

(No. 69.)



1874.

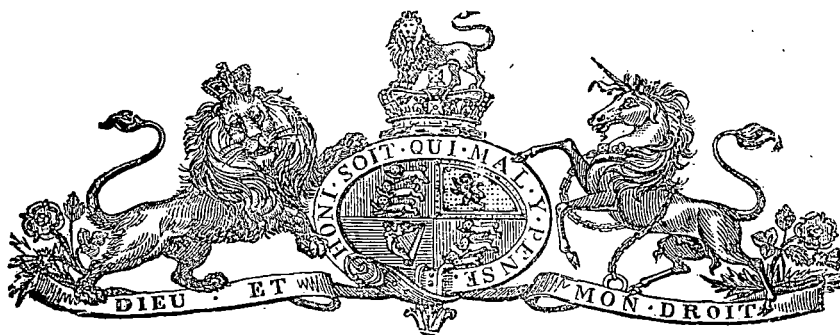
T A S M A N I A.

LEGISLATIVE COUNCIL.

STANDING RULES AND ORDERS.

REPORT OF THE COMMITTEE.

Presented by Mr. Whyte, and ordered by the Council to be printed,
September 11, 1874.



R E P O R T.

THE Select Committee appointed on the 12th August last, to revise the Standing Rules and Orders of this Council, have the honor to report that they have revised the Standing Rules and Orders; and they now submit them, as amended, for the consideration of the Council.

J. M. WILSON, *Chairman.*

September 11, 1874.

COMMITTEE ON STANDING ORDERS.

THURSDAY, AUGUST 27, 1874.

Present—The President, Mr. Whyte, Mr. Gellibrand, Mr. Scott.

The Committee met at 11 o'clock.

The President was appointed Chairman.

Draft of proposed Rules laid before the Committee by the Clerk.

The Committee deliberate.

Adjourn till Wednesday next, at 11 o'clock.

Adjourn at 11.50.

WEDNESDAY, SEPTEMBER 2, 1874.

No meeting.

THURSDAY, SEPTEMBER 3, 1874.

Present—The President, Mr. Gellibrand, Mr. Scott, Mr. Whyte.

The Committee met at 11.35 A.M.

Draft Rules considered.

Division I. agreed to.

Division II. postponed.

Division III. considered.

Adjourn till 11 o'clock to-morrow.

FRIDAY, SEPTEMBER 4, 1874.

The Committee met at 11-25.

Present—Sir J. M. Wilson, Mr. Whyte, Mr. Scott, Mr. Gellibrand.

Division III. further considered.

Rules 16 to 21 amended and agreed to.

Divisions IV. and V. agreed to with Amendments.

Adjourn till 11 o'clock on Saturday.

SATURDAY, SEPTEMBER 5, 1874.

The Committee met at 11 o'clock.

Present—Sir J. M. Wilson, Mr. Whyte, Mr. Gellibrand.

Divisions VI., VII., and VIII. agreed to with Amendments.

The Committee adjourned at 12 o'clock until 3 o'clock on Monday next.

MONDAY, SEPTEMBER 7, 1874.

The Committee met at 3 o'clock.

Present—The same Members.

Divisions IX., X., and XI. to No. 112 agreed to with Amendments.

The Committee adjourned till Tuesday at half-past 2 o'clock.

TUESDAY, SEPTEMBER 8, 1874.

The Committee met at 2-45 o'clock.

Present—The President, Mr. Gellibrand, Mr. Whyte, Mr. Scott.

Division XI., Amendments further considered and agreed to with Amendments.

Divisions XVII. to XXI. agreed to with Amendments.

The Committee adjourn at 3-35 until to-morrow at half-past 2 o'clock.

WEDNESDAY, SEPTEMBER 9, 1874.

The Committee met at 2-40 o'clock.

Present—The President, Mr. Gellibrand, Mr. Whyte, Mr. Scott.

Division XXII. to XXVIII. agreed to with Amendments.

The Committee adjourn at 3-40 until Friday, at half-past Two o'clock.

FRIDAY, SEPTEMBER 11, 1874.

The Committee met at 2-45 o'clock.

Present—The President, Mr. Gellibrand, Mr. Whyte.

Draft Report presented and agreed to.

Resolved, That Mr. Whyte do bring up the Report.

T A S M A N I A.



1874.

LEGISLATIVE COUNCIL.

ANNO TRICESIMO-OCTAVO

VICTORIÆ REGINÆ.

Standing Rules and Orders, and Forms
of Proceeding.

I. OPENING OF PARLIAMENT.

1. THE Council being met at the time and place appointed, the Governor's Proclamation shall be read by the Clerk.

2. At the opening of every Session of Parliament, The Lord's Prayer shall be offered up by the President before any business is proceeded with.

3. Before the Governor's Speech is reported to the Council by the President, some Bill shall be read a first time *pro forma*.

4. The President shall then report the Governor's (or Commissioners') Speech, which he shall read to the Council.

5. The Speech being read, a Motion for an Address to His Excellency the Governor in reply to the same shall be made and seconded.

6. The Resolution for presenting such Address being agreed to, with or without Amendments, a Select Committee shall be appointed to draw up the Address, and His Excellency's Speech shall be referred to the said Select Committee.

7. The Address, having been reported and agreed to, with or without Amendments, shall be ordered to be presented by the President, accompanied by the Mover and Seconder and so many of the Members as think proper to attend, at such time and place as the Governor may appoint.

II. ELECTION OF PRESIDENT.

8. When the Council proceeds to elect a President, a Member, addressing himself to the Clerk, (who, standing up, shall point to him, and then sit down), shall propose another Member then present to the Council for its President, and shall move that such Member "do take the Chair of this Council as President."

9. Such Motion, being seconded and supported, if no other Member be proposed as President, the Member so proposed shall be

called by the Council to the Chair without any Question being put.

10. The Member, on being called to the Chair, shall stand up in his place and express his sense of the honor proposed to be conferred upon him, and submit himself to the Council.

11. Being again unanimously called to the Chair, he shall be taken out of his place by the Members who proposed and seconded his election, and conducted to the Chair.

12. If two or more Members be proposed, a similar Motion shall be made and seconded in regard to each, and the Members so proposed shall severally submit themselves to the Council.

13. The Clerk shall then put the Question, that the Member first proposed "do take the Chair of the Council as President;" and if that Question be negatived, he shall then put the Question in regard to the next Candidate.

14. In the event of there being more than two Candidates for the Presidency, the votes shall be taken for each separately. The Candidate who has the smallest number of votes shall be withdrawn, and the votes shall be taken for the remaining Candidates separately; the Candidate who has the smallest number of votes being again withdrawn, and so on until the number of Candidates has been reduced to two. The Member then elected shall be conducted to the Chair. In the case of an equality of votes, the Member who has sat the shortest time in the Council shall be withdrawn. In computing the time for which a Member has sat, the whole period of his consecutive service as a Member of the Council shall be calculated, irrespective of any interruption caused by his retirement by effluxion of time and immediate re-election.

15. Having been conducted to the Chair, the President elect, standing on the upper step, shall return his humble acknowledgements to the Council for the great honor which it has been pleased to confer upon him, and thereupon sit down in the Chair.

16. The Election of the President shall be notified to the Governor by a Deputation of the Council. (18 Vict. No. 17, sect. 8.)

III. SITTING AND ADJOURNMENT OF THE
COUNCIL.

17. The time for the ordinary Meeting of the Council shall be Four o'clock.

18. If at the expiration of half an hour after Four o'clock, or any other time which may have been appointed for the Meeting of the Council, Seven Members, including the President, be not present, the President shall count the Council, and if there be not Seven Members then present, shall adjourn the Council, without a Question first put, until the next ordinary time of sitting.

