, sections **1833, 1834**.

The House ordered the investigation, as a question of privilege, of a newspaper report of certain proceedings of the House. Volume **III**, section **2640**.

INVESTIGATIONS—Continued.**(14) Basis for Ordering (Cases of Impeachment Not Included)—Continued.**

- A newspaper having made certain charges against the official character of the Speaker, he called a Member to the chair and moved an investigation, which was voted. Volume **II**, section **1364**.
- Instance wherein the Senate proceeded to an investigation of charges made in general terms against its membership by newspapers. Volume **II**, section **1612**.
- In 1846 the Senate investigated a general newspaper charge of corruption. Volume **III**, section **1835**.
- The premature publication of a paper as the report of a committee was, by permission of the House, investigated by that committee. Volume **III**, section **2611**.
- The late Sergeant-at-Arms having announced a deficit in his office, the House authorized investigation by a select committee. Volume **I**, section **293**.
- Charges being made against the Chief Clerk by a Member, the House ordered an investigation (footnote). Volume **I**, section **294**.
- There being a conflict of authority between the Clerk and another officer, the House investigated the subject. Volume **I**, section **250**.
- A letter from an individual charging an officer of the Army with corruption was considered, and an investigation was ordered. Volume **III**, section **1742**.
- A Senator, having been indicted by a grand jury, asked and obtained an investigation by a committee of the Senate. Volume **III**, section **1839**. Volume **VI**, section **399**.
- A committee charged with an investigation may ask the House to broaden the scope of its authority. Volume **III**, section **1760**.

(15) Basis for Ordering.—Requests for.

- Charges being made by a Member against the official conduct of Mr. Speaker, Clay, he appealed to the House for an investigation, which was granted. Volume **II**, section **1362**.
- In asking an investigation of his conduct Mr. Speaker Clay addressed the House from the chair, but immediately left it when the House was to act. Volume **II**, section **1362**.
- Certain charges being made against an officer of the House, he petitioned for an investigation. Volume **I**, section **294**.
- Various requests for investigations of conduct of executive officers. Volume **III**, sections **1734**, **1735**, **1736**, **1741**.
- The Speaker has considered it his duty to lay before the House a communication from a suspended consul-general who asked an investigation. Volume **III**, section **1749**.
- A newspaper charge against the Clerk was, at the request of that officer, investigated by the House. Volume **I**, section **295**.

(16) Forms of Resolutions Authorizing.

- Form of resolution providing for a congressional investigation. Volume **VI**, section **354**.
- Forms of resolutions for directing a standing committee to make an investigation or for creating a select committee for that purpose. Volume **IV**, section **4322**.
- Resolutions of the House authorizing a committee to make an investigation. Volume **III**, section **1751**.
- Form of resolution authorizing an investigation by select committee of the House. Volume **VI**, section **382**.
- Form of resolution authorizing investigation of published statements that Members had entered into corrupt combinations in relation to legislation. Volume **III**, section **1669**.
- Form of resolution authorizing the investigation of the "silver pool" in 1891 (footnote). Volume **III**, section **1701**.
- Form of resolution for investigating charges of corruption among Members. Volume **II**, section **1275**.
- Form of resolution authorizing a general investigation of the Departments of the Government in 1876. Volume **III**, section **2444**.
- The resolutions of the House creating, empowering, and instructing the select committee which in 1856 investigated affairs in the Territory of Kansas. Volume **III**, section **1752**.

INVESTIGATIONS—Continued.**(16) Forms of Resolutions Authorizing—Continued.**

- Form of resolutions providing for the Kansas investigation of 1856. Volume **I**, section **826**.
- Form of resolution instructing the Judiciary Committee to examine the charges against Judge Swayne. Volume **III**, section **2469**.
- Form of resolution authorizing the investigation into the conduct of Judge Jenkins. Volume **III**, section **2519**.
- Form of resolution providing for investigation of charges against a Senator. Volume **III**, sections **1837, 1838**.
- Form of resolution authorizing the investigation of the right and title of Reed Smoot to a seat in the Senate. Volume **I**, section **481**.
- Form of resolution providing for an investigation by the Judiciary Committee and authorizing a subcommittee to exercise powers delegated to the committee. Volume **VI**, section **530**.
- Discussion as to wherein a resolution authorizing an investigation was deficient. Volume **VI**, section **400**.

