

mineral land, wishing to avail themselves of the proposed tram-road to subscribe for not less than fifty shares, for every lease, or mine, the one from which they proposed thus forwarding for shipment. To such shareholders, the rate for the use of the road to be sixpence per ton, per mile; to all others an increased rate, at the discretion of the directors. Original subscribers to the extent of 230 shares to be charged the minimum rate, whatever may be the number of mines which they may hold on lease at the formation of this company.

Proposed by Mr. F. Porter, seconded by Mr. J. T. Pocock, and carried unanimously.—That as the lessees will, by the increased facilities thus afforded for the development of their mines, reap advantages in which other shareholders cannot participate, such non-lessees shall be guaranteed a dividend of ten per cent. per annum, out of the annual receipts. After such dividend shall have been paid or reserved, the surplus revenue to be divided as follows.—1st. In the payment of an equal dividend of ten per cent. to the non-lessee lessees. 2nd. Any surplus after such distribution to be divided into two equal parts, one moiety whereof for distribution among all the shareholders, the other moiety to be allowed to accumulate, until it shall amount to £10,000, which shall be reserved as a guarantee fund, on account of future dividends to shareholders being non-lessees.

Proposed by Mr. Samuel Bushell, seconded by Mr. Christian Fleck, and carried unanimously.—That, should by any unforeseen occurrence, the rates of carriage as aforesaid be insufficient to meet the dividends payable to shareholders being non-lessees, such rates to be proportionately increased, and such increase, if necessary, to take retrospective effect.

Proposed by Mr. G. Greig, seconded by Mr. Marcus.—That the affairs of the company shall be conducted by nine directors, holding individually not less than twenty shares, and of whom three shall form a quorum.

Proposed by Mr. J. Reid, seconded by Mr. Bushell, and carried unanimously.—That the directors shall appoint a treasurer to the company, and such paid officers as may be necessary.

Proposed by Mr. Pocock, seconded by Mr. Arderne.—That so soon as the line of road shall be determined upon, it shall be optional with any subscribers being lessees, and who may not be benefited thereby, either altogether to withdraw from the company, or to reduce the number of shares for which they have subscribed, proportionately to the number of mines in respect to which they purpose availing themselves of the proposed tramway; but in either case, the deposit and any instalment paid shall be forfeited to the company.

Proposed by Mr. Redelinghuys, seconded by Mr. Marcus.—That the following gentlemen form the provisional committee, with power to add to their number, for the purpose of carrying out the foregoing resolutions:—Messrs. E. Chiappini, J. King, G. W. Prince, T. Watson, J. H. Wicht, E. J. Jerram, S. Bushell, P. van der Byl, J. T. Pocock, R. H. Arderne.—*Shipping and Mercantile Gazette.*

THE OFFICERS AND CREW OF THE TIGER.
PORTSMOUTH, July 17.—Lieut. Royer, senior lieutenant of the lost ship the Tiger, and Francis Dimach, gun-room steward, of the same ship, have arrived in England from Odessa and St. Petersburg, the last named has been sent on board the Victory, flag ship in this harbour. Lieut. Royer is expected to arrive on board, to await trial by court martial for the Tiger's loss. It appears that they left Odessa 21 days after the loss of their vessel, having, during that time, with the rest of the crew, been located in the quarantine establishment. As is already known, Lieut. Royer was summoned to St. Petersburg to see the Emperor, and he took Dimach with him as his servant. The journey to St. Petersburg was accomplished in about seven days, being, by the road, as far as Moscow, and the remainder of the distance by railway. Lieut. Royer had several interviews with the Emperor, and both himself and his servant were treated with the greatest kindness and consideration. On ascertaining that Lieut. Royer had lost his sword, it being left on board the Tiger, the Emperor presented him with a new one. Dimach, on leaving St. Petersburg, had five golden ducats presented to him to pay any expenses he might incur; but food, lodging, &c., was provided for all on the most liberal scale. Mr. Royer and his servant stayed at St. Petersburg about a week, and were then granted passports, and set out to England, travelling through Prussia, and taking the steamer at Calais for Dover. On granting his liberty to Mr. Royer, it was determined to send his servant back to Odessa, but the latter, who is a Maltese, made an appeal through an aide-de-camp to the Emperor for his release, representing that he was a married man, with a family, whom he wished to join. The request was granted; and before he left St. Petersburg an officer poured him out a tumbler of sherry, and asked him to drink the Emperor's health, which, of course, the poor fellow had no objection, under the circumstances, to do. He speaks in the warmest terms of the kindness of the Russian authorities to the whole of the officers and crew.

On landing from the Tiger, the men were conveyed to Odessa in carts, and even the private soldiers vied with each other in offering food and water to them. Dimach, from his office, acted as caterer to the officers, and he appears to have had authority to draw whatever provisions, &c., the officers required. In passing through the country to St. Petersburg, they fell in with some 20 or 30 British subjects, chiefly engineers, who appeared well satisfied to remain in Russia.