19. At any time after the Council has proceeded to business, if it appear on notice being

taken by any Member, or on the Report by the Tellers of a division of the Council, or upon the Report of the Chairman of Committees of the whole Council, that Seven Members, including the President, are not present, the President shall adjourn the Council, without a question first put, until the next ordinary time of sitting.

20. The Division Bell shall be rung and kept ringing for two minutes before the President proceeds to count the House.

21. Except in the cases mentioned in Nos. 17 and 18, when the President adjourns the Council without putting any question, the Council can only be adjourned by its own Resolution.

IV. ATTENDANCE AND PLACES OF MEMBERS.

22. Every Member shall attend the service of the Council unless leave of absence be given to him by the Council.

23. Leave of absence may be given by the Council to any Member on account of his own illness, or of the illness or death of a near relation, or of urgent business, or for other sufficient cause to be stated to the Council.

24. A Member shall be excused from service in the Council, or on any Committee, so long as he has leave of absence.

25. Any Member having leave of absence shall forfeit the same by attending the service of the Council before the expiration of such leave.

26. When the Council is called over, the names of the Members shall be called by the Clerk in the order in which they stand on the Members' Roll. The names of all Members who do not answer when called shall be taken down by the Clerk and subsequently called over a second time, when those who answer, or afterwards attend in their places on the same day, may be excused.

27. Members not attending in their places on the same day, may be ordered to attend on a future day; when, unless they attend, or a reasonable excuse be offered for their absence, they shall be dealt with for their default, as the Council may think fit.

28. No order for a Call of the House shall be made for any earlier period than Seven days from the date of such order.

29. Notice of a Call of the Council shall be forwarded by the Clerk to each Member of the Council.

30. The Order for calling over the Council on a future day shall be set down as an Order of the Day for the day so appointed.

31. Every Member shall be uncovered when he enters or leaves the Council, or moves to any other part of it during a debate, and shall make

obedience to the Chair in passing to and from his seat.

32. No Member shall pass between the Chair and any Member who is speaking, or between the Chair and the Table.

33. Every Member of the Council when he comes into the Council shall take his place, and shall not stand in any of the passages or gangways.

34. No Member shall read any Newspaper, Book, or Letter in his place, unless when addressing the Chair, or for purposes relating to the business of the Council.

35. A Member returned on a new Writ shall be introduced to the Council by two Members.

36. Members seated on Petition shall not be introduced.

V. ORDER AND CONDUCT OF BUSINESS.

37. In all cases not specially provided for by the Standing Rules and Orders of the Council, or by Sessional or other Orders, resort shall be had to the Rules, Forms, and Usages of the Commons House of the Imperial Parliament, which shall be followed so far as the same can apply to the Proceedings of the Council.

38. Whenever the Council shall be informed by the Clerk at the Table of the unavoidable absence of the President, the Chairman of Committees, so long as the President shall be absent, shall perform the duties and exercise the authority of President in relation to all Proceedings of the Council as Deputy-President, but shall give place to the President on his arrival; provided that if the Council shall adjourn for more than twenty-four hours, the Deputy-President shall continue to perform the duties and exercise the authority of President for Twenty-four hours only after such adjournment.

39. The Council shall proceed each day with—

1. Petitions.
2. Notices of Motion.
3. Motions and Orders of the Day,

in the order in which they are set down in the Notice Paper, unless it shall be otherwise ordered by the Council.

40. On days fixed for the consideration of Government Business, matters relating thereto shall take precedence of all other business.

VI. PETITIONS.

41. Petitions shall not be presented after the Council has proceeded to the Notices of Motion or Orders of the Day unless they relate to any Order of the Day, or to the subject matter of any Motion appointed for consideration, in which case they may be presented when such Order of the Day is read, or such Motion called on.

42. Every Member presenting a Petition shall sign his name at the beginning thereof.

43. Every Petition must contain a prayer.

44. Every Petition must be signed by at least one person on the skin or sheet on which the Petition is written or printed:

45. Every Petition must be fairly written, printed, or lithographed, and in the English language.

46. Every Petition must be signed by the parties whose names are appended thereto by their signatures or marks and by no one else, except in case of incapacity by sickness or otherwise.

47. The signatures must be written upon the Petition itself, and not pasted upon it or otherwise transferred thereto.

48. Petitions of Corporations aggregate must be under their Common Seal.

49. A Petition signed by the Chairman of a Public Meeting on behalf of such Meeting shall be received as the Petition of the person signing it only.

50. No letters, affidavits, or other documents may be attached to any Petition unless such Petition relates to a Private Bill.

51. No reference may be made in a Petition to any Debate in Parliament, or to any intended Motion if merely announced in Debate.

52. No application may be made by a Petition for any grants of Public Money, or for compounding any Debts due to the Crown, or for the remission of Duties or other charges payable by any person, unless it be recommended by the Crown.

53. Petitions praying that provision may be made for the compensation of the Petitioners for losses contingent upon the passing of Bills pending may be received.

54. Every Petition must be respectful, decorous, and temperate in its language, and free from any disrespectful reference to the Sovereign or the Governor, or offensive imputations upon the character or conduct of either House of Parliament, or the Courts of Justice, or other tribunal or constituted authority.

55. Every Member presenting a Petition shall acquaint himself previously with its contents, and shall take care that they are in conformity to the Rules and Orders of the Council.

56. Every Member presenting a Petition (not being one relating to a Private Bill) shall state merely from what party it comes,—how many signatures are attached to it,—what are its material allegations,—and what is its prayer.

57. Petitions shall be presented to the Council only by a Member.

58. A Member shall not present a Petition from himself.

59. When a Petition is presented, it shall be read by the Clerk at the Table without a Question first put; after which a Question shall be put, "that the Petition be received;" but no other Question relating to such Petition shall be then entertained.

60. In the case of a Petition complaining of some present personal grievance for which there may be an urgent necessity for providing an immediate remedy, the matter contained in such Petition may be taken into consideration on presentation thereof.

61. Subject to the foregoing Regulations, Petitions against any Resolution or Bill imposing a Tax or Duty for the service of the current year may be received.

62. A Motion for the printing of a Petition shall not be made except in accordance with notice previously given.

VII. NOTICES OF MOTION.

63. Every Member giving Notice of a Motion shall deliver to the Clerk at the Table a copy of such Motion, fairly written or printed, together with his name and the day on which he proposes to bring it forward.

64. A Member may give Notice of Motion for any other Member.

65. Every Notice of Motion shall be printed and circulated with the Votes and Proceedings.

66. Any Notice containing unbecoming expressions will be liable to be expunged from the Notice Paper.

67. After a Notice of Motion has been given, the terms thereof, or the day for bringing it on, may be altered by the Member on delivering at the Table an amended Notice.

68. No discussion shall take place on a Notice of Motion except with reference to the day on which the Motion shall be made.

69. A Notice of Motion, having been given for a certain day, may be postponed to a later, but shall not be brought on on an earlier day.

70. No Notice of Motion shall be received after the Council has proceeded to the Orders of the Day, unless with the leave of the Council.

71. A Notice of Motion may not be given for the same day.

72. Notices of Motion shall be set down on the Notice Paper in the order in which they shall have been given, subject to Rule 39.

73. Notices of Motion which have dropped by the adjournment of the Council shall be set down in the Notice Paper for the next sitting day after the other Notices for that day.

74. A Notice of Motion which has lapsed by the absence of a Member when his name is

called shall be removed from the Notice Paper, but may be restored by the Notice being renewed.

75. No Member shall make any Motion, initiating a subject for discussion, except in pursuance of Notice.

VIII. MOTIONS.

76. Motions for the printing or consideration of Papers (except Petitions) may be made on the presentation of such Papers, without notice.

77. Motions shall take precedence of Orders of the Day, (except on those days on which Government business has precedence), and be moved in the order in which they stand on the Notice Paper.