(17) Demanding Evidence of Members.

- The House has by resolution demanded of certain of its Members the production of papers and information. Volume **III**, section **1811**.
- The House by resolution called on two of its Members to state what they knew concerning charges against the Chief of the Army, then under discussion. Volume **III**, section **1726**.
- A committee asserted the power of the House to arrest and imprison recalcitrant Members in order to compel obedience to its summons. Volume **VI**, section **537**.
- Instance wherein a Member declined to obey a summons to appear and testify before a committee of the House. Volume **VI**, section **537**.
- A committee having summoned a Member to testify as to statements made by him in debate, he protested that it was an invasion of his constitutional privilege. Volume **VI**, section **537**.

(18) Examination of Members and Officers of the Other House.

- Either House may request by message but not command the attendance of a Member of the other House. Volume **III**, section **1768**.
- According to the parliamentary law neither House compels its Members to attend the other House in obedience to a request. Volume **III**, section **1768**.
- When the House desires the testimony of Senators it is proper to ask and obtain leave for them to attend. Volume **III**, sections **1790, 1791**.
- A message requesting the attendance of a Member of the other House should state clearly the purpose thereof. Volume **III**, section **1768**.
- An instance wherein a committee of the House took the testimony of a Senator, although consent of the Senate had not been obtained (footnote). Volume **III**, section **1795**.
- A Senator having neglected to accept an invitation or respond to a subpoena requesting him to testify before a House committee, the House by message requested that the Senate give him leave to attend. Volume **III**, section **1794**.
- A committee of the House having summoned certain Senators by subpoena, the summons was either disregarded or obeyed under protest. Volume **III**, sections **1792, 1793**.
- The Senate neglected to respond to a request of the House that a Senator be permitted to attend a House committee. Volume **III**, section **1794**.
- The Secretary of the Senate being subpoenaed to appear before a committee of the House with certain papers from the files, the Senate, after a discussion as to privilege, empowered him to attend with the papers in his custody. Volume **III**, section **2665**.
- The Senate has not considered that its privilege forbade the House to summon one of its officers as a witness. Volume **III**, section **1798**.
- The Secretary of the Senate obeyed a subpoena duces tecum of a House investigating committee. Volume **III**, section **1797**.

INVESTIGATIONS—Continued.**(18) Examination of Members and Officers of the Other House—Continued.**

An instance wherein the Clerk of the House, without an order from the House, produced before a Senate committee of investigation, after the expiration of the statutory period provided for their preservation, statements filed in his office in compliance with the provisions of the Federal corrupt practices act. Volume **VI**, section **353**.

(19) Subpoenas.—Signing and Issue of, in General.

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpoenas issued by order of the House. Volume **I**, section **251**.

In the Whitney case the validity of a subpoena signed only by the chairman of a committee was challenged but sustained. Volume **III**, section **1668**.

A committee not being able to decide the question of issuing certain subpoenas authorized a member of the committee to exhibit its journal so that the House might act. Volume **III**, section **1802**.

Subpoenas issued by a committee of the Senate summoning witnesses to testify in an investigation authorized by the Senate are as if issued by the Senate itself. Volume **VI**, section **341**.

(20) Subpoenas.—Signing and Issue of, During Recesses.

The Speaker may be authorized and directed to issue subpoenas during a recess of Congress. Volume **III**, section **1806**.

An investigating committee being empowered to sit during recess, the Speaker was authorized and directed to sign subpoenas as during a session. Volume **III**, section **1753**.

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III**, section **1763**.

(21) Subpoenas.—Forms of.

Form of subpoena and return issued in the case of Williamson. Volume **III**, section **1673**.

A form of subpoena issued in 1834 and criticised as defective. Volume **III**, section **1732**.

Form of subpoena and return thereon used for summoning witnesses by a Senate committee. Volume **III**, section **1702**.

Form of a subpoena issued to secure the attendance of a Senator. Volume **III**, section **1794**.

Form of subpoena served on a Member of the House. Volume **VI**, section **537**.

(22) Subpoenas.—Service and Return of.

The House sometimes directs the Sergeant-at-Arms to attend the sittings of a committee and serve the subpoenas. Volume **III**, section **1753**.