The ultimate destination of the officers and crew was not known when Mr. Royer left Odessa, it being only then arranged to send them up the country. There were no likelihood of their receiving any but the best treatment. The Emperor had ordered Mr. Domville, the surgeon of the ship, to be released, and it was thought at St. Petersburg that the other officers and men would be exchanged.

The accounts we had before received of the funeral of Captain Giffard are confirmed. All the officers and men attended, together with Russian generals, and the whole of the population was present. A military band performed the dead march; and a battery of artillery fired a salute over the unfortunate officer's grave. His death was deeply mourned by his own people, and apparently hardly less so by the inhabitants of Odessa.—*Morning Post, July 18.*

Namaqualand Tramway Company.
IN reference to the proceedings of the meeting which took place on Saturday last, in the Commercial Exchange.—Notice is hereby given, that written applications for Shares, as per form at the foot hereof, are to be addressed to the Provisional Committee, at the office of Messrs. A. CHIAPPINI & Co., St. George's-street.

Form of Application.
To the Provisional Committee of the Namaqualand Tram Way Company.

GENTLEMEN!—I hereby make application for Shares in the Namaqualand Tramway Company, binding myself to the several conditions expressed in the resolutions passed at the Meeting held in the Commercial Exchange on Saturday, the 16th Sept. 1854.

Wreck.

A PUBLIC SALE will be held on THURSDAY 28th instant, on the beach called MARTHA'S STRAND, between Struis Bay and Breede River, District of Swellendam, on account of whom it may concern, of the wrecked English Ship

Chancellor."

860 tons. Captain TURNER, as she now lies; as also such part of the cargo as may be saved, originally consisting of:

1751 Bags Salt-petre

A quantity of Sapan Wood

Do. Coal Yarn

Do. Hemp

Do. Buffalo Horns

20 Pieces Elephants' Teeth

8 Bundles do.

53 Cases Sundry Furniture

2115 Bags Linseed

1207 Do. Pepper

122 Bags Negro Seed

270 Do. Cloves

189 Packages Coffee

88 Bales Hemp

70 Do. Colr

1986 Do. Cotton

7 Half-bales do.

1041 Bales Wool

7 Half-bales do.

A great portion of which has been landed or washed up on the Beach.

BARRY & NEPHEWS, Agents.

Bredasdorp, 18th Sept., 1854.

EXTENSIVE Clearing Sale!!

AT THE STORES OF

HAMILTON ROSS AND CO.

LOOP-STREET,

On Thursday,

THE 28th SEPTEMBER,

M. R. J. JONES will sell without Reserve a large and varied assortment of **GOODS** to close accounts consisting of:—

[33] 24 Bales Cambria Voerhuis, various patterns

15 Bales Fancy Tartan Furniture Checks

2 Bales Grass Bleached Sheetings

8 Bales Waggon Canvas

5 Cases Gold-end Shirtings

5 Cases H. & J. Hoyle Plate Prints

3 Cases 9-8 do. do. do.

5 Bales Cotton Blankets

5 Bales Negro Sheets

2 Bales Fancy Cotton Drill

2 Cases Printed Moleskins

[HR] 11 Trunks Mens' Calf Blucher Boots

6 Women's Lasting Shoes

M 3 Bales 600 Twilled Grain Bags

KCS 5 Bales 1000 Gunny Bags

10 Bales 40 inch Hessian Bags

1 Bale Canvas Tarpaulin

S & Co. 10 Chest Stearine Candles

(HR) 500 Boxes Liverpool Soap

25 do. Citron Do.

5 Cases Imitation Cigars

10 do. Saddles and Bridles

50 Boxes Pearl Sago

15 hind. Glassware, consisting of Decanters, Tumblers, Wine, Champagnes, Sugar Basins, Salts, &c. &c.

12 Crates Earthenware, in Dinner Sets, White and Willow Plates, Basins, Chambers, Cups and Saucers & &c. &c.

10 Tons Liverpool Salt

50 Casks Ale and Porter, in pints and quarts

5 hind. Dark French Brandy

And a variety of other Goods which will be offered on the Day of Sale.

HAMILTON ROSS & CO.

A Liberal Credit will be given.

PUBLIC SALE OF

MOVEABLE AND IMMOVEABLE PROPERTY.

With Liberal Strykmoney and Bonus,

In the Insolvent Estate of Olof ABRAHAM BERGH, of Cape Town, Shopkeeper.

ON FRIDAY,

THE 13TH OCTOBER NEXT,

AT 11 O'CLOCK PRECISELY,

THE Undersigned, in his capacity, will dispose by public Auction, peremptorily to the Highest Bidder, the whole of this Estate, consisting of MOVEABLE AND IMMOVEABLE PROPERTY, viz.