78. An urgent Motion, directly concerning the privileges of the Council, may be made without notice, and shall have precedence of all other Motions, as well as of Orders of the Day.

79. Motions affecting the privileges of the Council, when not at once disposed of, but appointed for consideration on a future day, shall stand first on the Notice Paper for that day.

80. A Motion may be made by leave of the Council without Notice; provided that no Member objects thereto.

81. Any Motion not seconded (if not necessarily relating to an Order of the Day, or not being made in Committee of the whole Council) shall lapse, and no entry thereof shall be made in the Votes and Proceedings.

82. A Member who has made a Motion may withdraw the same by leave of the Council, such leave being granted without any negative voice.

83. A Motion which has been withdrawn by leave of the Council may be made again in the same Session.

84. A Motion shall not be withdrawn in the absence of the Member who made it.

85. When an Amendment has been proposed to a Question, the original Motion shall not be withdrawn until the Amendment has been withdrawn or negatived.

IX. ORDERS OF THE DAY.

86. An Order of the Day is a Bill or other matter which the Council has ordered to be taken into consideration, or done on a particular day.

87. The Orders of the Day shall be disposed of in the order in which they stand upon the Paper, the right being reserved to the Ministers of placing Government Orders at the head of the List, in the rotation in which they are to

be taken, on the days on which Government Business has precedence.

88. The President shall direct the Clerk to read the Orders of the Day, without any Question first put.

89. All Orders of the Day which may have dropped by the adjournment of the Council before they may have been called on, shall be set down on the Notice Paper after the Orders of the Day for the next day on which the Council may sit.

90. When an Order of the Day, having been read and proceeded with, is superseded by the adjournment of the Council before it is disposed of, it shall be removed from the Notice Paper but may be revived on a fresh Notice being given.

91. An Order of the Day may be moved without a Seconder.

X. QUESTIONS.

92. When a Motion has been made and seconded, a Question thereupon shall be proposed to the Council by the President.

93. If a Motion or Amendment be irregular, or out of Order, the Question thereupon shall not be put by the President.

94. A Debate being closed, the President shall put the Question to the Council; and if the same shall not be heard, shall again state it.

95. A Question being put, shall be resolved by the majority of voices—Aye or No.

96. The President shall state whether in his opinion the Ayes or Noes have it; but on the demand of any Member the Question shall be determined by a Division.

97. No Question or Amendment shall be proposed which is the same in substance as any Question which, during the same Session, has been resolved in the Affirmative or Negative.

98. The Council may order a complicated Question to be divided.

99. A Question may be superseded, 1. By the Adjournment of the Council either on the Motion of a Member, or by notice being taken and it appearing that Seven Members are not present; 2. By a Resolution of the Council to proceed to some other business; 3. By Amendments; 4. By the Previous Question, "That this Question be *now* put," being moved and negatived.

100. The Motion for Adjournment to supersede a Question shall be simply, "That the Council do now adjourn."

101. The Previous Question having been proposed, no Amendment of the Main Question shall be entertained unless the Previous Question has been withdrawn.

102. The Previous Question having been resolved in the affirmative, the Main Question shall be at once put, without Amendment or further Debate.

103. No Amendment shall be offered to the Previous Question, but such Question may be superseded by the Adjournment of the Council.

104. The Previous Question shall not be moved upon an Amendment, nor in a Committee of the whole Council.

105. A Debate upon the Previous Question may be adjourned.

106. A Motion for reading the Orders of the Day or passing to some other business having been made and negatived, a Motion for the Previous Question shall not be entertained.

107. Whenever the Previous Question shall be proposed upon any Question consisting of a series of Resolutions, which have been brought under discussion or debate as one Motion, with the understanding that the Question be put on such Resolutions *seriatim*, the decision of the Previous Question before putting the Question on the first of such Resolutions shall be conclusive, whether in the affirmative or negative, as regards the whole of such Resolutions.

108. A Member may put any Question of which Notice may have been given to a Minister of the Crown relating to public affairs; and to other Members relating to any Bill, Motion, or other public matter connected with the business of the Council in which such Members may be concerned.

109. In putting any such Question, no argument or opinion shall be offered, nor any fact stated, except so far as may be necessary to explain such Question.

110. In answering any such Question, a Member shall not debate the matter to which the Question refers.

XI. AMENDMENTS TO QUESTIONS.

111. A Question having been proposed, may be amended by leaving out certain words only; by leaving out certain words in order to insert or add other words; or by inserting or adding words.

112. An Amendment proposed but not seconded shall not be entertained by the Council nor entered in the Votes and Proceedings.

113. When the proposed Amendment is to leave out certain words, the President shall put a Question, "That the words proposed to be left out stand part of the Question," to be resolved by the Council in the Affirmative or Negative, as the case may be.

114. When the proposed Amendment is to leave out certain words in order to insert or add other words, the President shall put a Question, "That the words proposed to be left out stand

part of the Question;" which if resolved in the Affirmative will dispose of the Amendment; but if in the Negative, another Question shall be put, "That the words of the Amendment be inserted or added instead thereof," which will be resolved in the Affirmative or Negative, as the case may be.

115. When the proposed Amendment is to insert or add certain words, the President shall put a Question, "That such words be inserted or added;" which will be resolved in the Affirmative or Negative, as the case may be.

116. No Amendment may be proposed in any part of a Question after a later part has been amended, or has been proposed to be amended, unless such proposed Amendment has been by leave of the Council withdrawn.

117. No Amendment shall be made to any words which the Council has resolved shall stand part of a Question, except that of adding other words thereto. But such exception shall not apply to Questions relating to Bills.

118. A proposed Amendment may, by leave of the Council, be withdrawn.

119. When Amendments have been made, the main Question, as amended, shall be put.

120. When Amendments have been proposed but not made, the Question shall be put as originally proposed, unless other Amendments be again offered.

121. When several Amendments have been proposed to be made to a Question, they shall be put singly, in the order in which, if agreed to, they would stand in the amended Question.

122. When a Member has made a Motion to which an Amendment is moved, he shall not substitute another Motion until the Amendment to the original Motion has been withdrawn.

123. Amendments may be proposed to a proposed Amendment whenever it comes to a Question whether the Council shall agree to such proposed Amendment.

124. Where the original Amendment is either simply to insert, add, or omit words, an Amendment may at once be proposed to it, without reference to the Question itself, which will be dealt with when the Amendments have been disposed of.

125. An Amendment to a Question relating to an Order of the Day must be relevant to such Question.

126. No Amendment shall be moved to the Question, "That this Council do now adjourn."

127. The only Amendment which may be moved to the Question for adjourning the Council to a stated time, is that the Council do adjourn until some other day.

XII. RULES OF DEBATE.

128. By the special indulgence of the Council, a Member, unable conveniently to stand by reason of sickness or infirmity, may be permitted to speak sitting and uncovered.

129. No Member may speak to any Question after the same has been put by the President, and the Voices have been given in the Affirmative and Negative thereon.

130. When two or three Members rise to speak, the President shall call upon the Member who first rose in his place.

131. A Motion may be made that any Member who has risen "be now heard" or "do now speak."

132. A Member may speak to any Question before the Council, or upon a Question or Amendment to be proposed by himself, or upon a Question of Order arising out of the Debate, but not otherwise.

133. By the indulgence of the Council a Member may explain matters of a personal nature although there be no Question before the Council, but such matters may not be debated.

134. A Member who has spoken to a Question may be heard to explain himself in regard to some material part of his speech, but shall not introduce any new matter.

135. A Member shall speak twice to the same Question, except in explanation or in Committees of the whole Council.

136. A reply shall be allowed to a Member who has made a substantive Motion or moved an Order of the Day; but not to a Member who has moved an Amendment, an Instruction to a Committee, or the previous Question, or the adjournment of the Council, or the adjournment of the Debate to supersede a Question.

