

(No. 135.)



1891.

PARLIAMENT OF TASMANIA.

MINING LAWS AND REGULATIONS :

REPORT OF SELECT COMMITTEE, WITH MINUTES OF
PROCEEDINGS, EVIDENCE, AND APPENDICES.

Brought up by Mr. Conway, and ordered by the House of Assembly to be printed,
October 8, 1891.



SELECT COMMITTEE appointed, on the 24th July, 1891, to enquire into and report on the working of Mining Laws and Regulations; with power to call for Persons and Papers.

MEMBERS OF THE COMMITTEE.

MR. LEWIS.
MR. PILLINGER.
MR. MACKENZIE.
MR. S. J. SUTTON.

MR. SIDEBOTTOM.
MR. DAVIES.
MR. CONWAY. (*Mover.*)

DAYS OF MEETING.

Wednesday, July 29; Friday, July 31; Friday, August 4; Thursday, August 6; Thursday, August 13; Wednesday, August 19; Friday, September 4; Wednesday, September 9; Wednesday, September 16; Thursday, September 24; Wednesday, October 7.

WITNESSES EXAMINED.

Mr. W. S. Targett, Mr. R. Evans, Mr. R. Tremain, Mr. H. Nickolls, Mr. H. L. Crowther, Mr. R. Provis, Mr. J. M'Murray, Mr. F. Belstead, Mr. D. C. Urquhart, Mr. C. E. Hogg, Mr. S. Hawkes, Mr. N. J. Brown, Mr. E. Mulcahy, Mr. J. S. Goodall, Mr. W. M'Loughlin, Mr. E. Jacobs, Mr. E. Mace, Mr. E. A. Counsel.

MINUTES OF PROCEEDINGS.

WEDNESDAY, JULY 29, 1891.

Present.—Mr. Mackenzie, Mr. Sidebottom, Mr. S. J. Sutton, Mr. Lewis, Mr. Davies.

Mr. Conway was unanimously voted to the Chair.

The Committee Clerk was instructed to obtain copies of Mining Laws and Regulations from Victoria, South Australia, Queensland, and Tasmania,—application to be made by cablegram.

Ordered, That Mr. W. S. Targett, Auctioneer, be summoned to attend and give evidence before the Committee on Friday, the 31st instant, at 11.30 A.M.

The Committee adjourned at 11.40 A.M., till 11.30 A.M. on Friday, the 31st instant.

FRIDAY JULY 31, 1891.

The Committee met at 10 A.M.

Present.—Mr. Mackenzie, Mr. S. J. Sutton, Mr. Lewis, Mr. Sidebottom, and Mr. Conway (Chairman.)

The Minutes of the last Meeting were read and confirmed.

Mr. W. S. Targett was called in and examined.

Mr. Targett withdrew.

Ordered, That Mr. R. Evans be summoned to attend and give evidence before the Committee at 10 A.M. on Tuesday, the 4th proximo.

The Committee adjourned at 11 A.M. till 10 A.M. on Tuesday, the 4th proximo.

TUESDAY, AUGUST 4, 1891.

The Committee met at 10 A.M.

Present.—Mr. S. J. Sutton, Mr. Mackenzie, Mr. Conway (Chairman.)

The Minutes of the last Meeting were read and confirmed.

The Chairman laid upon the Table—

1. Letter from Inspector of Mines, Adelaide, enclosing the Gold Mining Act and Regulations, and Mineral Regulations of that Colony.
2. Letter from Secretary for Mines, Melbourne, enclosing the Mines Act, 1890, Mining Laws, Regulations, and Water-right Regulations for that Colony.
3. Tasmanian Mining Laws and Regulations.

Mr. Robert Evans, Mine Manager, was called in and examined.

Mr. Evans withdrew.

Ordered, That the following witnesses be summoned to attend and give evidence before the Committee at 10 A.M.:—H. Nickolls, Legal Manager, at 10 A.M.; Robert Tremayne, 10.30 A.M.; Robert Maclean, 10 A.M.

At 11.30 A.M. the Committee adjourned until 10 A.M. on Thursday, the 6th instant.

THURSDAY, AUGUST 6, 1891.

Present.—Mr. Lewis, Mr. Minister of Lands, Mr. Conway, and Mr. Davies (Chairman.)

The Minutes of the last Meeting were read and confirmed.

Mr. Robert Tremain, Mining Manager, was called in and examined.

There being no quorum, the attention of the Chairman being called thereto, the examination was discontinued.

Mr. Davies having taken his seat, the examination of the witness was continued.

Mr. Tremain withdrew.

Mr. H. Nickolls was called in and examined.

Mr. Nickolls withdrew.

The Committee adjourned at 11.20 until 10 A.M. on Thursday, the 13th instant.

THURSDAY, AUGUST 13, 1891.

The Committee met at 10 A.M.

Present.—Mr. Mackenzie, Mr. S. J. Sutton, Mr. N. E. Lewis, Mr. Conway (Chairman.)

The Minutes of the last Meeting were read and confirmed.

The Chairman laid on the Table the Mining Laws and Regulations of the Colony of Tasmania.

Mr. Henry Crowther, Commissioner of Gold Fields, was called in and examined.

Mr. Crowther withdrew.

Mr. Richard Provis, Mining Manager, was called in and examined.

Mr. Provis withdrew.

Mr. James M'Murray was called in and examined.

Mr. M'Murray withdrew.

Mr. Davies laid upon the Table a series of Resolutions passed at a Meeting held at Lower Junction, Gould's Country, on the 10th August.—*Vide* Appendix A.

Resolved, That the Speaker be asked to attend and give evidence before the Committee at a period convenient to himself.

Resolved, That the following witnesses be summoned to attend and give evidence before the Committee at a date to be hereafter determined:—Mr. F. Belstead, Mr. Counsel.

Resolved, That Mr. S. Hawkes, M.H.A., be requested to attend and give evidence before the Committee.

The Committee adjourned at 12.40 P.M., until a date to be fixed hereafter by the Chairman.

The Secretary was directed to write to the Secretaries of the Amalgamated Mining Associations at Zeehan Lefroy, and Beaconsfield, asking them for any suggestion which would aid the Committee in its inquiry.

WEDNESDAY, AUGUST 19, 1891.

The Committee met at 10 A.M.

Present.—Mr. S. J. Sutton, Mr. Mackenzie, and Mr. Conway (Chairman), and Mr. Lewis.

The Minutes of the last Meeting were read and confirmed.

Mr. Francis Belstead, Secretary of the Mines Department, was called in and examined.

Mr. Belstead withdrew.

Mr. Donald Campbell Urquhart, Zeehan, was called in and examined.

Mr. Urquhart withdrew.

Mr. Charles Edward Hogg, Civil Engineer, was called in and examined.

Mr. Hogg withdrew.

The Committee adjourned at 12.24 until 10.30 A.M. on Thursday, the 20th instant.

THURSDAY, AUGUST 20, 1891.

No quorum.

WEDNESDAY, AUGUST 26, 1891.

The Committee met at 11:30 A.M.

Present.—Mr. S. J. Sutton, Mr. Davies, Mr. Mackenzie, Mr. Conway (Chairman).

The Minutes of the last Meeting were read and confirmed.

Mr. Edward Mulcahy, M.H.A., attended and gave evidence before the Committee.

Mr. Mulcahy withdrew.

The Committee adjourned until a date to be hereafter determined by the Chairman.

FRIDAY, SEPTEMBER 4, 1891.

The Committee met at 10:30 P.M.

Present.—Mr. Sidebottom, Mr. S. J. Sutton, Mr. Mackenzie, and Mr. Lewis (Chairman).

The Minutes of the last Meeting were read and confirmed.

Mr. Edwin Jacobs, Accountant, was called in and examined.

Mr. Jacobs withdrew.

Mr. Edward Mace, Legal Manager, was called in and examined.

Mr. Mace withdrew.