1. A certain House and Premises, situated in Rose-street, at the corner of a certain Lane, called "Hillegers Steeg," containing 4 Rooms, large Kitchen and Back Yard, and several convenient Out-Offices. There is also a Private Water-treading on the Premises.

This Property is very well suited to carry on a Retail Business, does not require any further recommendation.

2. The Moveable Property, consisting of Household Furniture, viz.: Chairs, Cedarwood Press, a small Cabinet, 2 Flat Tables, Dressing and Wash-hand Tables, Mahogany Toilet Glass, Feather Beds with Pillows, Mattresses, a large Teakwood Watercask &c. &c.

Shop Fixtures, &c.

One Glass Shop Case with drawers, one Set ditto Racks, 1 Lamp, 1 Counter, 5 fifty pound Weights, Scale &c. &c.

Stock-in-Trade.

White and Brown Baftas, Panjums, Checks, Muslin Dresses, Voerhuis, Molekink, Stockings &c. &c., Sugar, Coffee, a remnant of Groceries of all descriptions.

Kitchen Utensils,

Kitchen Table, Iron Pots, Water Kettles, Spoons, Knives &c. &c.

NB. The Debtors in this Estate, are requested to pay their Debts due to the Estate forthwith to the Undersigned at his Office corner of Wale and Loop-streets, to prevent Legal proceedings.

A. P. J. VAN DER POEL, Sole Trustee.

Cape Town, Sept. 18th 1854.

Mr. J. G. STEYTLER, Auctioneer.

PUBLIC SALE.

EXECUTORS of the Estate of the late MR. JAN KITSON, will cause to be publicly sold on WEDNESDAY, the 11th October next, on the Farm Schafplaats, Zwartland, all the effects belonging to said Estate, consisting of.—

A team of Wagon Horses, a team of draught Oxen, 7

head of Breeding Cattle, 300 slaughter and br ed sheep;

and 2 Pigs, all in the best possible condition; 2 Horse Wagons, Harness, Ploughs, Yokes with Appurtenances and every Description of Agricultural Implements, besides Household Furniture, such as Wardrobes, Chairs, Table, Bedsteads, Glass and Earthenware, Kitchen Utensils, and whatever else may be found on the day of Sale.

J. W. MOORELLS, Adm.

Malmesbury, Sept. 18, 1854.

Mr. J. G. STEYTLER, Auctioneer.

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THE ZUID-AFRIKAAN.

Cape Town, September 25, 1854.

CONTRARY to our expectation of an instant proration or dissolution of both Houses of our Colonial Parliament, His Honor the Lt. Governor has availed himself of the powers conferred on him by the Constitution, and returned an amended Appropriation Bill for 1855 to the House of Assembly, which—we are happy to say—has since been passed by that body as well as the Legislative Council.

Perhaps it may be well that our readers in the country should be informed of the exact reasons which have led to the loss of the previous Bill; and with this view we shall state them as concisely as possible.

His Honor the Lt.-Governor having sent that Bill to the Assembly, that body, in considering it, saw reason to make some amendments, by striking out and reducing some items, and thereafter sent it up to the Council. The latter followed the same course, that is, it restored, increased and decreased, but before passing the Bill, desired to have a conference with the Assembly on the items so amended. This conference, whilst being granted on some, was refused on other items, the Assembly all along that by granting a conference in the first case,—being items not appearing in the Bill when sent up to the Council,—it feared that it might compromise its rights and privileges. The Council, however, persisting in its amendments, returned the Bill to the Assembly, desiring to obtain its concurrence therein. Since then the Bill was repeatedly returned by one House to the other, until at last the Assembly having explained the reasons why they could not agree to the amendments of the Council, and that, with regard to the Road Board salaries, they had been assured that the Government would be able to carry on the business of the Road Board efficiently until the next Session of Parliament without the disputed item, the Council agreed to strike out all its amendments, but retained one, that namely of salaries for Road Board officers, and returned the Bill again to the Assembly for its concurrence. Whilst in that House, the Lt.-Governor, perfectly aware of the danger to which the loss of the Bill would expose the public service, and doubtless wishing to avoid the contingency of a prorogation or dissolution of the Parliament, availed himself of the undoubted right possessed by him under the Constitution, and sent a message to the Assembly, withdrawing his original recommendation to make provision for that specific service.

The features of the case were now decidedly changed, and the Assembly, having submitted to the just desire of the Queen's representative, sent the Bill back to the Council with an intimation of the fact that the disputed item had been withdrawn by His Honor. Just before that message arrived in the Council, that body had also received a message from His Honor, informing them that the item had been withdrawn by him in the Assembly. The Council proceeded to the consideration of the Message from the Assembly, the result of which was a resolution, adopted by a majority of one vote, to return the Bill to the Assembly with an intimation that the House regretted the inability of the Assembly to agree with the single amendment on which the Council felt bound to insist, in consequence of which the bill was lost. What treatment the Bill further experienced will be perceived from the proceedings of the Assembly, which are given elsewhere.