137. No Member shall interrupt another while addressing the Council, except for the purpose of making personal explanation.

138. Any Member may rise to speak to Order, or upon a matter of Privilege suddenly arising.

139. Upon a Question of Order being raised the Member called to Order shall resume his seat; and immediately after the Question of Order has been stated to the President by the Member rising to the Question of Order, the President shall give his opinion thereon without further discussion: but it shall be competent for any Member to take the sense of the Council after the President has given his opinion, and in that case any Member may address the Council upon the Question.

140. No Member shall allude, except in general terms, to any Debate of the Session upon a Question that has been disposed of by the Council during the same Session, except by the indulgence of the Council by way of personal explanation.

141. No Member shall read from a printed Newspaper or Book the report of any speech made in Parliament during the same Session.

142. No Member shall reflect upon any Vote of the Council except for the purpose of moving that such Vote be rescinded.

143. A Member shall not allude to any Debate in the other House of Parliament; but he may refer to the Reports of Committees or other printed papers of that House.

144. No Member shall use the name of Her Majesty or the Government irreverently in Debate, or for the purpose of influencing the Council in its deliberations.

145. No Member shall use offensive words against either House of Parliament; or against any Statute, unless for the purpose of moving for its repeal.

146. No Member shall refer to another by name.

147. No Member shall use unbecoming or offensive words in reference to any other Member of the Council.

148. No Member shall digress from the subject matter under discussion, or comment upon expressions used by any other Member in a previous Debate; and all imputations of improper motives, and all personal reflections, shall be deemed highly disorderly.

149. When any Member objects to words used in Debate, and stating them, desires them to be taken down; the President, if it appears to be the pleasure of the Council, shall direct them to be taken down by the Clerk accordingly.

150. In a Committee of the whole Council the Chairman, if it appears to be the pleasure of the Committee, will direct words objected to to be taken down in order that the same may be reported to the Council.

151. Every such objection shall be taken at the time when such words are used, and not after any other Member has spoken.

152. Any Member having used objectionable words and not explaining or retracting the same, or offering apologies for the use thereof to the satisfaction of the Council, shall be censured or otherwise dealt with as the Council may think fit.

153. Members shall not be permitted to prosecute any quarrel between Members arising out of Debates or Proceedings of the Council, or any Committee thereof.

154. No Member shall make any noise or disturbance whilst any Member is orderly debating, or whilst any Bill, Order, or other matter is being read or opened; and in case of such noise or disturbance the President shall call by name upon the Member making such disturbance, and every such Member will incur the displeasure and censure of the Council.

155. Order shall be maintained in the Council by the President; and in a Committee of the whole Council by the Chairman of such Committee; but if any disorder arise in Committee, the Chairman shall report the same to the Council.

156. Whenever the President rises to speak during a Debate, any Member then speaking or offering to speak shall sit down, and the President shall be heard without interruption.

157. Every Member against whom any charge has been made, having been heard in his place, shall withdraw while such charge is under deliberation.

158. A Debate may be adjourned to a later hour on the same day or to any other day.

159. An adjourned Debate on a Question relating to the privileges of the Council, shall stand first on the Notice Paper for the day of adjournment.

160. When a Debate is adjourned, no Member who has spoken to a Question may speak again to the same Question when the Debate is resumed.

161. A Member who has spoken to a Question may speak again to the Question of Adjournment, or to any other new Question which may arise.

162. A Member who has spoken only on the Question of Adjournment may speak subsequently on the main Question.

163. A Member who has spoken on the main Question may not again enter upon it when speaking to the Question of Adjournment.

164. A Member who has spoken may not move an Amendment, or the Adjournment of the Council, or the Adjournment of the Debate, or any similar matter, but he may speak on any such Motion when it is made by another Member.

165. A Member who has moved the Adjournment of the Council may not afterwards move the Adjournment of the Debate, or *vice versa*.

166. If a Motion for the Adjournment of the Council or of the Debate has been negatived, it shall not be proposed again until some other Question has intervened.

167. If a Debate on any Motion or Order of the Day be interrupted by the Council being counted out, such Debate may be resumed by Motion on Notice at the point where it was so interrupted.

168. The Debate upon a Question may also be interrupted,—1st. By a matter of privilege suddenly arising. 2nd. By words of heat between Members. 3rd. By a Question of Order. 4th. By a Message from the Governor. 5th. By an answer to an Address. 6th. By a Message from the Assembly. 7th. By the time being come for a Conference. 8th. By a Member appearing to be sworn. 9th. By a Motion for reading an Act of Parliament, an

entry in the Journal, or other public document, relevant to the Question before the Council.

169. No reference shall be made to any proceedings of a Committee of the whole Council, or of any Select Committee until the same have been reported to the Council.

XIII. DIVISIONS.

170. When a Division is called for, the sand-glass shall be turned, and the Division Bell rung and kept ringing for Two minutes before the Council proceeds to such Division.

171. Before any Division, Strangers shall withdraw from the body of the House, but may remain in the Gallery, unless otherwise ordered.

172. On every Division the Question shall be put, and the voices taken a second time, after the Bell has been rung, and the Members have taken their places.

173. The President shall then direct the Ayes to take their seats on the right, and the Noes on the left of the Chair; and shall appoint Tellers, one from each side, and shall declare which has the majority from lists of the Members handed to him by the Tellers.

174. In case of an equality of Votes the President shall give a Casting Vote, and shall state the reasons of his Vote, which shall be entered in the Journals of the Council.

175. An entry of the Division Lists shall be made in the Journals.

176. In case of confusion or error concerning the numbers reported by the Tellers, unless the same can be otherwise corrected, the Council will proceed to a second division.

177. If the Members shall at any time be found to have been inaccurately reported, the Council, on being informed thereof, will order the division list in the Journal to be corrected.

178. No Member shall vote in any Division unless he was present in the House when the Question was finally put, and the vote of any Member not so present, if given, shall be disallowed.

179. Every Member present in the House when the Question is finally put must vote.

180. A Division shall be called for only by a Member who has given his voice with the minority.

181. A Member, having given his voice with the Ayes or Noes as the case may be, shall not, on a Division being taken, be at liberty to vote with the opposite party; and should he do so, the President, on being informed thereof, shall order the Division List to be corrected.

182. Divisions shall be taken in Committee of the whole Council in the same manner as in the Council itself.

183. A Member shall not be entitled to vote, either in the Council or in Committee, on any Question in which he has a direct pecuniary interest, such interest being of an immediate and personal, and not merely of a general or remote description; and the vote of any Member so interested shall, in case it has been given, be disallowed: but any such Member shall not be precluded from proposing any Motion or Amendment relating to such Question.

184. A Member, when proposing a Question of Order for the decision of the President during a Division, shall remain sitting.

XIV. COMMITTEES OF THE WHOLE COUNCIL.

185. A Committee of the whole Council is appointed by a Resolution, "That this Council will resolve itself into a Committee of the whole Council."

186. When such a Resolution has been agreed to, or an Order of the Day read for the Council to resolve itself into Committee, the President shall put a Question, "That I do now leave the Chair?" which being agreed to, he shall leave the Chair accordingly.

187. Amendments may be moved to the Question for the President to leave the Chair by leaving out all the words after the word "That," in order to add the words "this Council will on this day Three months (or Six months, or any other time) resolve itself into the said Committee."

188. When a Bill or other matter has been partly considered in Committee, and the Chairman has been directed to report progress and ask leave to sit again, and the Council has ordered that the Committee shall sit again on a particular day, the President, when the order for the Committee has been read, shall forthwith leave the Chair without putting any Question, and the Council will thereupon resolve itself into such Committee.

189. So soon as the President leaves the Chair, the Chairman shall take the Chair of the Committee at the Table.

190. If any difference should arise in Committee concerning the Election of a Chairman, the President shall resume the Chair, and a Chairman shall be appointed by the Council.