Mr. Lewis read a telegram from Mr. Conway, in which that gentleman requested him to take charge of the Committee during his unavoidable absence through illness.

Mr. Lewis was voted to the Chair.

The Committee adjourned at 12:30 P.M. until 10:30 A.M. on Wednesday next.

WEDNESDAY, SEPTEMBER 9, 1891.

The Committee met at 10:30 A.M.

Present.—Mr. Lewis, Mr. Sutton, and Mr. Conway (Chairman).

The Minutes of the last Meeting were read and confirmed.

The Chairman laid a letter from Mr. R. W. Powell, Manager of the Oceana Silver Mining Company, enclosing a copy of the Bill with suggested amendments, upon the Table.

Mr. E. A. Counsel, Deputy Surveyor-General, was called in and examined.

Mr. Counsel withdrew.

The Committee adjourned at 11:10 A.M. until 10:30 A.M. Wednesday, 16th instant.

WEDNESDAY, SEPTEMBER 16, 1891.

The Committee met at 10:30 A.M.

Present.—Mr. Lewis, Mr. S. J. Sutton, Mr. Mackenzie, Mr. Conway (Chairman).

The Minutes of the last Meeting were read and agreed to.

The Chairman tabled a letter from Mr. E. Jacobs, supplementing his evidence given on the 4th instant, (Appendix B.)

The Committee having deliberated, resolved that the following Progress Report be presented to the House:—

Your Committee have the honor to report to your Honourable House—

1. That they have made diligent enquiry into the matters submitted to them.
2. That, knowing that the Regulation of Mines Bill (No. 30) would engage the attention of your Honourable House before the said enquiry could be finally completed, they decided to deal with the said Bill, and now report their suggestions thereon, as follows:—

(a.) That Clause 5 be amended by affixing the words "nor shall any person be eligible for such appointment unless he holds a certificate of competency in all matters under his jurisdiction."

(b.) Clause 11, by inserting the words "electric or" after the word "of" in line 38.

(c.) Clause 14, by striking out the word "Three" and inserting "Six" in lieu thereof.

(d.) Clause 19, by striking out the words "No drill-hole shall be bored within a distance of Three feet directly below or within One foot in any other direction from the site of a previously exploded charge of any nitro-glycerine compound."

(e.) Clause 19, General Rules, sub-section 22, by making it arbitrary that the appliances mentioned should be available, but that their use should be optional, with those interested; in sub-section 39, line 30, by striking out the word "Twenty" and inserting "Ten" in lieu thereof.

(f.) Clause 25, by inserting the word "practical" after the word "be" in line 45.

3. That your Committee trust to place the full result of their deliberations before your Honourable House at an early date.

HARRY CONWAY, *Chairman.*

Committee Room, 16th September, 1891.

At 12:10 P.M. the Committee adjourned to a date to be hereafter determined by the Chairman.

THURSDAY, SEPTEMBER 24, 1891.

The Committee met at 11 A.M.

Present—Mr. Sidebottom, Mr. Mackenzie, Mr. S. J. Sutton, Mr. Conway.

Resolved, That the Report be taken into consideration on Wednesday next, and that special notice thereof be given to the Committee.

The Committee adjourned at 11:15 A.M. until Wednesday, the 30th instant.

WEDNESDAY, OCTOBER 7, 1891.

The Committee met at 3 P.M.

Present—Mr. Sidebottom, Mr. Mackenzie, Mr. S. J. Sutton, Mr. Lewis, and Mr. Conway (Chairman.)

The Minutes of the last Meeting were read and confirmed.

The Draft report was tabled, read paragraph by paragraph, and agreed to.

Resolved, That the Chairman be directed to present the Report to the House at its next meeting.

The Chairman adjourned *sine die*.

R E P O R T.

YOUR Committee have the honor to report to your Honorable House that they have concluded their inquiries into the matters submitted to them for investigation, and all available evidence, oral and documentary, bearing thereon having been obtained and duly weighed, have the honor to submit the following suggestions to your favourable consideration :—

1. That your Committee have had under its consideration and taken evidence upon two matters which have been already dealt with by the House, viz., the Residence Areas and the Regulation of Mines. With regard to the latter, the Committee have already had the honor to submit to the House a Progress Report ; and with regard to the former, the Members of the Committee have in their places in the House suggested such amendments as seemed desirable in the light of the evidence adduced. The scale of survey fees, about which much evidence was taken, has been recently revised by the Mines Department, and the revised scale meets with the approval of the Committee, who consider that all that is at present required in that direction has been effected.
2. That, in view of the growing importance of the mining interests in this Colony, the Committee consider that steps will have to be taken in the near future for the appointment of a Minister of Mines, who would have the sole control of all matters appertaining to Gold Fields and Mineral Lands and to Mining Companies.
3. That, for the purpose of providing a better and more systematic inspection of mines than now exists, the Colony be divided into three Districts,—the North-Eastern (to include the Midland and Southern portions of the Colony), the North-Western, and the Western ; and that a District Inspector be appointed for each.
4. That the qualifications of an Inspector should include a thorough knowledge of practical mining in all its branches. He should hold no interest in any mine in his District ; and that until such time as a School of Mines or other similar institution be established in Tasmania, an examination or other test of a similar nature should be prescribed to prove the competency and fitness of applicants to hold the position.
5. That, with regard to the right to the timber growing on mining leases, which is surrounded by many difficulties, the Committee recommend that within the first twelve months after the granting of the lease the lessee should be allowed to mark all timber growing upon the section which may be required for mining purposes or the domestic purposes of those engaged upon the mine, and that the remainder should be available for the domestic purposes of other residents in the district. The lessees should be prohibited from selling the timber, but should be allowed from time to time to mark any growing timber that may be likely to be required by him at a future time for mining or domestic purposes. In the event of any differences arising as to the right to the timber, or as to amount marked, such differences be referred to the Commissioner of Mines or Conservator of Forests.
6. That notices of applications for leases posted on claims should be of metal at least one foot square, numbered, registered, and obtainable at the Office of the Registrar in any District, or at any Post Office, upon the payment of a small fee. In the event of a notice being posted in the first instance upon any other form it should be replaced within fourteen days by a metal notice. The applicant should also blaze lines to the cardinal points the full length and breadth of his section. It is desirable for the protection of the applicant that within seven days he should take two witnesses and point out to them the position of his notice.
7. That, in order to put a stop to the dual control with regard to the surveys of land for mining purposes, and the conflict between the Mines Office and the Survey Department which is likely to arise in consequence of such dual control, it is desirable that a Survey Branch be organised in connection with the Mines Office, and that such branch should have entire control over the surveys made in Mining Districts.
8. That after the receipt of an application for a gold mining lease upon land already leased for mineral purposes, the holder of the first lease should be notified that such application has been received, and he should be given one month in which to make an application for a gold mining lease, and if he make such application within the time specified then the gold mining lease should be granted to him accordingly and refused to the other party ; and so conversely with an application for a lease for mineral purposes of land already leased for gold mining.

9. It is desirable that Tramway Easements should only be granted by the Minister of Lands and Works for purely mining purposes in connection with the land held by the applicant, and not for the purpose of constructing tramways for the public conveyance of goods or passengers. The Minister should be allowed to exercise his discretion whether he will grant or refuse such easement, and, if in his opinion it is intended to use such easement for anything beyond the more convenient and advantageous working of the land occupied by the applicant, the question of granting such easement should be embodied in a Bill, and such Bill should be submitted to the decision of Parliament.
10. That the Secretary of Mines be requested to exercise the power vested in him by Sect. 40 of "The Mining Companies Act" (48 Vict. No. 15), and prescribe the form in which the books of accounts and half-yearly statements of all Mining Companies should be kept and prepared. The provision in the Act making it necessary for the directors of companies to serve the Secretary of Mines with a copy of the half-yearly statements should be strictly enforced, and upon such service the Secretary should submit them to a properly qualified official in his office, who will be required to certify that they are in the prescribed form, or remit them to the Legal Manager of the Company for amendment.
11. That it is desirable that steps should be taken to prescribe the qualifications for the office of Auditor of Mining Companies, and make regulations for the issue of certificates of competency, and only persons holding such certificates should be appointed to hold the office of Auditors. The appointment and removal of Auditors of every company should be notified to the Secretary of Mines in the same manner as provided for the appointment and removal of Legal Managers (48 Vict. No. 15.)
12. That a right of appeal to the full Court should be granted in all cases.
13. That provision should be made to compel the registration within one month of all transfers of shares in mining companies.
14. Several other amendments of "The Mining Companies Act" are desirable; and the Hon. the Attorney-General is requested to carefully peruse the evidence taken by the Committee with a view to bringing in an amending Bill at an early date.

