

DE ZUID-AFRIKAAN.

The Council adjourned at half past 12 o'clock, until Friday, the 11th of April, at 12 o'clock.

ORDERS OF THE DAY. *Order of the Fisherman's Exemption Ordinance; second reading on the first sitting of Council after the 2d of May.*

Post Office Amendment Ordinance; second reading on the first sitting of Council after the 2d of May.

Licence Amendment Ordinance; second reading on the first sitting of Council after the 2d of May.

K. B. HAMILTON, Clerk of the Legislative Council.

SITTING NO. 4.—FRIDAY, 11TH APRIL, 1834.

The Council met pursuant to adjournment; and His Excellency the Governor took the Chair.

After prayers—the minutes of the preceding Council were read, and confirmed.

The Honorable Michiel van Breda, Esq., presented to the Council "an Ordinance for regulating the Trade in Gunpowder within this Colony."—Read a first time.—Motion made and question put, that this Ordinance be read a second time.—Carried unanimously; and ordered to be read a second time on the first sitting of Council after the 9th of May next.

The Honorable Lieutenant-Colonel Wade gave notice of his intention to present to the Council, next Session, an Ordinance to amend the Ordinance No. 93, For granting Licences to sell, and for the better regulation of the sale of Wines, Spirituous Liquors, Malt Liquors, Ginger Beer, and Spruce Beer," dated 26th June, 1832, so far as regards the period, (viz. three days,) within which the amount of fines, costs, and charges incurred under that Ordinance, shall and may be levied by himself;—Also an Ordinance to amend the Ordinance No. 57, "For regulating certain Taxes and Duties, and imposing certain others in lieu thereof," dated 13th March, 1829, insofar as it relates to the mode of collecting Taxes in Cape Town.

The Council adjourned at one o'clock, until the following day, at twelve o'clock.

ORDERS OF THE DAY. *Order of the Fisherman's Exemption Ordinance; second reading on the first sitting of Council after the 2d of May.*

Post Office Amendment Ordinance; second reading on the first sitting of Council after the 2d of May.

Licence Amendment Ordinance; second reading on the first sitting of Council after the 2d of May.

Gunpowder Ordinance; second reading on the first sitting of Council after the 9th of May.

NOTICE OF MOTION.

Next Session.—Lieutenant-Colonel Wade—Intendancy to Present Licence Amendment Ordinance;

Also—Taxation Amendment Ordinance.

K. B. HAMILTON, Clerk of the Legislative Council.

RULES AND ORDERS FOR MAINTAINING ORDER AND METHOD IN THE DISPATCH OF BUSINESS.

No. 1. Two months notice shall be given, by way of publication, in the *Government Gazette*, of every ordinary Session of Council.

No Member shall absent himself from Council, without satisfying His Excellency the Governor of the necessity of such absence.

3. His Excellency the Governor, or, in his absence, the presiding Member, shall preside over, and decide on all disputed points of order.

4. As soon as six Members (exclusive of the Governor, or Member who is to preside) shall be present, after the hour of noon, the Governor or presiding Member shall have taken the chair, and, after the hour of noon, the Governor or presiding Member shall signify that he is prevented from attending, the Member who is to preside in His Excellency's absence, will take the chair; and, prayers having been said, will direct the Clerk, in conformity with the Royal Instructions, to begin the proceedings of the day, by reading the minutes of the last Council, which, having been approved, are to be confirmed by the President.

5. With the exception of questions of privilege, which shall take precedence of all others, and the presentation of petitions, (hereinafter provided for,) all business shall be taken in the order in which it appears on the "Order Book," unless by permission of the President, on good reasons being shown for such deviation.

6. Every motion and amendment must be in writing, and must be seconded before it can be put.

7. No Member shall be allowed to read any speech.

DISCUSSION:

8. If two or more Members rise to speak at the same time, the President shall call on the person entitled in his opinion to pre-eminence.

9. It shall be competent to any Member to divide the Council upon any Bill or Question; and upon such division taking place, as upon all other similar occasions, the Council is to proceed to vote, beginning with the Junior Member, the Clerk intimating the vote of each Member, after which the Governor, or presiding Member, shall declare which side has the majority.—Every Member present is required to give his vote on every division; but it is competent to him, if he shall think fit, to record the reasons of his dissent, from the opinion of the majority at the bottom of the day's proceeding.

10. An adjournment of the discussion may be moved by any Member.

11. In discussing any question, no Member shall be at liberty to speak more than once, except in explanation; provided, however, that the mover of any question be allowed the privilege of reply.

12. Every Member shall, in discussing any question, address the Chair, and shall stand, while so doing; and should wish to allude to the speech or opinion of any other Member, he must do so without naming him—official Members may be designated by their appointments.

13. All imputations of improper motives shall be considered as being highly disorderly, and such conduct shall be minute on the Journal; if it shall appear to a majority of the Council to be necessary.

BILLS.

14. All Bills, excepting those introduced by His Excellency the Governor, must be presented upon one of the first four sittings of Council, otherwise they will not be entertained at that Session.

15. On any Bill being presented, the Clerk shall read the title and marginal notes thereof; but it shall be competent for any Member to move, that the Bill be read at length, and if such motion be agreed to, the same shall be read accordingly.

NO. 3.—ORDINANCE.

Enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, For altering and amending an Ordinance, entitled "Ordinance of His Excellency the Governor in Council for fixing the quantities of Wines and other Liquors allowed to be sold under Licence, and the Stamp Duties to be paid for Licences,—and for regulating certain matters in regard to the making and selling of such Liquors," dated the 27th day of June, 1832.