191. The Committee shall consider such matters only as have been referred to them by the Council.

192. Every Question in Committee shall be decided by a majority of voices; and in case of an equality of voices the Chairman shall give his casting vote.

193. A Motion made in Committee need not be seconded.

194. No Motion for the Previous Question shall be made in Committee.

195. The same order in Debate, and the same proceedings in regard to Divisions, shall be observed as in the Council itself.

196. In Committee Members may speak more than once to the same Question.

197. If any sudden disorder should arise in Committee, or a Message from the House of Assembly or from His Excellency the Governor should be announced, the President shall resume the Chair without any Question being put.

198. If notice be taken, or it appear on a Division in Committee, that Seven Members including the Chairman are not present, the Chairman shall leave the Chair at the Table, and the President shall resume the Chair and count the House.

199. If there be Seven Members when the Council is counted by the President, the Council will again resolve itself into a Committee of the whole Council; but if the Council be thereupon adjourned for want of a Quorum, the Council may, on Motion on Notice, order the resumption of such Committee, and the Debate shall be resumed at, and all other proceedings restored to, the point at which they were interrupted.

200. After all the matters referred to the Committee have been considered, the Chairman shall be directed to report the same to the Council.

201. When all such matters have not been considered, the Chairman shall be directed to report progress and ask to sit again.

202. A Motion that the Chairman do now leave the Chair shall, if carried, supersede the proceedings of a Committee; but such proceedings may, by Motion on Notice, be revived by Order of the Council.

203. Every Report from a Committee of the whole Council shall be brought up without any Question being put.

204. A Resolution proposed in a Committee of the whole Council cannot be postponed, but must be withdrawn, amended, negatived, agreed to, or superseded.

205. A Committee of the whole Council cannot adjourn its own sittings, or any Debate in the Committee.

206. Resolutions reported from a Committee shall be read a first time throughout without a Question, and a second time one by one, a Question being put upon each, that it be agreed to; and may be agreed to or disagreed to by the Council, or agreed to with Amendments, or recommitted to the Committee, or the further consideration thereof may be postponed.

207. The proceedings in Committees of the whole Council shall be printed weekly, and be appended to the Journals of the Council.

XV. SELECT COMMITTEES.

208. It shall not be compulsory on the President to serve on any Select Committee.

209. No Select Committee shall consist of less than Three or more than Seven Members, unless the Council shall otherwise order.

210. Every Notice of Motion for the appointment of a Select Committee shall specify the Names of such Committee, the Mover being one.

211. If upon such Motion any one Member so require, the Committee shall be formed as follows:—Each Member shall give to the Clerk a List of the Members whom he desires to serve on such Committee, not exceeding the number proposed; and the Members who shall have the greatest number of votes, as reported by the Clerk, shall be declared by the President to be the Members of such Committee.

212. If any such List contain more than the proper number of Names, it shall be rejected; and if Two or more Members on any such List have an equality of Votes, the President shall determine which shall serve on the Committee.

213. If the Mover desires that the Committee shall be chosen by ballot, he may give Notice that he will move for a Committee of a certain number of Members to be chosen under Rule 210.

214. Every Member intending to move for the appointment of a Select Committee, shall endeavour to ascertain previously whether each Member proposed to be named by him on such Committee is willing to give his attendance thereupon.

215. Members may be afterwards discharged from attending a Select Committee, and other Members appointed after previous Notice given in the Votes and Proceedings.

216. Every Notice of Motion for discharging, adding, or substituting Members of a Select Committee shall contain the Names of such Committee, together with the Names of the Members to be discharged, added, or substituted.

217. Lists of the Members serving on such Select Committee shall be exhibited in some conspicuous place in the Lobby of the House.

218. In all Select Committees three shall form a quorum, unless otherwise especially ordered; and if at any time during the sittings of a Committee such quorum be not present, the Clerk of the Committee shall call the attention of the Chairman to the fact, who shall thereupon suspend the proceedings of the Committee until a quorum be present, or shall adjourn the Committee to a future day.

219. Members nominated to serve on Select Committees of the Council who shall neglect or refuse to attend such Committees shall be reported by the Chairman to the Council, which will thereupon deal with them for their default as it may think fit.

220. Every Select Committee, before proceeding to any other business, shall elect its own Chairman. In his absence the Members present shall elect another to act *pro tempore*.

221. The Chairman of a Select Committee shall vote only when the voices are equal.

222. Select Committees may meet for the dispatch of business on any day, except Sunday, during any adjournment of this Council which shall not exceed seven days.

223. Except by leave of the Council, no Select Committee shall sit during the sitting of the Council.

224. At the commencement of every Session a Select Committee on Printing shall be appointed; which Committee shall report which of the Petitions and Papers referred to them from time to time ought in their opinion to be printed.

225. A Select Committee may adjourn from time to time, and, by leave of the Council, from place to place.

226. Whenever it may be necessary, the Council will give a Committee power to send for Persons, Papers, and Records.

227. To every question asked of a Witness under examination, in the Proceedings of any Select Committee, there shall be prefixed in the Minutes of the Evidence the name of the Member asking such question.

228. The names of the Members present each day on the sitting of any Select Committee shall be entered on the Minutes of Evidence, or on the Minutes of the Proceedings of the Committee (as the case may be), and reported to the Council on the report of such Committee.

229. In the event of any Division taking place in any Select Committee, the Question proposed, the name of the proposer, and the respective Votes thereupon of each Member present, shall be entered on the Minutes of the Proceedings of the Committee, and reported to the Council on the Report of such Committee.

230. At the request of any Member, or in his own discretion, the Chairman of any Select Committee shall order the withdrawal of Strangers at any time.

231. Any Member of the Council shall be at liberty to be present at any Select Committee, but shall not be allowed to speak, or in any way interfere in the proceedings of the Committee, unless he be a Member thereof.

232. No Select Committee of the Council shall confer with a Select Committee of the Assembly without an Order of this Council made on Motion.

233. Before any such Order shall be made, a Messages shall be sent to the Assembly, with a request that leave may be given to the Select Committee of that House to confer with the Select Committee of the Council.

234. Every Select Committee of the Council directed to confer with any Select Committee of the Assembly may confer freely by word of mouth, unless this Council shall otherwise order.

235. The proceedings of every Conference between a Select Committee of the Council and a Select Committee of the Assembly shall be reported in writing to this Council by its own Committee.

236. Where the proposal for the appointment of a Joint Committee originates in the Council, a Motion shall be made that the Assembly be requested to agree thereto; which Motion shall state, in general terms, the object for which the Committee is desired, and the number of Members proposed to serve thereon.

237. If that Motion be carried, the same shall be communicated by Message to the Assembly, with a request that they will agree to the appointment of such Joint Committee: upon being informed of such agreement, the Council will appoint the Members to serve on such Committee.

238. The Council, where it agrees to the appointment of any Joint Committee proposed by the Assembly, will forthwith name the Members of the Council to serve on such Committee.

239. The Members of the Council to serve on any such Committee shall, in every case, be the same in number as those appointed by the Assembly.

240. When the proposal for the Committee originates in the Assembly, the time and place for holding the first Meeting shall be appointed by the Council; and when the proposal originates in the Council, the Council will agree that the first Meeting shall be held at a time and place appointed by the Assembly.

241. The presence of at least Three of the Members appointed by the Council to serve on a Joint Committee shall be necessary at every Meeting of such Committee.

242. The Chairman of every Joint Committee may be appointed by the majority of the Members present at any Meeting thereof.

243. When the Committee has concluded its Sittings, the Members of the Council serving thereon shall report in writing to this Council the proceedings of such Committee.

244. Every Report of a Select Committee shall be signed by the Chairman on behalf of the Committee.

245. By leave of the Council, a Committee may report its opinion or observations from time to time, or report the Minutes of Evidence only, or Proceedings from time to time.