The Residence Areas Bill and the Mining Regulation Bill, having already been the subjects of recent legislation in your Honorable House, have not been dealt with in this Report.

HARRY CONWAY, *Chairman.*

Committee Room, Wednesday, 7th October, 1891.



EVIDENCE.

FRIDAY, JULY 31, 1891.

WALTER SCOTT TARGETT *called and examined.*

1. *By the Chairman.*—What is your name? Walter Scott Targett.
2. You are a resident of Zeehan? Yes.
3. What is your opinion with reference to prospectors' licences?—do you think any alteration is required? No, I no not.
4. What is your opinion in regard to residential areas? I see no necessity for any amendment in that, except that once they are granted more haste should be made in giving titles. At the present time there is not a title for any place in Zeehan, with the exception of one or two places out on the Silver King; and there are some buildings of thousands of pounds value.
5. What is your opinion as to the present working of the mineral leases? They are considerably hampered in some directions, for instance, in the matter of residence areas. The miners are not allowed, even with the consent of the permit-holder, to mine upon them, and it is a very great hardship. They are not allowed to come within 50 feet of the surface, not even with the consent of the residents. On Mount Zeehan this puts them at a terrible disadvantage, as the crown of the hill on which Zeehan is built carries the main lode, as I have every opportunity of knowing. If the lessees had the right of entering upon that land and working to the surface, giving compensation for any damage done, it would enhance the value of that property one thousand-fold. The place is there to mine, and not for the comfort of people who follow the mines.
6. What is your opinion in regard to the resumption of land for residence or townships? Of course, in this matter private enterprise acts quickly, and Government Departments act slowly; and the town is generally marked off by the inhabitants long before the Government realise the necessity of marking it off at all. I think that as soon as there is any indication shown of an influx of population at a mining centre a surveyor should be immediately sent to lay out the town, even if it is only one street.
7. And you think that the law should be extended so as to allow miners to work to the surface of residence areas, upon paying compensation for damage done? Yes, or upon filling in again to the satisfaction of the owner. Of course, failing that, it would be left to arbitration. I think that the miners should have the right to go upon any residence area not actually built upon. If they were working under a building it would be competent for them to work the ore out, and yet not injure the building or interfere with the comfort of the people. As long as it did not interfere with the comfort or privacy of people on residence areas, I would not stop miners from taking every ounce of ore.
8. *By Mr. Mackenzie.*—In that case it would be wise to get the consent of the owner? Yes.
9. *By the Chairman.*—Would you allow them to mine within 50 feet of the surface of roads? Yes, the same privilege should be given, as long as it did not interfere with carriage or spoil the roads. On the Zeehan field the wealth in the first 50 feet is incalculable; and there is a lode right in the middle of the road in front of the Police Court.
10. *By Mr. Mackenzie.*—Lodes could be bridged over, supposing they came to the surface? Yes, or they could be worked out in sections.
11. *By the Chairman.*—How do you think the timber on leases ought to be regulated? That is a critical question. As soon as the residential area-holders get their licences they begin to chop and hack at once, and there is great friction at Zeehan about that matter. I do not see myself how it can very well be defined, but I think that once the permit is granted everything on the land should belong to the residence area-holder.
12. From the granting of the permit, the permit-holder from that day should have all the timber standing on the surface? Yes, certainly.
13. *By Mr. Sidebottom.*—Where are the miners to get wood from for mining purposes? There should be timber reserves for the purpose, as is done in the other colonies.
14. What size are the residence areas? Quarter of an acre.
15. *By the Chairman.*—What do you think the best means of dealing with the timber on leases as between the mining lease-holder and the residential area-holder? In practice the residential area-holder really gets the timber, because the moment he gets on to the land he begins to cut and chop. I would give him a title and let him have the right to do so. In the event of there being timber above a certain size, suitable for planking and so forth, I would be inclined to let the mining lease-holder have that, because such timber is limited in quantity, and it is of great consequence to have it close to his mine. He should have the option of removing it at once, because if it was left there it would be a menace to buildings.
16. What is your opinion in reference to the inspection of mines? The present system is entirely inefficient, and I foresee great trouble and danger to miners and workmen unless some adequate system of

supervision is instituted. In a treacherous country like Zeehan, unless some supervision is put over the miners there will surely be serious accidents. I have had a good deal of experience in mining, and I have seen mines most dangerously timbered, the supports being small and badly placed, and of such a character generally that an inspector would condemn them at once. Some of the tunnels are not timbered at all that ought to be, and the system of sinking shafts is altogether wrong. In New South Wales every shaft must have stages at every 30 feet, and manholes. I think a resident inspector should be appointed at once.

17. *By Mr. Mackenzie.*—There is one now? He is the Government Geologist, and how many times is he at Zeehan? There should be one resident inspector at Zeehan, and one at Dundas, Mount Read, and that part of the field.

18. *By the Chairman.*—Would you recommend the mining areas to be divided into districts and resident inspectors appointed? Yes.

19. Would the mining companies subscribe a fee for each inspection? No, I don't think so. I think it is entirely a Government matter.

20. *By Mr. Mackenzie.*—If a fine was imposed it would be to the interest of the mineowner to protect his men? I don't think a fine is sufficient, because there are many ignorant managers who blunder unconsciously. Prevention is what is wanted in this case, and the possibility of accident should be done away with.

21. *By the Chairman.*—Would you recommend a periodical inspection of mines? Most undoubtedly.

22. What should be the qualification of these inspectors? I would wish them to be practical miners, with some knowledge of the higher branches of their profession. It would be better to get an engineer; but there are working miners whose opinions could be trusted.

23. *By Mr. Mackenzie.*—The fact of a man being a geologist would not make him competent as a mining inspector? No.

24. *By the Chairman.*—What is your opinion as to the question of survey of blocks and applications for survey? I think that priority of application cannot at all times be recognised, because a surveyor told to survey in the order of application would be perhaps one day in one place and the next day 20 miles away from it. In certain defined areas I think that priority of application should be attended to. Special provision has to be made at all times for prospectors.

25. *By Mr. Sutton.*—Is it not difficult to get surveyors to follow the prospectors? Yes. Isolated prospecting sections are often left to take their chance. When there is a group sufficient to warrant the appointment of a surveyor, one should be sent there. A surveyor generally leaves his heaviest work to the last, and some of them evade altogether a difficult block. At North Dundas some of the hills are terribly steep, and are covered with dense scrub and forest.

26. *By the Chairman.*—Do you approve of mileage being allowed a surveyor beyond a given distance from camp? Certainly I do. It is the case in New South Wales.

27. *By Mr. Mackenzie.*—What distance would you say? About five miles from camp.

28. *By the Chairman.*—How do you think that the labour clause of our Act works at present? It is simply ignored by the department.

29. *By Mr. Mackenzie.*—Would you insist on the labour clause in all cases? No, certainly not. The Governor in Council or Department should have the power to exempt certain mines, and it should be understood that from that source alone should the power to exempt come, and that it should not be assumed by any claim as it likes.