LEGISLATIVE COUNCIL.
The Legislative Council met on Thursday the 21st Sept. The following report was read:

"The manager appointed by this hon. Council to deliver the Appropriation Bill and the Message of this Council to the hon. the House of Assembly, beg leave to inform the Council that they delivered their charge into the hands of the Speaker of the hon. House, upon which he separated the Message from the Bill, received the Message, but would have returned into our hands the Appropriation Bill, but which they, having only orders from this Council, to deliver to the hon. the House of Assembly, declined to receive, and the Bill was thrown by the Speaker upon the ground in their presence."

D. G. VAN BREDA,
H. T. VIGNE."

The Colonial Secretary brought a Message from the Lieut. Governor, in which the Lieut. Governor begs to inform the Legislative Council that he has this day returned to the House of Assembly a Bill "for applying for a sum not exceeding £30,672 7 6, for the service of the year 1855, in addition to the sum already in that respect estimated," the following amendments which the Lieut. Governor thinks needful and expedient, and has made accordingly, under the powers to that effect conferred upon him by the 82nd section of the Ordinance constituting a Parliament for this Colony.

(Here follows all the items of the Estimates that had previously passed both Houses, with His Honor's remarks thereon.)

The Lieut. Governor further begs to inform the Honorable Legislative Council, that he has this day recommended to the Honorable the House of Assembly, in the terms of the 80th Section of the Ordinance, constituting a Parliament, to make provision for the public services, as separately and severally specified in the Estimates, transmitted with the Bill returned by the Lieut. Governor to that Honorable House, with the proposed amendments.

The consideration of this message was postponed till the following day, and Sir A. Stockenstrom, Messrs. Blaine, Goddington and de Wet, were named as a Committee of enquiry to investigate into and publicly report upon the various items of Municipal expenditure. In the meantime the meeting feel themselves called upon to censure this apparent waste of the Municipal Funds which might have been more advantageously appropriated than what appears to have been done."

M. P. J. Rens, seconded the resolution.

Mr. J. Lindenberg, Secretary to Commissioners, said that Mr. Mylne had stated that £100 had been spent upon cross drains; he did not come to defend Commissioners for they could defend themselves; but that statement was incorrect.

Mr. Mylne said, he did not say that £100 had been expended upon cross drains. He said that was the total amount expended, and he knew of no other work except picking up the bushes on the Market-square.

Mr. Lindenberg said, his salary as Secretary is £30 per annum, and that of the Superintendent is £ ; deduct that and you will see what has been expended on work.

There has been 32 bridges or cross drains made, and I think they can't cost more than £5 each. Mr. Mylne said, why was the work not done by contract, but work by contractor was always performed by the contractor more with a view to filling his pocket than making a substantial job.

Mr. Mylne.—What nonsense! Could you not make the work of the contractor upon specification and subject to approval?

Mr. J. Lindenberg said, that with respect to the Municipal Account to the case of the lunatic M. de Haan, who lately died at Robben Island. The Colonial Secretary having in reply entered into an explanation of the circumstances connected with the case, stated that all the papers connected with that establishment, which had been called for, including those connected with this particular case, would be sent to the Council by the Assembly.

Mr. Breda said, "This is what we are to deliver."

Mr. Speaker.—I will receive the message and communicate it to the House, but I will not receive the other.

Mr. Breda then advanced and laid the file of papers on the Speaker's desk.

Mr. Speaker took the message from the papers, and said, "Take back this," lifting the bill from his desk, and handing it to Mr. Breda.

Mr. Breda declined to take it, and stepped back, on which Mr. Speaker threw the bill on the ground, saying

that, if any reply to the message was necessary it would be returned by messengers of their own.

The messengers withdrew.

Mr. Watson moved, seconded by Mr. Fairbairn, that the Message of the Legislative Council be taken into consideration; which was carried.

Mr. Watermeyer moved,—"That this House is of opinion that the Message this day received from the hon. the Legislative Council, informing this House that the Appropriation Bill for 1855 has been lost, requires no answer."

Mr. Watson moved, seconded by Mr. Loedoff, that this House having taken into consideration the message received this morning from the Hon. the Legislative Council, returning to this House a bill acknowledged by the Hon. the Legislative Council to have been lost, and consequently defunct, are unanimously of opinion, that the cause pursued by the Legislative Council in returning a thing to this House which is to all intents and purposes extinct and annihilated, is deserving of the censure of this House."

Dr. Abercrombie moved as a second amendment, seconded by Mr. Marvyn.—The House of Assembly, in acknowledging the Message of the Hon. the Legislative Council, received this day, begs to express its sincere regret that a Bill so important to the welfare of the Colony has been lost, in consequence of the Hon. the Legislative Council insisting upon an amendment, which, had this House adopted, would, in its opinion, not only have placed it in a false position to the Government and to the public, but would have been an unconstitutional act. But whilst this House regrets the loss of the Bill, and the consequences that may result therefrom, it has the satisfaction to know that it has originated solely and entirely from an act of the hon. the Legislative Council.