246. The Evidence taken by any Select Committee of the Council, and Documents presented to such Committee, which have not been reported to the Council, shall not be published or referred to in the Council by Members of such Committee.

247. The Council may give leave to a Committee to sit and act during any adjournment of the Council, or any recess of Parliament.

XVI. INSTRUCTIONS TO COMMITTEES.

248. An Instruction shall empower a Committee of the whole Council to consider matters not otherwise referred to them.

249. All Committees of the whole Council to whom Bills may be committed shall have power, without any special Instruction, to make such Amendments therein as they shall think fit, provided such Amendments be relevant to the subject matter of the Bill; but if any such Amendments shall not be within the Title of the Bill, they shall amend the Title accordingly, and report the same specially to the Council.

250. No instruction shall be moved to empower a Committee to make provision for any matter in a Bill if they already have power to make such provision.

251. Before the first sitting of the Committee, an Instruction shall be proposed only as a distinct Motion after the Order of the Day for the Committee has been read, and before any Question has been proposed thereupon, and not as an Amendment to the Question, "That the President do now leave the Chair."

252. When after the first sitting of the Committee it is proposed to move a distinct Instruction, it shall be done before the Order of the Day for the Committee is read.

253. An Instruction to a Select Committee may extend or restrict the Order of reference.

XVII. WITNESSES.

254. Witnesses may be summoned, in order to be examined at the Bar of the Council, or before a Committee of the whole Council, or a Select Committee; the Summons being signed by the President or Chairman, as the case may be. (22 Vict. No. 17, sect. 2.)

255. When a Witness is examined by the Council at the Bar, all Questions addressed to him shall be put through the President.

256. In Committee of the whole Council any Member may put Questions directly to the Witness.

257. If any Question be objected to, or other matter arise, the Witness shall be ordered to withdraw while the same is under discussion.

258. When the attendance of a Member is desired, to be examined by the Council or a Committee of the whole, he shall be ordered to attend in his place for that purpose, and shall be there examined.

259. When the attendance of any Member or Officer of the Assembly is desired, to be ex-

amined by the Council or any Committee thereof, a Message shall be sent to the Assembly requesting that leave may be given to such Member or Officer to attend in order to his being examined accordingly upon the matters stated in such Message.

260. Witnesses, whether Members or any other persons, who shall disobey any Order of the Council, or of any Committee thereof duly authorised in that behalf, to attend, or to produce papers, books, records, or other documents, or shall refuse to be examined, or to answer any lawful and relevant question, are liable to be summarily punished by imprisonment for any time during the continuance of the Session. (22 Vict. No. 17, sect. 3.)

261. Every Select Committee shall have power to award payment to any professional or other Witnesses they may deem it necessary to summon, or for any professional or other assistance they may be authorised to employ in furtherance of the enquiry with which the Committee is charged; and the production of the Chairman's Certificate by any such Witness, with a copy of such award signed by the Clerk of the Council, shall entitle him to the President's written order to the Clerk for payment of such sum as may be therein stated to be due to him for the special service to be therein named; and such order, with the Chairman's Certificate, and the copy of the award thereto appended, shall be sufficient authority and discharge to the Clerk for making such payment out of any public moneys in his hands, or by the ordinary course of public payments through the Colonial Treasury; and every such award, with the sum awarded, the particulars of the service rendered, and the name of the party in whose favour made, shall be entered on the Minutes of the Proceedings of the Committee.

XVIII. MESSAGES FROM THE GOVERNOR.

262. Whenever a Message from the Governor is announced, the business before the Council shall be suspended, and the bearer of the Message be introduced.

263. The President shall immediately read the Message to the Council, and, if necessary, the Council shall fix a future day for taking, or forthwith take, the same into consideration.

XIX. MESSAGES BETWEEN THE TWO HOUSES.

264. Communications with the Assembly may be by Message, by Conference, by a Joint Committee, or by Select Committees conferring with each other.

265. Every Message from the Council to the Assembly shall be in writing, signed by the President, and entered upon the Journals, and delivered to the Speaker by Two or more Members named by the President.

266. Every Message from the Assembly to the Council, if conveyed by Members of that

House, shall be received by the President at the Bar, and the business before the Council shall be suspended. The President shall then read the Message to the Council; and, if necessary, the Council shall fix a future day for taking, or forthwith take, the same into consideration.

267. This Council will receive from the House of Assembly, in one Message, all Bills first communicated, all Bills returned without amendment, and all Bills with the amendments of the Council agreed to without amendment; a List of such Bills, with a statement of the Assent of the House of Assembly thereto, being delivered together with such Message and Bills.

XX. CONFERENCES.

268. Conferences desired by the Council with the House of Assembly, in which the differences that may arise between the two Houses upon Bills or other matters may be discussed, shall in all cases be requested by Message.

269. During any Conference between the two Houses the business of the Council shall be suspended.

270. Every Notice of Motion requesting any Conference between the Houses shall contain the names of the Members proposed by the Mover to be Managers of such Conference for the Council.

271. If upon such Motion any One Member shall so require, the Managers for the Council shall be selected in the same manner as the Members of a Select Committee.

272. In requesting any Conference, the Message from the Council shall state, in general terms, the object for which the Conference is desired, and the number of Managers proposed to serve thereon.

273. The Managers to represent the Council at any Conference required by the House of Assembly shall consist of the same number as those of the Assembly.

274. Conference is to be required by that House which, at the time of the Conference demanded, shall be possessed of the Bill, and not of the other House.

275. In cases in which the House of Assembly disagree to any Amendments made by the Council, or insist upon any Amendments to which the Council have disagreed, the Council are willing to receive in writing the reasons of the House of Assembly for their disagreeing or insisting (as the case may be) by Message, without a Conference, unless at any time the House of Assembly should desire to communicate the same at a Conference.

276. When a Conference is agreed to, such agreement shall be communicated by Message.

277. In respect of any Conference requested by the Assembly, the time and place for holding

the same shall be appointed by the Council; and when the Council requests a Conference, the Council will agree to its being held at such time and place as shall be appointed by the Assembly.

278. At all Conferences requested by the Assembly, the Managers for the Council shall assemble at the time and place appointed, and receive the Managers of the Assembly.

279. If either House should not insist upon its Amendments, or its disagreement to Amendments to any Bill, after a Conference, such Resolution shall be communicated by a Message.

280. The time for holding a Conference being come, the names of the Managers shall be called over, and they shall repair to the Conference Chamber.

281. At all Conferences, the Managers for this Council shall be at liberty to confer freely, by word of mouth, with the Managers for the Assembly.

282. In all cases of Conference, the Managers for the Council shall, when the Conference has terminated, return to this House and report their proceedings.

XXI. PUBLIC BILLS.

283. Every Public Bill initiated in the Council shall be introduced either by a Motion for leave to bring in a Bill, specifying the Title; by an Order of the Council on the Report of a Committee; or by the reading of a Statute, or Resolution, or other proceeding of the Council.

284. The Member having leave, or the Member appointed to bring in a Bill, shall prepare a Draft of such Bill, with the necessary blanks to be filled up in Committee of the whole House, and shall present a fair copy thereof to the Council.

285. Instructions may be given to such Member or Members to make further provisions in any such Bill before the same is brought in.

286. Any Bill which contains provisions not authorised by the Order of leave, or the Title of which does not correspond with the Order of leave, or which is not prepared in proper form, will be ordered to be withdrawn.

287. After a Bill has been presented and read the First time, no other than clerical alterations shall be made to it except in Committee.

288. No Clause or Provision shall be inserted in any Draft Bill foreign to the Title of the Bill.

289. Matters which have no proper relation to each other shall not be intermixed in one and the same Bill.

290. No perpetual clause shall be inserted in any Bill the main provisions of which are temporary.

291. The precise duration of every temporary Bill shall be expressed in a distinct clause at the end of the Bill.

292. On every reading of a Bill, the Title only shall be read.

293. On the first reading of every Bill, the Question "That this Bill be now read the First time" shall be decided, without amendment or debate.