30. *By the Chairman.*—What is your opinion in reference to ladders in shafts? The New South Wales regulations on that subject should be adopted *in globo*. It is in force on the great silver fields of the Barrier. What are called ladder shafts are required to be made. These are shafts used also for ventilating, with strong ladders and stages at every 30 feet, so that a man cannot fall more than that distance.

31. What is your opinion in reference to the use of straps? I don't think any are used on the West Coast. A strap is an additional safety in lowering a man down a shaft.

32. What is your opinion in regard to the jumping of claims? There is one provision in the Act at present which is susceptible of great abuse, and in regard to which a good deal of fraud maintains, and that is the maintenance of notices. Under the present system it is quite open to unscrupulous persons to tear down the notices, especially in the bush, and for a second party to come along and swear there were no notices on the land. The land is then theirs. I think once the lease is granted it should not be forfeited; but a negligent lessee might be fined. It is as easy to pull out pegs as to tear down notices, and even in the interval between the pegging of the ground and the granting of the lease there might be forfeiture. Even if it was absolutely proved to the satisfaction of the Commissioner that there were no notices on the land, a fine would be ample punishment: forfeiture is too harsh a proceeding altogether. It is a great undertaking to go out and inspect notices in that heavy country, and beyond most prospectors' powers. It should be ample if the lessee could prove that he inspected the notices once a month. With regard to surveys, it would be a great advantage if the surveyor, after surveying, should put the number of the section on the pegs. It would be a great protection, and is done in New South Wales in the timber country.

The Committee then adjourned.

TUESDAY, AUGUST 4, 1891.

ROBERT EVANS, *called and examined*

33. *By the Chairman.*—What is your name? Robert Evans.
34. You live at Zeehan? Yes.
35. What are you, Mr. Evans? I am a mining manager and mining engineer.
36. Are you well acquainted with our mining laws and regulations? Yes, fairly well.
37. Do you think any alterations necessary? Yes, I think some are deficient, and no doubt could be materially altered for the benefit of the mining industry generally and the protection of shareholders.
38. What is your opinion in reference to prospectors' licences? I think it is necessary they should have licences before entering upon land. It would be a source of revenue in the first place, and would no doubt check a great deal of what is called "jumping."
39. *By Mr. MacKenzie.*—In what way would it prevent jumping? Everyone would know that they would be considered trespassers without these licences, in the same way as no one can go upon leases without a residence licence. It will protect those who go upon the field against those raiders who are roaming about without check in any shape and form, and against whom it is hard to get evidence.
40. You would not advocate a heavy licence? No, nothing that would retard prospecting. It should be the same as a residence licence, 10s. 6d. a year.
41. Have you anything to suggest in the way of marking out sections? Yes; I think the New South Wales plan should be adopted. When you peg off there and define the corners approximately by posts, stones, and trenches, you post notices at the nearest Post and Registrar's offices, describing the ground, mineral intended to be worked, manner in which possession has been taken, and your intention of applying for lease on a certain day (within one week from pegging off). When the application to lease has been lodged with the warden or his substitute, a notice in cloth is given you to post on the ground at the datum point, and it must be kept erected till survey is completed. By this means prospectors and others are notified that the land is occupied and applied for.
42. It is stated that pegs are often removed for fraudulent purposes: can you suggest any remedy for that? Yes. The pegs are often removed with the pegger-off on the ground all the time. I think four corners should be pegged off to the best ability of the pegger-off, and then marked with trenches, stone, or tree-marks.
43. *By the Chairman.*—What is your opinion with reference to residence areas? I think certain areas of land should be reserved by the Government to facilitate settlement, but the companies should not be hampered as they are now.
44. What is your opinion in regard to the resumption of land for roads? I think that the mines should be allowed to go within 20 feet of the surface of roads, or, in fact, up to the surface itself, provided the Act was amended to compel them to fill in.
45. *By Mr. Sutton.*—The lessees of the land ought to have that power? Yes.
- 45A. In some cases that view of the matter has been set on one side? Yes, very largely. The leaseholders' rights should be upheld right up to the service. There are no buildings on the field that any harm could come to, provided care was exercised in mining.
46. *By the Chairman.*—That would apply to roads too? Yes, but we would have to exercise more care. I think certain blocks should be left for the protection of bridges.
47. Do you think the present working of the regulations in regard to the timber on leases injuriously affects the leaseholders? Yes; the leaseholder should be protected against the incursions of outsiders, who indiscriminately destroy and often burn valuable timber. I think the Conservator of Forests should be empowered to examine these areas and reserve certain timber; the rest could be burnt for firewood. We have to give the residence area-holders a right to enter and get timber for domestic purposes.
48. But you would give some control of the timber on leases to the leaseholders? I would, largely.
49. *By Mr. Mackenzie.*—But the land must be cleared for residence areas? I would not grant a power to enter upon the land without the consent of the company. Now people can receive a permit and go where they like. They have done that, notably at Zeehan. The King Extended lease has been occupied on the course of the lode, and they will now have to sink their shaft four or five chains away and then drive to it, which will mean a larger outlay than was previously necessary.
50. What is your opinion in reference to the inspection of mines at present? It is unsatisfactory. I would recommend the appointment of an official head as Minister of Mines, with his deputies on the various mining centres, and officers under them. At present there is no inspection of any kind, and I have not seen an inspector this last 12 months. An inspector should in all cases enter into the mines and see how they are worked. The importance of the district demands some such legislation.
51. *By the Chairman.*—What do you think the qualifications of an inspector should be? He should be able to prove that he has worked a given time as a miner and held the position of manager. He should undergo a technical examination, and, in short, have a thorough knowledge of timbering, shaft sinking, pumps, and everything pertaining to mining from the surface downwards.
52. In regard to the survey of blocks, do you think they should be surveyed in regard to priority of application? Undoubtedly it should be so. In regard to surveying, I would recommend that surveyors run their traverse lines right forward, instead of leaving blank spaces between the blocks.
53. Do you think mileage should be allowed to surveyors beyond a given distance? Yes, above four miles from office or camp.

54. What is your opinion in regard to the compulsory use of ladders in shafts? I would compel every mine to have ladders and stagings from 24 to 30 feet apart, so that no man could fall more than that distance, and could escape in case of need. Where shafts have already been sunk without ladderway, they should be compelled to fix them in pump compartment, so there would be a means of escape in an emergency.

55. *By Mr. Mackenzie.*—Do you approve of the use of straps? I do not like them myself, but there are timid people who would be the safer for their use. I would recommend that companies be compelled to provide straps, but that it should be optional for the miners to use them.

56. *By the Chairman.*—What do you think is the best preventive of jumping? Well, jumping is the penalty for non-compliance with the regulations, but there ought to be some line drawn as to what may be termed the point of dispossession. A failure in any little technicality should be overlooked as long as a man has put in his four pegs or carried out the spirit of the law.

57. What is your opinion in regard to the mining areas being divided into districts, and mining boards appointed to decide all disputes relating to mines in each district? I think it would be a very good thing. The mining boards in Victoria worked well, and did justice to all parties. It would be very satisfactory at Zeehan, where we are under the jurisdiction of a very equitable but hardworked Commissioner.

58. What is your opinion in regard to the resumption of land for residence areas as the Act at present stands? The present system is unsatisfactory, and requires a radical change.

59. *By Mr. Sutton.*—Have you had experience anywhere else? Yes.

60. Are persons allowed to take the ground from the lessees in other places? No, certainly not. I never before saw it done without the consent of the lessees.

THURSDAY, AUGUST 6, 1891.

ROBERT TREMAIN, *called and examined.*

61. *By the Chairman.*—What are you? I am a Miner, and live at Zeehan.

62. Have you had much experience in mining? Yes, I have been at it all my life.

63. In what places? In New South Wales, Victoria, and Tasmania.

64. What is your opinion in reference to using straps in mines? Well, as far as I am personally concerned, I would rather not have them. They might be right enough in many cases, but I believe that 99 out of 100 miners would not use them.