After some debate both of these amendments were withdrawn by the movers, and Mr. Watermeyer's motion that the message requires no answer," was put and passed.

It was then resolved, on a motion by Mr. Fairbairn, that a message be sent to the Lieut.-Governor informing His Honor that this House has been informed by the Hon. the Legislative Council that the Appropriation Bill for 1855 has been lost.

Adjoined till half past 2.

On the House re-assembling, the Secretary to Government entered and presented a Message from the Lieut.-Governor, returning the Supplementary Estimates Bill, with certain amendments.

On a motion by Mr. Watermeyer, that the House go into committee on the amendments,—

The Attorney-General said.—Mr. Chairman, I should wish to explain, in one or two words, the position in which this bill now stands. More or less of complexity necessarily attends the form and figures of the Lieut.-Governor's Message, but the principle is perfectly simple, and will be understood in a moment. You are aware, sir, that certain Estimates for the service of the year 1855, were submitted to this House in the form of a bill, which bill has been lost in the other House, or somewhere or another, and which I saw, I believe, for the last time on the floor of this House. That bill, then, is completely gone. But besides the Estimates on which that bill was based, it was remembered there were other services required for the year 1855, in addition to the sum estimated for the bill now gone to its rest. A bill for £30,672 was passed by this House, and passed by the Legislative Council, without amendments, and having been certified in the usual way required by the Constitution and Standing Rules, was referred to the Lieut.-Governor for his assent, or dissent, or amendment. You know that by the 82nd and 88th sections, the power of amendment is given to the Governor with regard to bills that have passed both Houses. When His Honor had before him this £30,672 bill, information reached him that the other bill was lost, and His Honor thought it would be fitting, in the most convenient way, the wishes of both Houses, by adding to this bill those items in the former lost bill to which both Houses had assented, and omitting those to which both Houses had not agreed. This bill now contains not one figure, not one letter, to which both Houses have not said yes, and it is therefore hoped that the difficulties which had taken rather a formidable shape, in reference to provision for the public service, for 1855, will be happily removed. This is the simple object of the amendments made in the bill now returned. Many details are necessarily contained in the Lieut.-Governor's Message, but in reality His Honor's amendments only make those changes in the £30,600 bill which enable it to include those items of the lost bill, regarding which both Houses are unanimous.

The House went into committee, and the amendments were severally examined and agreed to.

The House resolved, and it was resolved, that the bill, as amended, be transmitted to the Council, desiring its concurrence.

It may be necessary, perhaps, to add, that the reason why the Council insisted upon the insertion of this one item was, that because at an earlier stage the Assembly had questioned its right to do so; but then it is equally necessary that the reader should understand that the Assembly, perceiving to what consequences the public service would be exposed if it persisted in raising that question now, at once abandoned it, and in all its future proceedings and messages studiously avoided to touch upon it.

Sept. 21, 1854. H. T. VIGNE.

The Colonial Secretary brought a Message from the Lieut. Governor, in which the Lieut. Governor begs to inform the Legislative Council that he has this day returned to the House of Assembly a Bill "for applying for a sum not exceeding £30,672 7 6, for the service of the year 1855, in addition to the sum already in that respect estimated," the following amendments which the Lieut. Governor thinks needful and expedient, and has made accordingly, under the powers to that effect conferred upon him by the 82nd section of the Ordinance constituting a Parliament for this Colony.

(Here follows all the items of the Estimates that had previously passed both Houses, with His Honor's remarks thereon.)

The Lieut. Governor further begs to inform the Honorable Legislative Council, that he has this day recommended to the Honorable the House of Assembly, in the terms of the 80th Section of the Ordinance, constituting a Parliament, to make provision for the public services, as separately and severally specified in the Estimates, transmitted with the Bill returned by the Lieut. Governor to that Honorable House, with the proposed amendments.

The consideration of this message was postponed till the following day, and Sir A. Stockenstrom, Messrs. Blaine, Goddington and de Wet, were named as a Committee of enquiry to investigate into and publicly report upon the various items of Municipal expenditure. In the meantime the meeting feel themselves called upon to censure this apparent waste of the Municipal Funds which might have been more advantageously appropriated than what appears to have been done."

Mr. P. J. C. Gleaser.—Not £2, but Rs. 31,—he had kept an exact memorandum of all disbursements.