Whereas it is expedient to alter and amend the Ordinance, entitled "Ordinance of His Excellency the Governor in Council, for fixing the quantities of Wines and other Liquors allowed to be sold under Licence, and the said Ries for uttering false money, knowing it to be false,—imprisonment, with hard labor at Robben Island; Canumans for 14 years, and Ries for 1 year.

16. Immediately after every Bill shall be read a first time, any Member may move that it be read a second time, which motion having been seconded, and carried, some future day shall be appointed for the second reading of the same; unless it should be decided that such Bill shall be referred to a Sub-Committee.

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17. When it has been carried that a Bill shall be read a second time, it shall be printed as soon as possible; and the Clerk of the Council shall forthwith transmit a printed copy thereof to each of the Members of Council, and cause it to be published in the next ensuing *Government Gazette*.

18. If the Council should, on the motion of any Member, resolve itself into a Committee on the Bill, on its being read a first time, and it should be ordered, that the same shall be referred to a Sub-Committee then the Bill after the report of such Sub-Committee shall stand in lieu of the said Schedule, No. 3.

SCHEDULE.

For every Licence to sell or barter for any article of Colonial produce, when in quantities not under 94 gallons, or spirituous liquors in quantities not under 48 gallons, at any place within the districts of Graaff-Reinet, or Beaufort, the Governor, with the advice and consent of the Legislative Council, shall be entitled to impose a fine, and to cause the same to be paid into the Exchequer.

19. Upon the second reading of every Bill, which shall not take place in less than twenty-one days from the day on which such Report was presented.

20. After the second reading of every Bill, which shall not take place in less than twenty-one days from the day on which such Report was presented.

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23. The Clerk shall keep an Order Book, in which shall be entered and numbered in succession the subjects intended to be brought before discussion on each sitting.

24. He shall read all matters brought before the Council, he shall keep a Journal of Proceedings, on which shall be entered in the order of succession, all subjects brought before the Council, and shall number the proceedings of each day, as of one general number.

25. He shall take care to have all public Bills written in a fair hand, before the third reading.

SUB-COMMITTEES.

26. Every Sub-Committee shall be appointed by the Council, and the reports of such Committee shall be signed by the Chairman, or in his absence, by the Senior Member thereof.

PETITIONS.

27. All Petitions on Bills before the Governor and Council, (and no others shall be received) shall be presented, immediately after the Governor or presiding Member shall have taken the Chair.

28. When any Petition relates, it shall be competent for any Member to move, that the Petition be read, and then the question shall be put, whether the Petition be received.

29. In any case where individual rights of interest may be peculiarly affected, all Persons may be heard before Council, or a Committee thereof, (as may be ordered) either in person, or by Counsel.

30. When any witness shall be intended to be examined, the Petitioner requiring such Witness, shall give in to the Clerk of the Council, a list containing the names, residing near the property in question, to whom the Petition is addressed.

31. All questions intended to be put to such witnesses, shall be first taken down in writing by the Clerk, and shall be put by the Governor, or presiding member.

32. Every answer to any such question shall be taken down by the Clerk, and read over to the witness, who may then desire any correction to be made; and in case no such correction shall be made, such answer shall stand, and shall not afterwards be altered.

33. In case of the examination of witnesses, at the desire of the Governor and Council, the foregoing rules shall be in like manner observed.

34. The Petitioner or his Counsel shall stand at the table on the left of the Clerk of the Council, and the witnesses on the right.

35. Counsel in attendance must be robed.

36. On the motion of any Member of the Council, that such Petitioner, Counsel, or witness do withdraw, they must withdraw as of course.

PRIVATE BILLS.

37. All private Bills must be drafted, printed, and engrossed, ready for the Clerk to examine, at the expense of the parties whom it may concern.

38. As soon as my private Bill shall be presented, proof shall be made before Council, by the party applying for such Bill, or his Attorney, that the Draft of such Bill has been published in the *Government Gazette*, not less than three, nor more than six weeks before such presentation.

39. Such Bill shall then be read a first time, and if ordered to be read a second time, shall be printed and referred to a Sub-Committee, who shall require proof of the allegations contained in the preamble, and, if the parties concerned shall desire it, may hear Counsel for and against the Bill; and examine Witnesses, and decide on matters of fact, in issue between the parties, and, if necessary, shall amend the bill, reporting their proceedings to Council.

40. Upon such bill being brought up and reported, it shall be read a second time on the day appointed for that purpose, and the bill may then be proceeded with as in the case of Public Bills.

41. The votes and proceedings of the Council shall be published daily during the Session.

BILLS.

42. All Bills, except those introduced by His Excellency the Governor, must be presented upon one of the first four sittings of Council, otherwise they will not be entertained at that Session.

43. It shall be competent to any Member to divide the Council upon any Bill or Question; and upon such division taking place, as upon all other similar occasions, the Council is to proceed to vote, beginning with the Junior Member, the Clerk intimating the vote of each Member, after which the Governor, or presiding Member, shall declare which side has the majority.—Every Member present is required to give his vote on every division; but it is competent to him, if he shall think fit, to record the reasons of his dissent, from the opinion of the majority at the bottom of the day's proceeding.

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49. All Bills, except those introduced by His Excellency the Governor, with the advice and consent of the Legislative Council thereof, For altering and amending an Ordinance, entitled "Ordinance of His Excellency the Governor in Council for fixing the quantities of Wines and other Liquors allowed to be sold under Licence, and the Stamp Duties to be paid for Licences,—and for regulating certain matters in regard to the making and selling of such Liquors," dated the 27th day of June, 1832.

50. Whereas it is expedient to alter and amend the Ordinance, entitled "Ordinance of His Excellency the Governor in Council, for fixing the quantities of Wines and other Liquors allowed to be sold under Licence, and the said Ries for uttering false money, knowing it to be false,—imprisonment, with hard labor at Robben Island; Canumans for 14 years, and Ries for 1 year.

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