65. What is your opinion in reference to residence areas? I think if they should be required at any time for mining purposes compensation should be allowed.

66. Do you think the present law with reference to the resumption of land from leaseholders for residence areas requires any alteration? Well, no, I do not think it requires any at present. Some little alterations may be required, but with respect to the holdings I do not think there can be any improvement as far as I understand it.

67. Do you think that ladders should be used in shafts? Yes, there should be a ladder-shaft, separate and distinct from anything else, for the safety of the men.

68. Do you think the present system of inspection of mines is sufficient? No, I do not. It is a matter that requires a great deal of consideration. There should be an inspector to every district, who should have power to inspect all mines and machinery. For instance, if an accident was to happen at Mount Zeehan and one at Beaconsfield, under the present system one man would have to be in two places at once. There should be one man at the head of affairs, and men in all the mining districts under him.

69. *By Mr. Lewis.*—Are the Mining Regulations properly carried out now? As far as practicable. It is the managers' duty to see to that. I think all the regulations are fairly carried out as far as the working of the mines is concerned.

70. *By the Chairman.*—Do you think that the present system of surveying meets all requirements? It seems to be the case at Mount Zeehan, though there is sufficient work for double the number of men. That, of course, will not last.

71. Do you consider there is room for improvement? Yes.

72. Do you approve of mileage being paid to surveyors beyond a given distance from their camp? Yes, if there is a certain amount of expense allowed beyond a certain distance it would materially improve the present system. If there was a certain amount of expense allowed it would do away with the risk of certain properties being neglected until other work brought the surveyor into their neighbourhood.

73. What is your opinion in regard to the disposal of timber on leaseholds? I think that all timber that would be of any use for mining purposes should be the property of the leaseholder. All other timber could be used by the residence area-holders for domestic purposes.

74. Do you think that the present regulations regarding timber are sufficient? There is room for improvement.

75. At present miners are not allowed to work within 50 feet of the surface of residence areas:—do you think that requires any alteration? Yes, I do. It is practicable to work within 10 feet of the surface without interfering with anyone.

76. *By Mr. Davies.*—Have you been in Ballarat? No, but I have been working in Clunes, which is near it.

77. Have you seen the effect that mining within 40 feet of the surface has had there? I have heard of it.

78. Buildings have totally collapsed? That in some cases would be caused by loose drifts, but provision could be made to meet that. You can safely go much closer to the surface than 50 feet.

79. *By the Chairman.*—You say there should be districts appointed for inspection. How would you recommend these districts to be governed? All the mining fields should be divided into districts. There should be one man at the head of affairs, and an inspector for each district. These inspectors should inspect all the mines and machinery in the district?

80. How do the prospectors' licences work? I do not think that the system can be much improved upon. I have nothing to complain of myself, and I have never heard anyone else do so.

HARRY NICKOLLS *called and examined.*

81. *By the Chairman.*—You are a Legal Manager? Yes.

82. You have had some experience of the working of the Mineral Lands Act? Yes.

83. Have you any suggestions to make whereby its working could be improved? Yes, there are a good many instances in which it could be improved; but, as far as I am personally concerned, I think that Mr. Belstead could give you more information on the subject.

84. What is your opinion in reference to the resumption of land for residence areas? I do not think it makes the slightest difference to mining. Of course there may be cases in which it interferes with it, but I think it is better to have the residence areas close to the mines.

85. Do you think that the mines should be allowed to work within 50 feet of the surface of these residence areas? That is a question for a practical manager.

86. As a legal manager, can you recommend any alterations in the Regulations? There is one thing I would like to mention, and that is the compulsory drainage of companies. At Zeehan two companies, called the Kozminsky and the Comet, have agreed to put down a drainage shaft. This will drain the shaft of a company called Maestri's; but this company have refused to contribute anything towards the work, and will have their mine drained by the expenditure of the other companies. There is also another thing I would like to mention, and that is in regard to shares. In forfeiting shares you are allowed 14 days, after which the shares are absolutely forfeited, but the shareholders have the privilege of taking the shares up to the day of sale. It is a common practice for shareholders thus to leave their calls to the very last moment. This is very unfair to a company that has overdrawn and has to pay interest, or to the shareholders that have paid their calls early in the month in the regular way. This happens in a great many cases, and often causes the company to incur extra expense. Another matter that I would like to mention, is in regard to the majority in number and value required at extraordinary meetings of companies. The Act requires that there shall be a majority both in number and value. We have no difficulty in getting the requisite value of shares, but it is in the number where we meet with the trouble. In Robinson's mine we have had four attempts to hold an extraordinary meeting, but cannot do so, as one of the principal shareholders is dead, and we cannot get the requisite number to make it up.

87. *By Mr. Lewis.*—Would the difficulty be met by providing that if there is not a majority in number and value, the meeting shall *ipso facto* stand adjourned until the following week? That would be a great help to us, but the greatest help would be in altering the law in regard to the number. There is also a difficulty I would like to mention in regard to the transfer of applications for leases. Before the lease is issued by the Minister of Lands you are allowed to pay 10s. and transfer the application. In several cases these applications have come to hand between the time the applications for the leases have been lodged and the leases signed by the Minister; thus the transfer of application cannot be granted. In many cases we have taken transfers of application and have had great difficulty in getting transfers of leases afterwards. The last matter which I would mention is one that is felt largely, and that is in regard to foreign companies. I would make it compulsory for them to advertise their calls here. We know nothing about the calls made in the other colonies, as they give us no notice, and the other colonies are in the same position with regard to us. We have also had great difficulties in regard to pegs. There is a great deal of difficulty in keeping notices on pegs, between wet weather and birds, and I think a man should be allowed to prove that certain pegs are his although there may be no notices on them.

THURSDAY, AUGUST 13, 1891.

HENRY LUCAS CROWTHER, *called and examined.*

88. *By the Chairman.*—What is your name? Henry Lucas Crowther.

89. Are you well acquainted with our Mining Laws and Regulations? Yes, as at present existing.

90. What is your opinion of their present working? I think that, in the interests of *bonâ fide* and legitimate mining, they can be very much improved. The primary improvement should be in regard to notices. The notice, as at present existing, is only a small square piece of paper about half the size of a telegraph form, and the first heavy rain washes it away, and the applicant finds that perhaps 48 hours after he has posted his notice it no longer exists. I would suggest that a plate of metal or piece of calico a foot square should be provided, with the words of the notice printed or painted upon it. Lead, tin, or calico

would be equally good, but the notice should be much larger than it is at present. I have gone past a place 20 times and failed to find the notice, it was so inconspicuous, although it was there. For the protection of legitimate mining I would also suggest that a man should be allowed, within seven days of putting up his notice, to bring two witnesses to prove where he posted it, and the actual fact of its being posted. At present a man may say that he posted his notices, but if it is proved that the notices are obliterated the decision may go against him. I think, further, that the areas at present allowed to be taken up are far too large. I think that the acreage that any syndicates or individuals should hold under any circumstances should not exceed 320 acres. The Mining Regulations as regards silver, tin, &c., should conform to those which have given universal satisfaction as regards gold. I mean that if the conditions are not complied with and the notices not posted, it should be at the discretion of the Commissioner to inflict a fine, and not absolute forfeiture unless it was a case of gross neglect or irregularity. The suggestion, I believe, was made by myself when I was Commissioner of Mines at Waratah. In the absence of a Minister of Mines, I would suggest that a Minister or responsible head be appointed absolutely for mines, and mines only. Instead of the Commissioner reporting upon the fulfilment of the labour clauses, the Minister of Lands and Works now uses his own discretion, which, at times, may be at direct variance with the evidence given before the Commissioner. In the absence of a Minister of Mines, I would suggest that the Commissioner should be allowed to decide as to whether the labour conditions are carried out or not, and that his decision should only be appealed against to the Supreme Court. I think the Government should give the mining industry more encouragement in the way of cutting prospecting tracks—such tracks as would be cut by prospectors themselves. Where there are roads or other means of communication I should enforce strict compliance with the labour conditions, and where there are no roads or means of communication I should allow the Minister of Lands and Works or the Minister of Mines to use his discretion as to enforcing them. I would also suggest the appointment of a Commissioner at Waratah, to travel regularly to the Pieman River, Whyte and Hazlewood, and Long Plains, and of a Registrar of Mines, who has had some experience in the Mining Department, somewhere along the North West Coast. The miners at present have no one along the Coast who can give them the slightest information should they require it, and a great many very important questions relative to mining have been asked of me since I have been at Ulverstone, which I have answered. The miners are also suffering great hardships from the system of surveys, and I would suggest that if a survey is not commenced within one month from the date of application the applicant should have the right of having the ground surveyed by any licensed surveyor. In some cases the applicants have to wait even six months before their ground can be surveyed, and that is not fair to the legitimate miner. The Act, in my opinion, never contemplated a man keeping up his paper notices or that length of time.