Mr. Mylne.—Well, that was only a few shillings more,

there was a monstrous difference between Rs. 90 and Rs. 31,—he condemned the conduct of Commissioners in so lavishly expending the Municipal money. They were merely the agents of their constituents the Resident Householders, and he hoped Resident Householders would not quietly submit to money being spent in this way. He only saw one Commissioner present. He suspected the others were ashamed to show their faces, for they had, he was aware, tried to evade enquiry into these accounts by a Committee of Householders, by leaving that part of the Requisition out of the notice calling the meeting; but that was not available. The meeting was a legally constituted meeting, and it had a right to investigate into the Municipal accounts. Mr. M. called for the Municipal Books, which he had served the Treasurer with a notice to produce. On obtaining the book he shewed the amount expended and said, that it was necessary that Resident Householders should be satisfied as to how it had been expended, and he had to propose the following Resolution:

"That this meeting consider the sum of nearly £400 ex-

pended from the Municipal Funds during the past year as

exorbitant, and deem it necessary to appoint a Committee

of enquiry to investigate into and publicly report upon the various items of Municipal expenditure.

In the meantime the meeting feel themselves called upon to censure this apparent waste of the Municipal Funds which might have been more advantageously appropriated than what appears to have been done."

Mr. P. J. Rens, seconded the resolution.

Mr. J. Lindenberg, Secretary to Commissioners, said that Mr. Mylne had stated that £100 had been spent upon cross drains; he did not come to defend Commissioners for they could defend themselves; but that statement was incorrect.

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There has been 32 bridges or cross drains made, and I think they can't cost more than £5 each. Mr. Mylne said, why was the work not done by contract, but work by contractor was always performed by the contractor more with a view to filling his pocket than making a substantial job.

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Mr. J. Lindenberg said, that with respect to the Municipal Account to the case of the lunatic M. de Haan, who lately died at Robben Island. The Colonial Secretary having in reply entered into an explanation of the circumstances connected with the case, stated that all the papers connected with that establishment, which had been called for, including those connected with this particular case, would be sent to the Council by the Assembly.

Mr. Breda said, "This is what we are to deliver."

Mr. Speaker.—I will receive the message and communicate it to the House, but I will not receive the other.

Mr. Breda then advanced and laid the file of papers on the Speaker's desk.

Mr. Speaker took the message from the papers, and said, "Take back this," lifting the bill from his desk, and handing it to Mr. Breda.

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Mr. Watson moved, seconded by Mr. Loedoff, that this House having taken into consideration the message received this morning from the Hon. the Legislative Council, returning to this House a bill acknowledged by the Hon. the Legislative Council to have been lost, and consequently defunct, are unanimously of opinion, that the cause pursued by the Legislative Council in returning a thing to this House which is to all intents and purposes extinct and annihilated, is deserving of the censure of this House."

Dr. Abercrombie moved as a second amendment, seconded by Mr. Marvyn.—The House of Assembly, in acknowledging the Message of the Hon. the Legislative Council, received this day, begs to express its sincere regret that a Bill so important to the welfare of the Colony has been lost, in consequence of the Hon. the Legislative Council insisting upon an amendment, which, had this House adopted, would, in its opinion, not only have placed it in a false position to the Government and to the public, but would have been an unconstitutional act. But whilst this House regrets the loss of the Bill, and the consequences that may result therefrom, it has the satisfaction to know that it has originated solely and entirely from an act of the hon. the Legislative Council.

After some debate both of these amendments were withdrawn by the movers, and Mr. Watermeyer's motion that the message requires no answer," was put and passed.

It was then resolved, on a motion by Mr. Fairbairn, that take up the Bill as passed to it by His Honor the Lt.-Governor, The Council adjourned until Monday (this day) at 11 a.m.

HOUSE OF ASSEMBLY.

FRIDAY, SEPT. 22.—The following statement was read by the Speaker of the House, in reference to what had transpired on the receipt of the message from the Legislative Council, informing this House that the Appropriation Bill for 1855 has been lost, requires no answer.

The Chairman then reported progress, and the Council sat again, the Bill was then, in its amended form, read and passed. Considerable satisfaction was expressed by the several speakers at the happy termination of the difficulties that had arisen between the two Houses, in the passing of the Estimates.

Messrs. Ebden and Goddington having been appointed to take up the Bill as passed to it by His Honor the Lt.-Governor, The Council adjourned until Monday (this day) at 11 a.m.

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DE ZUID-AFRIKAAN.

Kaapstad, den 25 September 1854.

STRYDING met onze verwachting van een onmidelyke prorogatie of ontbinding van ons Kolonial Parlement, heeft Zyne Edelheid de Lt Gouverneur zich bedien van de magt aan hem verleend by de Constitutie, en een geëmendeerde Begrotings Ontwerp voor 1855 na de Volksvergadering voorgelegd, hetwelk,—het verbluydt ons dit te kunnen zeggen,—reeds door dat lichaam zoowel als door den Wetgevenden Raad is gespaard.

Mischiem is het goed onza buiten lezers bekend te maken met de juiste redenen welke aanleiding g'geven hebben tot de verwerping van het vorig ontwerp, en met dit in'g zullen wy hen deselve aangeven.