294. Every Bill read a first time shall be printed with as little delay as possible, and a copy shall be provided for each Member by the Clerk.

295. After the first reading of a Bill, a future day, not sooner than three clear days after such first reading, shall be fixed, on Motion, for its second reading.

296. The Order of the Day being read, and a Motion being made, for the Second reading of a Bill, the Question shall be put, "That the Bill be *now* read the Second time."

297. Amendments may be moved to such Question, by leaving out the word "now" and at the end of the Question adding "Three months," "Six months," or any other time, or, that the Bill be rejected.

298. No Amendment may be moved to such Question, unless the same be strictly relevant to the Bill.

299. The Order for the second reading of a Bill having been read, may be discharged, and the Council may order the Bill to be withdrawn, and give leave for another Bill (if the Title be changed) to be *brought in*; or (if there be no change of Title) the Order of leave for bringing in the first Bill having been read, leave may be given to *present* another Bill instead thereof.

300. A Bill, having been read the second time, shall, either then or at a future time, be committed to a Committee of the whole Council; or it may be referred to a Select Committee.

301. Bills which may be appointed for consideration in the Committee on the same day, whether in progress or otherwise, may be referred together to a Committee of the whole Council, which may consider on the same day all the Bills so referred to it, without the Chairman leaving the Chair, on each separate Bill; provided that, with respect to any Bill not in progress, if any Member shall object to its consideration in Committee with other Bills, the Order of the Day for the Committee on such Bill shall be postponed.

302. When a Bill is under consideration in Committee, the marginal note only of each Clause shall be read; but, if a Member so require, any Clause shall be read at length.

303. The Chairman of Committees shall put a Question on each Clause of the Bill, "That the Clause as read stand part of the Bill."

304. Such Question being proposed, Amendments may be proposed to the Clause—

1. To leave out words.
2. To leave out words in order to add or insert other words instead thereof.
3. To add or insert words.

And such Amendments shall be dealt with as in the Council itself. (*Vide* Amendments.)

305. When a Clause has been amended, the Question shall be put, "That the Clause, as amended, stand part of the Bill."

306. Any Amendment may be made to a Clause or other part of a Bill, provided the same be relevant to the subject matter of the Bill, or pursuant to any Instruction, and be otherwise in conformity with the Rules and Orders of the Council; but if any Amendment shall not be within the Title of the Bill, the Committee shall amend the Title accordingly, and report the same specially to the Council.

307. Any Clause may be postponed, unless the same has already been considered and amended.

308. After all the Clauses and Schedules have been gone through, and new Clauses (if any) added, the Preamble shall be considered, and, if necessary, amended; and a Question shall be put, "That this be the Preamble of the Bill."

309. No Notice shall be taken of any Proceedings in a Committee of the whole Council, or a Select Committee on a Bill, until such Bill has been reported.

310. When all the parts of a Bill have not been considered, the Committee shall direct the Chairman to report progress, and ask leave to sit again.

311. The Bill having been fully considered, the Chairman shall be directed to report the Bill without Amendments, or to report the Bill with the Amendments, to the Council.

312. A Bill, being reported with or without Amendments, shall be ordered to be read the third time on a future day.

313. When Amendments have been made to a Bill, the same shall be received without debate, and a future day shall be appointed for taking the Bill, as amended, into consideration.

314. On consideration of the Bill as amended, further Amendments may be made to any part thereof, and new Clauses added; or the Bill may be recommitted.

315. When the amended Bill is under consideration, the Amendments made in Committee shall be read by the Clerk a first time throughout, and a second time (on Motion) one by one, a Question being put upon each, "That that Amendment be agreed to;" which Amendment may be agreed to, disagreed to, or amended.

316. A Clause or Schedule, being offered to be added in Committee, shall be read the first time without a Question put, and the second

time on Motion made and Question put: but no Clause or Schedule shall be offered on consideration of the Bill as amended, without notice.

317. A Clause or Schedule, proposed to be added in Committee, or on consideration of the Bill as amended, having been read the first and second time, the Question shall be put by the Chairman or President, "That this Clause (or Schedule), or this Clause as amended, be made part of the Bill."

(*For other Proceedings in Committee see also*
"Committees of the whole Council.")

318. Before the third reading, the Chairman of Committees shall certify in writing that the Bill as printed is in accordance with the Bill as reported, and the President shall announce that the Chairman has so certified.

319. No other than verbal Amendments shall be made to a Bill on the third reading; but the Order of the Day for the third reading may be discharged, and the Bill, in respect to the whole or any part, recommitted, when any Amendments, of which Notice has been given, may be made; but if Amendments be made, a future day shall be appointed for the third reading.

320. When Amendments have been made to a Bill on re-committal, the Bill as amended shall be taken into consideration on a future day.

321. The Order of the Day being read, and a Motion being made, for the third reading of a Bill, a Question shall be put, "That the Bill be now read the Third time," to which Amendments may be moved, as on the second reading.

322. After the third reading, a Question shall be put, "That this Bill do pass;" after which the Title of the Bill shall be read by the President, and a Question put, "That this be the Title of the Bill," which may be agreed to, or agreed to with Amendments.

323. The further proceedings on the third reading may be adjourned to a future day.

324. Clerical and typographical errors may be corrected in any part of a Bill by the Chairman of Committees before it is sent to the House of Assembly for its concurrence.

325. When a Bill is passed by the Council, the Clerk shall certify at the top of the first page the date of its passing; and the Bill shall be sent to the Assembly, with a Message requesting their concurrence therein.

326. When any Bill is returned to the Council with Amendments, such Amendments shall be considered in Committee of the whole Council.

327. When any such Amendments of the House of Assembly are disagreed to, a Committee shall be appointed to draw up Reasons to be assigned to the Assembly for such disagreement; or the consideration of the Amendments may be put off for Three or Six months, or any other time; or the Bill may be laid aside.

328. Public Bills coming to the Council for the first time from the House of Assembly may, on Motion, be forthwith read a first time, and shall afterwards be severally proceeded with in all respects as similar Bills presented in pursuance of Orders of this House; but the Clerk shall certify at the top of the first page of every such Bill as shall pass without Amendment, that "The Legislative Council has this day agreed to this Bill;" and at the top of every such Bill as shall pass with Amendments, that "The Legislative Council has this day agreed to this Bill with Amendments."

329. If any such Bill be amended, it shall be returned to the Assembly with the Amendments, and a Message requesting their concurrence therein.

330. In taking into consideration Amendments of the House of Assembly, the Council may not leave out or otherwise amend anything which it has itself already passed, unless such Amendment be immediately consequent upon the Amendments of the House of Assembly which have been agreed to, and are necessary for carrying them out.

331. The final passing by the Council of every Bill received from the Assembly shall be communicated to that House by Message.

332. When any Amendments proposed by the Governor to be made to a Bill, and communicated by His Excellency to the Council, have been agreed to, or agreed to with Amendments, they shall be transmitted to the House of Assembly with a Message requesting its concurrence therein.

333. All Bills, both Public and Private, which have passed both Houses of Legislature, shall be printed on vellum; and it shall be the duty of the Clerk of the Legislative Council to receive and keep such Bills until required by the President for presentation.

334. All Bills shall be presented to the Governor for Her Majesty's Assent by the President of the Legislative Council, except Bills for the Appropriation of any part of the Revenue.

335. Acts assented to on behalf of Her Majesty, and Bills reserved for the signification of Her Majesty's pleasure, shall be numbered by the Clerk of the Council immediately before the Title, in the order of such Assent or Reservation, with the date of such Assent or Reservation added next after the Title, commencing a new series of numbers with each year of Her Majesty's reign.