91. *By Mr. Mackenzie.*—He is debarred from having a private survey? I believe the Department does not recognize private surveys. There was a system of that sort in existence, but it gave rise to great abuses, and the Government wisely curtailed it. The metal notices could be kept in stock at all Government establishments on the field, and filled up for every size of ground that might be required. The miners would not hesitate to pay sixpence or one shilling for them. These notices, with the addition of two witnesses, who could be called within seven days of posting to prove their being posted, would do a great deal to prevent the dummieing and land-sharking that is going on at present.

RICHARD PROVIS, *called and examined.*

92. *By the Chairman.*—What is your name? Richard Provis.

93. What are you? I am Manager of the Tasmania Silver Mining Company and the Tasmanian Land and Exploration Company.

94. Your present residence is at Zeehan? Yes.

95. *By Mr. Lewis.*—You have had experience outside Tasmania? Yes, in England and Wales.

96. Have you any suggestions to make in regard to the mining regulations? As far as I can see they are very similar to the Act we have to work under at home.

97. *By the Chairman.*—Do you think there is room for improvement in the existing Act? There is certainly room for great improvement.

98. Do you approve of the regulation we have in reference to the use of straps? I do not see the necessity for them at all. A cage is secure enough without them, and if straps are there they won't be used.

99. What is your opinion with reference to the use of ladders and stages in shafts? I approve of them. We usually make the stages at home five fathoms apart. I think that all mine-owners should provide ladder escapes.

100. *By Mr. Mackenzie.*—In what position would you have the ladders? The ladders would be inclined at an angle, and the stages would be horizontal, with manholes in them. There are places in which it would be extremely awkward to fix ladders—for instance, in winzes—and I think it advisable that these should be allowed as exceptions to the general rule.

101. *By the Chairman.*—Are you acquainted with our present mode of mine inspection? No, I am not.

102. *By Mr. Lewis.*—Are the mines you are in charge of inspected? They are inspected thoroughly by a Government inspector.

103. I mean at Zeehan? Ah! that's another thing. I think the Government Geologist was there once, while I was at Broken Hill on a visit.

104. Is that the only inspection that has been made? Yes, since I have been there, which is from the 19th January last.

105. *By the Chairman.*—What is your opinion in reference to mining inspectors being appointed for each particular field? I think it would be very advisable. While there is only one inspector in Hobart, if an accident were to happen at Zeehan we would have to stop work for a week or ten days to allow him to come up; if there was one on the field we would only have to stop for two or three days. In England, when a death takes place in a mine everything has to remain exactly as it was when the accident happened; but the facilities for travelling there are so great that we seldom have to wait long for the inspector.

106. What should be the qualifications of a mining inspector? They should be many. He should be a practical man in the first place, and one of large experience, and he should be sufficiently well paid to keep him out of all temptation. I question if the salaries usually paid in Tasmania would get a man of the necessary qualifications. As in England, the inspectors should be free from local prejudices, and should go into any district comparatively a stranger.

107. *By Mr. Sutton.*—What would be the salary for a man such as you speak of? One of them gets £800 a year and all travelling expenses. That is the lowest salary paid. There are two of them, Dr. Foster and Mr. Pinching. They look after the metalliferous mines, which are in Cornwall and part of North Wales.

108. *By the Chairman.*—The mining inspectors in the other colonies are men who have a thorough knowledge of timbering and working mines, and their mission is as much to prevent accidents, by inspection of the mines to see that they are worked properly, as to enquire into accidents? Your Act does that to a large extent, and your inspector, I suppose, would see that the Act was carried out in all its forms. I think, however, it would be a difficult matter for an inspector to go through a mine of any size and see that everything was secure. I would suggest that all mining managers be provided with copies of the Act. If I saw one of these posted in Zeehan it would be for the first time.

109. You think it would be more advantageous to have strangers as inspectors rather than one to each district? That is the policy that is carried out in England.

110. *By Mr. Sutton.*—But they would soon become known? Yes, that is very true.

111. *By the Chairman.*—Have you had any difficulty with surveyors? No, I do my own surveying.

112. *By Mr. Mackenzie.*—Have you had any inconvenience in regard to the delay in getting sections surveyed? Yes, I have.

113. Have you any suggestions to make about it? The only way would be to put on more surveyors, and how is that possible, as I understand that there are as many put on as can possibly be got? I am applying for 1100 acres of ground now, but there is no hope of all of it being surveyed until the summer.

114. Will not they accept your services, then? I understood underground surveying was meant when I said I did my own surveying.

115. *By the Chairman.*—You have had no difficulty with the survey of blocks? None, except the delay.

116. What are your views in regard to priority of application? The first applicant should have the right first, but the difficulty is to prove who is the first applicant.

117. Can you suggest any method by which that can be got over? No. If two applications come in on the same day and the notices are posted on the same day, I don't see how you could settle it.

118. How would you decide in such a case? That is a question more easily asked than answered. There is one important matter relating to priority, and that is that the holders of ground pegged for silver should have the prior right of pegging it off for gold. There was a case there where a silver lode was rushed and taken up from the original holders because it was auriferous in parts. As long as the law stands as at present it is impossible to prevent blackmailing, as if a lode is reported auriferous a blackmailer can come on any ground and make himself a nuisance until he is paid to clear out. The cost for pegging for gold is more than for pegging for silver, and the holder of the ground should have a right against all comers upon paying the additional fees. This matter has created the utmost dissatisfaction on the coast.

119. *By Mr. Sutton.*—What is your opinion in regard to residence areas? If the Government had in the first place made a road to the surveyed township the present residence areas would never have existed.

120. Many of the Companies have lost a valuable portion of their properties by residence areas? I hardly look on it as being a loss.

121. *By Mr. Mackenzie.*—Under the present regulations you cannot mine within 50 feet of the surface of residence areas? If that debarred them from taking ore of course it would be a loss.

122. Would you recommend that companies be allowed to mine right up to the surface in such cases? With the consent of the householder. The mine-owners would generally buy houses if they wished to work under them. I notice in the Act that it says that dressing-rooms should be provided for the miners, and I do not see how that can be carried out when miners are working away in the bush. I would also suggest that it should be compulsory to keep correct working plans of the mine, open at all times to the mining inspector; and when the mine is abandoned the plan, or a correct tracing of it, should be handed to the inspector. This would avert a great risk of danger in approaching old workings, and in the resuscitation of old mines.

JAMES M'MURRAY, *called and examined.*

123. *By the Chairman.*—What is your name? James M'Murray.