A Sergeant-at-Arms, serving subpoenas for a committee, makes his return and it is entered on the journal of the committee. Volume **III**, section **1800**.

A subpoena having been served by a deputy sergeant-at-arms, a certificate of his appointment should accompany a report requesting arrest of the witness for contempt. Volume **III**, section **1701**.

Should the Sergeant-at-Arms make the return on a subpoena served by his deputy. Volume **III**, section **1702**.

A subpoena served by a deputy did not contain certificate of the deputy's appointment. Volume **III**, section **1695**.

The Sergeant-at-Arms indorses on a subpoena his authorization of his deputy to act in his stead. Volume **III**, section **1673**.

(23) Witnesses, Generally. See also "Committees."

Witnesses having declined to testify, hearings were discontinued. Volume **VI**, section **387**.

The rules provide for the rate of compensation of witnesses summoned to appear before the House or its committees. Volume **VI**, section **393**.

Decisions of the Supreme Court relating to immunity of witnesses testifying in congressional investigations. Volume **VI**, section **354**.

INVESTIGATIONS—Continued.**(24) Subpoenas Duces Tecum.**

Discussion as to the use of the subpoena duces tecum in procuring papers from public officers. Volume **III**, section **1700**.

Form of subpoena duces tecum issued in the Kilbourn case. Volume **II**, section **1608**.

Form of subpoena duces tecum used for compelling production of telegrams in 1877, but criticised as too general and verbally defective. Volume **III**, section **1695**.

Discussion of the use of the subpoena duces tecum in procuring books and papers from a private person. Volume **VI**, section **400**.

Discussion of the extent of the House's power to compel testimony and the production of books and papers. Volume **VI**, section **400**.

(25) Procuring Papers of the Executive.

Discussion of the right of the House to demand papers from a public officer. Volume **III**, section **1700**.

A committee of the House declined to prefer any charge against a public officer before requiring him to furnish certain records of his office. Volume **III**, section **1739**.

In 1842 the House vigorously asserted and President Tyler as vigorously denied the right of the House to all papers and information in possession of the Executive relating to subjects over which the jurisdiction of the House extended. Volume **III**, sections **1884, 1885**.

The House having asserted its right to direct the heads of the Executive Departments to furnish information, the Secretary of War returned an answer to a portion of the inquiry, declining to respond to the remainder. Volume **III**, section **1886**.

(26) At the Bar of the House—Various Instance of.

The case of Randall and Whitney, tried at the bar of the House for contempt in 1795. Volume **II**, sections **1599–1603**.

In the case of John Anderson the accused and witnesses were examined at the bar of the House. Volume **II**, section **1606**.

Trial of Samuel Houston at the bar of the House for assault on a Member. Volume **III**, sections **1616–1619**.

For misappropriation of funds the House arrested its Clerk and arranged him at the bar. Volume **I**, section **287**.

The supposed author of an anonymous newspaper charge against a Member not named was arrested and interrogated at the bar of the House. Volume **II**, section **1604**.

The Senate allowed a member threatened with expulsion to be heard by counsel, but did not grant his request for a specific statement of charges or compulsory process for witnesses. Volume **II**, section **1264**.

(27) At the Bar of the House.—answer of the Person Arranged.

The Clerk being arranged to answer charges, leave was given him to address the House. Volume **I**, section **287**.

An officer of the House being arranged for neglect of duty, it was voted that he might answer orally. Volume **I**, section **291**.

A person arranged for contempt submitted a statement in writing, which did not appear in full in the Journal. Volume **II**, section **1635**.

The written answer of a Senator to charges made against him was returned by the Senate because it contained irrelevant matter. Volume **II**, section **1264**.

(28) At the Bar of the House.—Method of Examination.

The House being about to examine a person at its bar, a form of procedure as to questions was agreed to. Volume **II**, section **1633**.

Method of examining witnesses through the Speaker in a contempt case tried at the bar of the House in 1795. Volume **II**, section **1602**.

INVESTIGATIONS—Continued.**(28) At the Bar of the House.—Method of Examination—Continued.**

A person being under examination at the bar, the questions propounded to him were first approved by the House. Volume **II**, section **1635**.

When a case is on trial at the bar of the House Members are examined in their places. Volume **III**, section **1668**.

A person under examination at the bar was allowed to state his reasons why he should not answer a question, and also to have entered on the Journal a statement. Volume **II**, section **1633**.