Zyne Edelheid do Lt. Gouverneur dat ontwerp aan de Volksvergadering gezonden hebbende, vond dat lichaam, by de overweging van hetzelve goed, enige veranderingen daarin te maken, door het uitschrijven van enige en het verminderen van andere posten, en zond het ontwerp daarna over aan den Raad. Laatstgemaal sloeg denzelfden weg in dat i, dezelver herstelde, vermeerdeerde en verminderde, maar alvoren het ontwerp terug te zenden, verzocht dezelve eene conferentie met de Volksvergadering op de aldus gemaakte veranderingen. Deze conferentie, terwyl dezelve toegestaan werd op enige, werd geweigerd op andere posten, bewerende de Volksvergadering dat zy, door het verleven van een conferentie in het eerstgemeld geval,—zyne posten die niet voorwijken in het ontwerp door dezelve aan den Raad gezonden,—beveerd was inbreuk te maken op hare regten en voorregten. De Raad echter, in deszelfs veranderingen volhardende, zond het ontwerp aan de Volksvergadering terug, verzoekende hare bewilliging daarin te mogen bekomen. Sedert dien tyd is het ontwerp herhaaldelyk door het eene huis aan het andere terug gezonden, tot dat eindelyk,—de Volksvergadering de reden opgehelderd hebbende waarom zy niet toestemmen konden in de veranderingen van den Raad, en dat, met betrekking tot de salarissen voor het Weg Collegie, zy verzekerd was geworden dat het Gouvernement in staat zoude zyn om de werkzaamheden van dat Collegie zonder die toelaag krachtigadij voortzette tot de volgende zitting van het Parlement,—de Raad bewilligde al deze veranderingen uitgeschrappen, met uitzondering van een—namelijk de salarissen voor de ambtenaren van het Weg Collegie,—en het ontwerp aan de Volksvergadering terug zond ter haer goedkeuring. Terwyl het ontwerp in dat huis was, maakte de Luit. Gouverneur, volkomen bewust van het gevaar waaraan de verwerping van het ontwerp de publieke dienst zou blootstellen, en ongetwijfeld begroeg om de noodzakelykhed van een scolorsing of ontbinding van het Parlement te vermyden, gebruik van het onbetwistbaar regt door hem onder de Constitutie bezeten, en zond een boodschap aan de Volksvergadering, zyne oorspronkelijke aanbeveling terug trekkende om voor die byzondere dienst voorziening te maken.

De zaak kreeg nu een gelief verschillend aanzien, en de Volksvergadering, zich onderwerpende aan het regtmatig verlangen van den vertegenwoorder der Koningin, zond het ontwerp aan den Raad terug, met een boodschap dat de bewijspost door Zyne Edelheid was terug getrokken. Juist voor dat die boodschap aankwam, had de Raad een boodschap van Zyne Edelheid ontvangen, denzelver berigende dat de post door hem in de Volksvergadering, was terug getrokken.—De Raad ging over tot de overweging van de boodschap van de Volksvergadering, de uitslag waarvan was een besluit, genomen door een meerderheid van een stem, om het ontwerp aan de Vergadering terug te zenden met een aankondiging dat de Raad leedwezen gevoleerde dat de Volksvergadering niet instemmen kon in de enige verandering waarop dezelve zich verpligt achtte te moeten aandringen, en ten gevolge waarvan het ontwerp vervallen was. Welke behandeling dat ontwerp verder is te beurt gevallen, zal blyken uit de verrichting van de Volksvergadering, welke men elders vindt zal.

Het kan mischiem nooddig zijn hierby te voegen, dat de reden waarom de Raad aandrong op de inlassching van dezen enkelen post, was, omdat de Volksvergadering by den aantvang deszelfs regt om dit te doen in twyf had getrokken; maar dan is het ook even nooddaklyk dat de lezer wete dat de Volksvergadering, ziende aan welke gevolgen de publieke dienst zoodanig bloot staan indien men bleef volharden in het opperen van dat vraagstuk, dadelyk daarvan is afgestapt, en in al hale volgende handelingen en boodschappen zich zorgvuldig heeft onthouden hetzelve vanteroveren.

Zet betrekking tot de terugtrekking van den betwisten post door den Luit. Gouverneur, wiens magt om dit te doen door den Raad bestwist werd, behoene wy slechts te zeggen dat de Procureur Generaal (de regtsgeerdeerde raadgaver van den Luit. Gouverneur), in een duidelyke en zeer breedvoerige aanspraak tot overtuiging bewezen heeft dat zulk een handelwyze zoowel wettig als constitutioen was, en overeenkomstig Parlementair gebruik; maar de Raad zelf, althans de meerderheid, kon niet overtuigd worden—dezelve had een beginsel te bestrijden,—en beslot eindelyk dat het ontwerp vervallen was.