124. You are a resident of Hobart? Yes.

125. You have had a good deal of experience in Tasmanian mines? Yes, and in the other Colonies.

126. What is your opinion of the present Mining Regulations? I have not read over the Mining Acts, but from observations I have made I have seen very great hardship caused at Zeehan and Dundas. Before a lease is surveyed the applicants may have had to watch their notices for months to see that they are not taken down, and I would suggest that there should be mining registrars at Dundas, Zeehan, Mathinna, Beaconsfield, Lefroy, and all mining centres, to receive applications. The notices of application should be painted on boards or on tin, and the applicant should have a witnesses to prove that the notice was posted. A register should be kept of all applications for leases, and the receipt received by the applicant should be taken as evidence in the event of a law suit. The first applicant should have all the prior rights. Another thing is that we allow far too much land to be taken up. There is one company there with 900 acres and another with 520.

127. *By Mr. Mackenzie.*—What area would you suggest should be the limit? 250 acres should be the maximum for all kinds of mining, coal and gold excepted. Leases for gold should be allowed up to 30 acres. With the extent of land that is allowed here many valuable lodes may be lost or missed.

128. *By the Chairman.*—What is your opinion in reference to the resumption of leases for residence areas? That is a question I have not thought of.

129. What is your opinion in regard to preventing miners from working within 50 feet of the surface of residence areas? That is a thing I have not thought of either. I think that Courts should be established on the field, so that people would not have to go from Zeehan to Strahan for a high Court. I think also that we should copy the Victorian Government as closely as we can, because when they became alive to the interests of mining they followed the miners, instead of the miners following them.

130. What is your opinion in reference to the use of straps? I have never seen them used.

131. Do you think it should be compulsory for mineowners to have ladders in the shafts? No, I do not believe in ladders. Where there is machinery it should be used for raising and lowering men, as it is so much easier for them than climbing ladders.

132. Do you approve of ladders as a means of escape? Yes, in that way I am in favour of them.

133. What is your opinion of the present mode of auditing mining companies' accounts? I think the Government, in view of what has taken place, should audit all public companies' accounts.

134. What is your opinion in regard to our present system of inspecting mines? There should be more inspectors. In 1871 there were six inspectors at Sandhurst. I am speaking from memory—there may not have been so many. If I remember rightly, the gold fields were put into so many mining divisions, and each division had so many mining inspectors.

135. *By Mr. Sutton.*—How many persons were on that field? About 30,000.

136. *By the Chairman.*—Do you approve of mileage being allowed to surveyors beyond a given distance? I do not think surveyors are paid enough for such country as Zeehan and Dundas. The case would be better met by increasing the survey fee.

137. *By Mr. Sutton.*—Do you think the two months companies have to wait before they can get another surveyor is too long? The question is, can you get surveyors? It would not be wise to prevent private arrangements being made. Private surveyors should be employed if necessary, but they should be under the control of the head of the Survey Department.

138. *By the Chairman.*—What is your opinion in regard to the labour clauses in connection with leases? At present they are very lax, but under the existing conditions it is necessary they should be so. If the areas were reduced in size it would cause more work to be done upon them.

WEDNESDAY, AUGUST 19, 1891.

FRANCIS BELSTEAD, *called and examined.*

139. *By the Chairman.*—What is your name? Francis Belstead.

140. What are you? Secretary of Mines.

141. You are well posted up in the Mining Laws and Regulations? Yes.

142. What is your opinion with reference to the resumption of land for residence areas? I do not think that the question is one of very much importance. Assuming that the Bill which is now before the House dealing with the matter goes through, every difficulty that exists will be remedied. As the law stands at present, of course, it is defective.

143. You think that the present law will bear improvement, and is receiving due attention? Yes, in the shape of the Bill which is now before the House of Assembly.

144. What is your opinion in regard to mining on these residence areas within 50 feet of the surface? The present law is that you cannot mine within 50 feet of the surface, and I think that is too much. It is one of the great obstacles we have to contend with. I don't think that it should be more than 20 feet from the surface, and the mine-owner should be responsible for any subsidence that may occur by reason of his mining.

145. Would you recommend the Law being altered in that respect? I would.

146. What is your opinion in reference to mining under roads? Where there are roads or railways bearing heavy traffic it is a matter that requires consideration. It can be regulated by clauses in the lease. If it is a mere track, the reservation of the surface is sufficient; if it is a road that bears a heavy amount of traffic, 40 or 50 feet is reserved from the surface; and if it is a railway, the Engineer-in-Chief stipulates for 100 feet.

147. Don't you think it is a great hardship to sacrifice so much,—is it necessary? It is necessary to provide for it in the lease for the protection of roads and railways. If the authorities are satisfied that a miner can go under a road without danger to the public, it can always be arranged to be done by properly securing the tunnel.

148. Is there not a great injustice done in the way in which the Government has resumed large tracts of land from some of the leaseholders at Zeehan? No, I don't think so. It would be rather awkward for me to express an opinion in that direct form. Lodes have been found upon some of the resumed land, but at the time the resumption took place it was not known that the lodes were there. Under the Bill I have referred to any wrong that has been done will be fairly well remedied by making the distance from the surface 20 feet instead of 50. The lessees will thus get 30 feet of their ground back.

149. What is the custom with regard to the disposal of timber on leases? We are advised by the Crown Law Officers that the lessee has the sole right to the timber; but there is a measure to be submitted to Parliament to regulate that, and to take from the lessee the sole right to the timber, and confer upon him only one-half, leaving the other half for other persons who want to take it.

150. What right does a Miner's Right give to persons in regard to the use of the timber on leases? I don't think it gives him any right whatever. The practice has been for a man holding a Miner's Right to go anywhere and cut timber; but we are advised that the lessee of a mineral section has the sole right to the whole of the timber on his section, and, in that case, the Miner's Right only gives the holder the right to go on undemised Crown Lands.

151. What position does a holder of a timber licence stand in with reference to leases? In practice hitherto the holder of a timber licence might go on a leased section, but that is contrary to law, and the lessees of mineral sections are finding out their legal powers and are resisting. That is the object of getting legislative authority to define the timber rights of lessees.

152. Will that apply to existing leases? Yes, it would be valueless if it did not, especially in places like Zeehan and Dundas, where the whole country is leased.

153. In such a case as that do you think it would be wise, when any new discovery is made, for the department to secure a certain portion for timber reserves and township purposes? Yes, we have done that in many cases. We did it in Zeehan to a certain extent, but the thing came upon us when we were unprepared and had not the legislative power to do what was desirable. If the Mount Zeehan Company have suffered they brought it upon themselves, because they would not allow anyone to put a foot upon their claim without the sanction of the mining manager and directors, which it was very difficult to obtain.

154. *By Mr. Sutton.*—Do you think that the new legislation upon the subject of timber will be retrospective? Yes, excepting in regard to ground that was sold under certain conditions.

155. And the troubles of the Mount Zeehan Company were brought on by themselves? Yes.

156. Are you aware that the directors of the Mount Zeehan Company have given, in many cases, a right to reside on their lands? No, I am not aware of it. I am aware that they absolutely refused the department when we asked them.

157. And under the new Regulations the lessee will only have a right to half the timber? Yes, the lessee would have to mark off the half that he requires for himself. I think it would be fairly simple.

158. *By the Chairman.*—What is your opinion with respect to the present system of inspection of mines? There was a Bill before the House last session on the subject, but it was thrown out by the Legislative Council; that Bill, with amendments, is before the House now. It will correct a good many things that require correction, and be a useful measure if passed as presented.

159. Do you think that the office of Inspector of Mines should be associated with that of Geologist? Yes; I see no reason why it should not be, if the one man has the necessary qualifications. We shall, however, very soon want another Inspector or two.

160. Do you consider that the present Inspector possesses the necessary qualifications? Yes, so far as I know, he is capable of doing all that he should do.

161. Considering our mineral resources, do you not think that there should be resident inspectors upon the different fields? No. I think that we want an inspector for the West Coast specially, and that will be sufficient for the present. The appointment of another inspector is now in contemplation, but his office will have to be combined with some other. If you give a liberal salary to an officer his time should be fully employed, and there is not yet work enough to fully employ another man.