A person under examination at the bar withdraws while the House deliberates on the objection to a question. Volume **III**, section **1768**.

A person under examination at the bar of the house withdrew while the house passed on a request made by him. Volume **II**, section **1633**.

Form of oath administered by the Speaker to a person about to be examined at the bar of the House. Volume **II**, section **1633**.

According to the parliamentary law questions asked a witness are recorded in the Journal. Volume **III**, section **1768**.

The parliamentary law provides that the answers of witnesses before the House shall not be written down, but such is not the rule before committee. Volume **III**, section **1768**.

A person being under examination at the bar, the questions and answers were recorded in the Journal. Volume **II**, section **1635**.

(29) Jurisdiction Over Propositions to Make.

Resolutions or orders for the creation of select committees to make investigations are within the jurisdiction of the Committee on Rules. Volume **IV**, section **4322**.

Orders or resolutions directing committees of the House to make investigations are considered by the Committee on Rules. Volume **IV**, section **4322**.

A direction to a committee to make an investigation, being an addition to its duties and therefore a change of the rules, should be referred to the Committee on Rules. Volume **IV**, sections **4323**, **4324**.

The several expenditures committees may make investigations with or without specific direction from the House, but authority must be obtained of the House for compelling testimony. Volume **IV**, section **4316**.

The Committee on Labor has exercised general jurisdiction of propositions to make investigations as to the conditions of laboring people, labor troubles, etc. Volume **IV**, section **4245**.

(30) Power to Send for Persons and Papers.

Witnesses are summoned in pursuance and by virtue of the authority conferred on a committee to send for persons and papers. Volume **III**, section **1750**.

A question as to the authorization required to enable a committee to compel testimony. Volume **III**, section **1690**.

It is not essential that a resolution, authorizing an investigation of the conduct of Senators, shall specify censure or expulsion in order that the Senate may constitutionally compel testimony. Volume **II**, section **1614**.

A Committee of the Whole, charged with an investigation in 1792, was given the power to send for persons and papers. Volume **III**, section **1804**.

In 1877 the House, in the course of an investigation of the recent Presidential election, compelled the production of telegrams by an employee of the company having actual custody of them. Volume **III**, section **1696**.

An official of a telegraph company not being in actual possession of dispatches demanded by the House, proceedings for contempt were discontinued. Volume **III**, section **1697**.

The right to coerce the attendance of witnesses in an inquiry for legislative purposes was discussed in the Hyatt case. Volume **III**, section **1722**.

INVESTIGATIONS—Continued.**(30) Power to Send for Persons and Papers—Continued.**

In 1877 the Senate, after discussion, decided that certain telegrams relating to the Presidential election should be produced by a witness. Volume **III**, section **1723**.

A motion to refer may specify that the reference be to a select committee of a stated number of Members and may endow this committee with power to send for persons and papers. Volume **IV**, section **4402**.

Instance of legislation directing and empowering executive officers of the Government to investigate and report. Volume **III**, section **1765**.

The Federal courts may be made by act of Congress, an agency for compelling testimony before a commission. Volume **III**, sections **1766**, **1767**.

(31) Expenses of.

Authorization of an appropriation for an investigation is not construed to include authorization of an appropriation for demonstrating results of such investigation. Volume **VII**, section **1259**.

Form of resolution providing for expenses of a select committee of investigation. Volume **VI**, section **388**.

Instance wherein the Senate increased the limit of expenditure originally provided for a select committee. Volume **VI**, section **384**.

The House in providing for the expenses of a committee of investigation has limited both the amount and purpose of its expenditures. Volume **VI**, section **389**.

Expenditures by various select and joint committees of investigation, as reported by the Clerk of the House. Volume **VI**, section **390**.

(32) In General.

A standing committee of the House, to which had been referred the report of a joint select committee of investigation, concluded it was not authorized to review the evidence or pass judgment on the findings so referred, and that the only duty which devolved upon it was to present to the House bills designed to carry into effect the recommendations of the committee of investigation. Volume **VI**, section **371**.

A Member having introduced a resolution authorizing an investigation of charges made by himself and proven by the investigation to be unfounded, the committee of investigation reported conclusions censuring the Member, and the House by resolution adopted the report and approved the conclusions. Volume **VI**, section **400**.