336. Every Act, after having been so assented to and numbered, shall, within Seven days after it has received the Royal Assent, be transmitted by such Clerk to the proper Officer, to be by him enrolled or otherwise dealt with according to Law. (21 Vict. No. 52.)

XXII. PRIVATE BILLS.

337. All Bills of a strictly private nature affecting individual interests, or for the establishment of commercial bodies for the sake of profit, shall be initiated by Petition as hereinafter directed.

338. No Private Bill shall be initiated in the Council except upon a Petition first presented, with a printed copy of the proposed Bill annexed; which Petition shall be signed by one or more of the parties applying, and shall state that the Bill does not involve the creation of any new Rate, Tax, or Impost.

339. Whenever a question arises upon the introduction of a Bill, whether such Bill be a Private or Public Bill, that question shall, upon Motion, be referred to a Select Committee, which Committee shall have power to report that such Bill is a strictly Private Bill; and ought to be dealt with as such; or to report that such Bill, though of a private nature, may be dealt with as a Public Bill; and upon confirmation of such report by the Council, the Bill shall be dealt with accordingly.

340. Notice of the intention to apply for every Private Bill shall be published once a week for two consecutive weeks in the *Gazette*; and in one or more public Newspapers published in Hobart Town and in Launceston; which Notice shall contain a true statement of the general objects of the Bill, and what private interests will generally be affected by such Bill.

341. Every such Petition shall state in the commencement that such Notice has been so given, and shall contain a copy thereof; and the production of the numbers of such *Gazette* and Newspapers respectively, to be filed with the Clerk of the Council, shall be sufficient proof of the giving of such Notice.

342. When such Petition has been received; and the requisite publications proved, Notice of Motion for leave to bring in the Bill may be given as in the case of Public Bills.

343. When leave to bring in the Bill has been obtained, and before it be read a first time, a sufficient number of copies, printed in the same form as a Public Bill, at the expense of the parties applying, shall be delivered to the Clerk for the use of the Council.

344. Before any Private Bill initiated in this Council shall be read a first time, the sum of Twenty Pounds shall be paid into the hands of the Colonial Treasurer, to meet the expenses attendant on such Bill; and a Certificate of that sum having been paid, to be filed with the Clerk, shall be produced by the Member having charge of the Bill.

345. Every Private Bill shall contain a Preamble reciting the circumstances on which the Bill is founded, and the matters in reference to or by reason of which the legislation sought for has become necessary.

346. When the Bill has been read a first time, it shall be referred to a Select Committee

to be appointed in the usual manner upon Notice, which Committee shall require proof of the allegations contained in the Preamble.

347. If it shall appear to such Committee that the Notice given in conformity with these Orders is insufficient, the Committee may direct any further Notice which the justice of the case shall require to be specially given before the Bill is reported on.

348. The Committee shall hear the parties in person, or by Counsel or Attorney if it be desired, and may take such oral or other evidence as they think requisite, and decide on all matters at issue between the persons proposing and opposing the Bill; after which the Question shall be put by the Chairman, "That this Preamble stand part of the Bill."

349. If the Committee be of opinion that the Preamble has not been proved, they shall report to that effect, which shall be fatal to the Bill; but if it be resolved that the Preamble stand part of the Bill, the several Clauses shall be proceeded with, and all Amendments, if any, carefully noted for Report to the Council, care being taken that no Clause be inserted or Amendment made foreign to the import of the Notice given.

350. Upon the Bill being brought up and reported by the Select Committee, it shall be proceeded with as in the case of Public Bills; a future day being appointed for the second reading.

351. Every private Bill sent up from the Assembly, if accompanied by a copy of the Report and Proceedings of the Select Committee of that House to which it shall have been referred, shall be dealt with in the same manner as a Public Bill, and shall not be referred to a Select Committee of this Council, unless on a Motion for such reference.

352. Private Bills shall be presented to the Governor for the Royal Assent, and otherwise dealt with, in every respect, as in the case of Public Bills, except that they shall not be numbered.

XXIII. ACCOUNTS AND PAPERS.

353. Accounts and Papers may be ordered to be laid before the Council.

354. When the Royal Prerogative is concerned in any Account or Paper, an Address shall be presented to the Governor, praying that His Excellency will be pleased to cause such Account or Paper to be laid before the Council.

355. Papers may also be presented pursuant to Act, or by command of His Excellency the Governor.

356. Accounts and other Papers required to be laid before the Council by any Act of Parliament, or by any Order of the Council, may be deposited in the Office of the Clerk of the Council, to be by him laid upon the Table.

357. All Orders for Papers made by the Council shall be communicated to the Colonial Secretary by the Clerk.

358. The Clerk of the Council shall transmit to the Clerk of the House of Assembly a sufficient number of all Papers printed by order of the Council for distribution to the Members of the House of Assembly.

359. The custody of the Minutes and Records, and of all Papers and Accounts whatsoever, presented to the Council shall be in the Clerk, who shall neither take nor permit to be taken any of such Minutes, Records, or Accounts from the Chamber or Offices without the express leave of the Council.

360. If it be desired that any Paper in the possession of the House of Assembly may be laid before the Council, a Message shall be ordered to be sent to the Assembly requesting that such Paper (or a copy thereof) may be communicated to the Council.

XXIV. MISCELLANEOUS.

361. The Council may, on Motion of a Member, order any Order or Resolution of the Council, or any Statute, or other similar matter, to be read.

362. A Resolution or other Vote of the Council may be read and rescinded; but not on the same day as that on which it was passed.

363. An Order of the Council may be read and discharged.

364. The printed Votes and Proceedings of the Council shall constitute and be taken to be also the Journals of the Council.

XXV. STRANGERS.

365. The President only shall have the privilege of admitting Strangers to the Body of the Council Chamber; but every Member may admit Three Strangers each day, by Order under his hand, to the Gallery.

366. At the request of any Member, or in his own discretion at any time, the President shall order all or any Strangers to withdraw, and they shall immediately withdraw accordingly.

XXVI. CONTEMPT.

367. Any Member who shall wilfully disobey any Order of this Council, or who shall vexatiously interrupt the orderly conduct of its business, shall be held guilty of Contempt.

368. Any Member adjudged by the Council to be guilty of Contempt shall be fined at the

discretion of the House in a penalty not exceeding Twenty Pounds; and in default of immediate payment, be committed by order of the President, for a period not exceeding Fourteen Days, to the custody of the Usher of the Black Rod, who shall detain the Member in custody for the period directed, unless sooner discharged by order of the Council, or the Fine be sooner paid; or, in lieu of a Fine, he may at once be so committed for any period, not extending beyond the duration of the Session, which the Council may appoint; but in either case he shall pay a Fee of Two Pounds to the Usher of the Black Rod for every day he shall have been so detained. (*Vide* 22 Vict. No. 17.)

369. In case of complaint made by any Member of the Legislative Council, whereupon any person shall be taken into custody for any offence mentioned in the 3rd Section of the "Act to confer certain Powers and Privileges on the Houses of the Parliament of Tasmania," if the Council shall adjudge that there is no ground for such complaint, the Member who made the Complaint shall pay the fees and expenses of the

person so taken into custody, which fees and expenses shall be settled and allowed by the President.

XXVII. SUSPENSION OF ORDERS.

370. In cases of pressing necessity, any Sessional or Standing Order may be suspended by leave of the Council; but no Motion for that purpose shall be made without due Notice, except on grounds of extreme urgency.

XXVIII. PROTEST.

371. Members shall have a right to protest or enter their dissent, either with or without reasons, to any Votes of the Council without asking leave of the Council, provided they deliver such Protest or Dissent in writing to the Clerk of the Council before the hour of Four o'clock on the next sitting day; and such Protest or Dissent shall be entered on the Votes and Proceedings of the Council.