Mendegt, dat het Parlement op morgen middag in de staats-kamer aan het Gouvernements Huis zal worden geopereerd.

LANDBOUWKUNDIGE VERTOONING.—Op de landbouwkundige vertooning op ll. Douderdag, werden de volgende prijzen toegezwen, als:

£5 aan den Heer J. H. Munnik, voor de beste driejarige opeert gepte paard; £5 aan Kapitein Baird, voor het beste tweewijsige dito; £5 aan den heer Muir, voor het beste tyraard; £5 aan den heer F. B., voor het beste paartspaar; £5 aan den heer D. van Breda, voor den besten bul; £5 aan den heer F. Kotze, voor de beste melkkoek; £5 aan de heeren Schlusler & Co. voor den besten slagots; £10 aan den heer D. van Breda, voor de beste merino rammen, en 10s. aan den heer Burton voor het beste paar hoenders.

Op ll. Zondag morgen is het lyk van een jong geboren meisje gevonden in de Kasteel Sloop.

VOLKSVERGADERING.

DONDERDAG, 21 Sept.—Het Huis vergaderde heden, tot het volgend verslag gelezen werd:

De Spreker opstaande, seide, "ik zal de boo'schap ontvangen, waer te schijnt nog iets anders 'ts-syn'" (Dit was een pak papieren, synde de Begrotings Bill als een Raad gezonden door de Volksvergadering.) De heer Breda seide, "Dit is hetgeen wij moeten overleveren."

De Spreker,—"Ik zal de boodschap ontvangen en dezelve aan den Huis mededeelen, maar het andere wil ik niet ontvangen."

De heer Breda trad toen voorwaarts en legde het pak papier op de lessenaar van den Spreker.

De Spreker nam de boodschap uit de papieren, en seide, "neem dit terug," de Bill van syn lessenaar opnemende en dezelve den heer Breda aanbiedende.

De heer Breda weigerde het antwoord en trad achteruit, waarop de Spreker de Bill op den grond wierp; er byvoegende dat indien eenig antwoord nodig was, dezelve door boodschappers van het Huis zelve zouden worden gesonden.

De boodschappers vertrokken toen.

De heer Watson stelde voor, gescreundeerd door den Fairbairn, "dat de boodschap van den Wetgevenden Raad in overweging werde genomen, welk voorstel aangevoerd was."

De heer Watermeyer stelde voor, "dat dit Huis van gevoelen is dat de boodschap heden van den Wetgevenden Raad ontvangen, dit Huis berigende, dat de Begrotings Bill verworpen is, geen antwoord vereist."

De heer Watson stelde voor, gescreundeerd door den heer Loedolf,—"dat dit Huis in overweging genomen heeft de boodschap heden van den Wetgevenden Raad ontvangen, aangevoeld, en dit Huis een Bill terug zendende, welke gemedeleerd is door de verschillende sprekers over de verschillende amendeamenteen, die niet overeenstemmen met de moeijlykheid van beide Huizen gespoedt, en g'submitteerd was aan den Lieutenant-Gouverneur, die hetzelfde aan de Volksvergadering had terug gespoedt, en daaronder toegestemd, de goedkeuring van den Raad.

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De Voorzitter rapporteerde toen voortgang, waarna het ontwerp, in dessels geïmendeerde staat, gelezen en gepasseerd werd. Groot genoeg werd aan den dag gelegd door de verschillende sprekers over de gelukkige afloop van de moeijlykheid welke ontstaan waren tussen beide huizen, in het passeren der Begrotings.

De heeren Ebden en Godinton aangeleid, door aan den heer Breda, adjourseerde de Raad tot Maandag (heden) te 11 ure.

De heer Wicht voorgesteld hebbende, dat de boodschap van den Lieutenant-Gouverneur van den 21 daer in overweging werde genomen, submiteerde de schets van een adres, derzelver ontvanger erkennende, en Zyne Edelheid versekende, dat deseive in overweging zou genomen worden, hetwelk na vele discussie goedkeurd werd.

Sir A. Stockenstrom deed syn voorstel in opzag tot het geval van den krankzinnigen M. de Haan, die onlangs te Robben Eiland gestorven was. De Koloniale Secretaris, de omstandigheden in verband met het geval opgehelderd hebbende, seide, dat al de documenten welke gevorderd waren in verband met dat estableissement, insluitende die omtrent het bedoeld geval, zouden worden gedrukt.

De heer Zilver vogel en Fairbairn werden toen aangekondigd als de overheersende van een boodschap van de Volksvergadering, overgaende, het Begrotings Ontwerp, als vervat in de supplementaire raming welke in beide Huizen gespoedt, en g'submitteerd was aan den Lieutenant-Gouverneur, die hetzelfde aan de Volksvergadering had terug gespoedt, en daaronder toegestemd, de goedkeuring van den Raad.

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