A joint resolution created a select committee (in effect a commission), composed of Members of the House, and authorized it to report to the succeeding Congress. Volume **VI**, section **544**.

A committee of investigation expressed the opinion that the appearance as lobbyists of former Senators and former Members of the House should be discouraged. Volume **VI**, section **372**.

Review of decisions of the Supreme Court relative to the scope and extent of congressional investigations. Volume **VI**, section **354**.

A person summoned as a witness before a select committee of the Senate declined to testify on the ground that the authorization under which the examining committee purported to act had expired. Volume **VI**, section **386**.

Instance wherein a special committee of investigation was authorized to sit after adjournment of the current Congress and report to the succeeding Congress. Volume **VI**, section **550**.

The authority of its committee to pursue an investigation having been challenged, the Senate passed a further resolution confirming the authority previously sought to be conferred. Volume **VI**, section **386**.

The terms of a resolution creating and empowering a committee of investigation have not always been strictly construed. Volume **VI**, section **372**.

Instance wherein the House adopted the report of a committee of investigation. Volume **VI**, section **395**.

INVESTIGATIONS—Continued.**(32) In General—Continued.**

A committee of the House empowered and instructed to make an investigation was by resolution of the House authorized to employ counsel and accountants. Volume **VI**, section **394**.

Various instances of investigations by the House. Volume **VI**, section **356**.

Resolutions providing for investigations in the departments of the Government come within the jurisdiction of the several expenditures committees and not the Committee on Rules. Volume **VII**, section **2045**.

Orders or resolutions directing committees of the House to make investigations are considered by the Committee on Rules. Volume **VII**, section **2048**.

Witnesses are summoned in pursuance of and by virtue of the authority conferred on a committee to send for persons and papers. Volume **VI**, section **394**.

INVITATIONS.

The House sometimes accepts invitations to attend public exercises, but does not go as an organized body. Volume **V**, sections **7061–7064**.

The Congress, by joint resolution approved by the President, invited Lafayette to visit America (footnote). Volume **V**, section **7082**.

The House and Senate being invited to attend the Jamestown Exposition, appointed a joint committee to attend at a date after the expiration of the term of the Congress. Volume **V**, section **7053**.

By concurrent action an invitation was extended to the President of the United States to address a joint session of the two Houses on the subject of the birth of George Washington. Volume **VIII**, section **3532**.

The House sometimes accepts invitations to attend public exercises, but does not go as an organized body. Volume **VIII**, section **3528**.

The House accepted an invitation to attend and participate in ceremonies in celebration of the first inauguration of George Washington as President of the United States without making provision for adjournment or representation. Volume **VIII**, section **3531**.

At joint sessions of the two Houses the presiding officer of the House extending the invitation occupies the Chair. Volume **VIII**, section **3333**.

A joint resolution is the proper vehicle for authorization of invitations to foreign Governments. Volume **VII**, section **1037**.

In 1916 the House originated and the Senate agreed to a measure authorizing the President to invite a conference of Governments of the world to consider the establishment of a Court of Arbitration. Volume **VI**, section **329**.

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House election cases from:

Thirty-first Congress.—Miller v. Thompson. Volume **I**, sections **815–819**.

Thirty-fourth Congress.—Clark v. Hall. Volume **I**, section **832**.

Thirty-seventh Congress.—Byington v. Vandever. Volume **I**, section **490**.

Forty-sixth Congress.—Holmes, Wilson, Sapp, and Carpenter. Volume **I**, section **525**.

Forty-seventh Congress.—Cook v. Cutts. Volume **II**, sections **956–958**.

Forty-ninth Congress.—Campbell v. Weaver. Volume **II**, section **1002**.

Senate election cases from:

Thirty-fourth Congress.—James Harlan. Volume **I**, section **844**.

Sixty-first Congress.—Hepburn v. Jamieson. Volume **VI**, section **120**.

Sixty-second Congress.—Murphy v. Haugen. Volume **VI**, section **133**.

Sixty-fifth Congress.—Steele v. Scott. Volume **VI**, section **146**.

Sixty-ninth Congress.—Steck v. Brookhart. Volume **VI**, section **172**.

IRREGULARITIES IN ELECTIONS. See "Elections of Representatives."**IRRELEVANCY.**

A Member persisting in irrelevant debate in Committee of the Whole House on the state of the Union after being called to order by the Chairman was required to relinquish the floor. Volume **III**, section **2594**.

A Member required to yield the floor because of persistent irrelevancy in debate was held not to have forfeited the right to propose and debate amendments to subsequent paragraph. Volume **VIII**, section **2595**.

In debating a question of personal privilege a Member may not discuss extraneous or irrelevant matters. Volume **VI**, section **576**.

A Member recognized to debate a question of personal privilege may not yield to another to propound irrelevant questions or inject extraneous subjects. Volume **VI**, section **617**.

IRRIGATION.

A bill transferring to a water users' association the operation and maintenance of an irrigation project financed by the Government, without relinquishing the lien of the Government for funds expended, was held to be a private bill. Volume **VII**, section **871**.

The disposal of drainage waters from irrigation projects is a subject within the jurisdiction of the Committee on Irrigation and Reclamation and not that of the Committee on Public Lands. Volume **VII**, section **2034**.

A bill providing relief for loss of property resulting from flood due to failure of an irrigation dam erected under authorization of legislation reported by the Committee on Public Lands was transferred from that committee to the Committee on Claims. Volume **VII**, section **2000**.

The taxation, improvement, irrigation, and control of Indian lands and the construction of roads, cutting of timber, and granting of easements thereon are subjects within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1937**.

IRRIGATION AND RECLAMATION, COMMITTEE ON.

Recent history of the Committee on Irrigation and Reclamation, Section 32 of Rule XI. Volume **VII**, section **2031**.

Examples of the general jurisdiction of the Committee on Irrigation and Reclamation. Volume **VII**, section **2035**.

The Committee on Irrigation and Reclamation has reported on propositions to authorize interstate compacts and agreements relative to apportionment of waters for irrigation purposes. Volume **VII**, section **2033**.

The disposal of drainage waters from irrigation projects is a subject within the jurisdiction of the Committee on Irrigation and Reclamation and not that of the Committee on Public Lands. Volume **VII**, section **2034**.

Preemption and disposition of lands on reclaimed and irrigated projects are subjects within the jurisdiction of the Committee on Irrigation and Reclamation. Volume **VII**, section **2032**.

Legislative propositions relating to the care of waters on arid public lands belong to the jurisdiction of the Committee on the Public Lands and not the Committee on Irrigation and Reclamation. Volume **VII**, section **1931**.

IRRIGATION OF ARID LANDS, COMMITTEE ON.

The creation and history of the Committee on Irrigation of Arid Lands. Volume **IV**, section **4307**. The rule gives to the Committee on Irrigation of Arid Lands jurisdiction of subjects relating to the irrigation of arid lands. Volume **IV**, section **4307**.

Examples of the general jurisdiction of the Committee on Irrigation of Arid Lands. Volume **IV**, section **4308**.

IRRIGATION OF ARID LANDS, COMMITTEE ON—Continued.

The Committee on Public Lands exercises a preliminary jurisdiction over the subject of irrigation. Volume **IV**, section **4195**.

An amendment providing for a system of irrigating arid lands was held not go be germane to the river and habor bill. Volume **IV**, section **4128**.

IRWIN, RICHARD B.

In 1874 the House imprisoned in the common jail a contumacious witness, Richard B. Irwin, who contended that the inquiry proposed by the House committee was unauthorized and exceeded the power of the House. Volume **III**, sections **1690**, **1691**.

IRWIN, THOMAS.

The investigation of the conduct of Judge Thomas Irwin in 1859. Volume **III**, section **2500**.

ISLANDS.

The rule gives to the Committee on Insular Affairs jurisdiction of all subjects, other than revenue and appropriations, relating to the islands which came to the United States by the Spanish treaty of 1899. Volume **IV**, section **4213**.

The Committee on Insular Affairs exercises practically an exclusive jurisdiction over the affairs of the islands ceded by the treaty of 1899, except as to matters of revenue and appropriations. Volume **IV**, section **4214**. Volume **VII**, section **1947**.

The Committee on Insular Affairs has general jurisdiction of subjects relating to the Philippine Islands. Volume **VII**, section **1948**.

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The Arkansas election cases of Johnson, Jacks, and Rogers, in the Thirty-eighth Congress. Volume **I**, section **380**.