162. Supposing an accident to take place at a West Coast mine, the works would have to be stopped until an inspector could arrive? There is that difficulty, of course, but as a matter of fact, it is a question of £ s. d.

163. Your opinion, then, is that another inspector would be sufficient? I think so. The facilities for getting about the country, except to the West Coast, are so improved that there need be no lengthened delay.

164. Do you think the time has arrived when the mines should have a Minister and a special department? My own view is that things are very well as they are.

165. You are a nice little family party up there? No, not by any means.

166. Do you think that mining has that consideration which is given to other departments under the Crown? I am quite sure it has.

167. What is your opinion in regard to surveying by priority of application? Leases are granted that way, but you cannot survey in rotation. If a surveyor was required to survey in accordance with priority of application, he would be running backwards and forwards all his time. When the surveys come into the office they are dealt with according to priority of application, so that there is no danger of anyone losing ground he is entitled to. That cannot take place unless the surveyor wilfully acts wrongly.

168. Could you not introduce a system of taking surveys east, north, west, and south from a given point? It is extremely difficult to judge. In many cases a man marks off an 80-acre section and puts his peg in the centre; another man comes along and puts his centre peg in only 20 chains away from the first one, wishing also to take up an 80-acre section, but when his land is surveyed it is found that his land overlaps that of the first man, so that he only gets the difference between 80 acres and the amount his land overlaps. Very great care is always exercised to see that every man gets his rights,—not what he may possibly think is his right, but what it can be proved, by his own act, he has asked for.

169. *By Mr. Machenzie.*—Do you not think it a hardship that the lessees cannot mine to the surface—could not the lodes be bridged over when worked out? There would be no difficulty in the matter, as arrangements can always be made with the Government or Road Trusts to allow the miner to work to the surface. The difficulty would be in the conflicting rights of parties, as the residence area holder has rights as well as the lessee, and how are you to take them away?

170. Should not the lessee, as the first occupant, be protected against any subsequent occupancy? Yes, he should, but it could not be done without some special legislation.

171. You approve of a miner being allowed to work within 20 feet of the surface? Yes, if the land at Zeehan had been sold it would have been sold subject to the reservation of 50 feet, and the Minister, in the interests of mining, steadily resisted all efforts to obtain the sale of the land until he could get the necessary legislative power to reduce the reservation.

172. *By the Chairman.*—That will apply to all land being ceded to people at Dundas and Zeehan? Yes.

173. Do you approve of mileage being allowed to surveyors beyond a given distance from camp? It would be better, if any move is made in that direction, to increase the survey fee. Allowing a mileage might give rise to abuses.

174. *By Mr. Machenzie.*—If the Government surveyor was too busy to survey land, would you approve of the applicants employing private surveyors? They can do so now, subject to the consent of the Secretary of Mines. They used to be able to do so under any circumstances, but it led to so many abuses that the regulation had to be altered. It can only now be done with the consent of the Secretary of Mines, who would allow it if there were any special circumstances to warrant it, and he knew the men who were to be employed.

175. Do you think the west and north-west part of the island is sufficiently supplied with Commissioners? Yes; I think so, for the present.

176. Many complaints are made in regard to the undue expense attached to reaching a Commissioner and getting information from him, and it is suggested that another Commissioner should be appointed about Waratah, who would be able to attend to Corinna, Long Plain, Heazlewood, and Waratah. At present there is one Commissioner at Strahan, and the next one is at Launceston. What is your opinion? The necessity for a Commissioner about Waratah is growing upon us. We had one there formerly, and he had practically nothing to do. It is a matter of £ s. d.

177. *By Mr. Lewis.*—Are private surveyors much used on the West Coast? Not now.

178. Have they been? Yes, a good deal.

179. Was the employment of these surveyors satisfactory? Eminently unsatisfactory.

180. Would you advise the repeal of the Regulations allowing the employment of private surveyors? No, I would leave it as it is. The old regulation was, that after the lapse of two months the applicant could employ his own surveyor without reference to anyone. That was found so unsatisfactory that it was altered, and the words "with the consent of the Secretary of Mines" inserted.

181. Would the present Bill in regard to residence areas meet the existing conditions? Yes.

182. You think it is fair to the present holders of residence areas and mining lessees? It is as fair on all sides as we can get it.

183. If there was an inspector on the West Coast, would not his time be fully occupied by the periodical inspection of mines there? Not at present. It will be in a short time, when work actually commences. A large quantity of the work done there now is simply surface scratching. The necessity is growing upon us.

184. Under the legislation you have mentioned in regard to timber, will the lessee have the right to sell the timber to other persons? No.

185. Do they do so now? I think they do. I have reason to believe that many sections are taken up for the timber only, and not for mining at all.

186. Do you think there ought to be any amendments made in the Mining Companies Act? Yes, there are very many points in which amendments are desirable. One is in regard to appeal from the Commissioner's decision. I think in all cases there should be an appeal from any man's decision. Another point is in regard to the keeping of accounts, and the general simplification of things unnecessarily complicated and incomprehensible.

186. What is your opinion in regard to giving mining easements for railway purposes? I think it is an abuse of the mining law, if I may so express it.

187. Do you think there should be any amendment in the law? No, I think it will cure itself.

188. *By the Chairman.*—Could you not frame some law to protect a lessee of a silver section from having all his lease pegged over for gold? There is ample provision in the law as it stands. A great many people suffer wrong because they do not know what powers the law confers upon them, but any Commissioner would point it out at once.

189. Are silver leases, then, protected from gold-miners? Under the law a mineral lease can be pegged over for gold, and the two leases can run concurrently; but the gold lessee cannot interfere with any portion of the mineral lease that the mineral lessee can show, to the satisfaction of the Commissioner, that he requires, or is likely to require, in working his mineral lease.

190. What would happen in the event of a silver lode being discovered by a gold-miner? He would have no claim to it: his lease is for gold only.

191. Then who does the silver belong to? There is a difficulty there. You cannot get gold, as a rule, without a variety of other metals. At Mount Lyell, for instance, there is silver and gold in one place, and we will have to get a little more experience before we tinker with the law, if I may use the expression; but we will shortly have to legislate to deal with lands in which various metals or minerals are so intimately associated.

192. Do you think it would be wise to extend the area for gold leases and reduce the area for mineral leases, so as to include everything? Something of that sort will have to be done; but if the areas are reduced people will take up two or three of them, so it will be precisely the same in the end.

193. What is your opinion in reference to the use of straps in mines? I think they should always be provided, but I would leave the use of them optional. I know of two or three lives that would not have been lost if straps had been used.

194. *By Mr. Mackenzie.*—Why not make their use compulsory? There are a large number of men who would not use them, but many would if they were at hand.

195. *By the Chairman.*—What is your opinion in regard to the Government laying down a system for the auditing of mining companies' accounts? That is one of the points upon which I think the Mining Companies Act requires to be amended. The system of account-keeping should be definitely laid down, and should be simplified as much as possible.

196. Do you think that such auditing should be under the supervision of the Colonial Auditor? I would hardly go to that extent. They are private companies, and they should be assumed to be able to manage their own affairs the same as other trading companies.

197. *By Mr. Mackenzie.*—Can you suggest any better description of prospectors' notice than the paper one? Of course I can, but it should be left to the common sense of the prospector to put up a notice that will be permanent. The whole object of the Mining Regulations is to make everything as simple as possible, and as few things compulsory. In some of the other colonies the prospector has to perform all sorts of minute details, but practical experience has shown that the more simple the Regulations, and the more you leave the prospector to himself, the more likely you are to encourage honest men and discourage sharking. Tin notices, or wooden ones, could be put up, but I don't think it would be wise to require it.

198. *By the Chairman.*—A number of our witnesses, practical miners, are in favour of a metal notice, with the right of calling witnesses to prove its being posted? It would be hardly practicable in country such as we have to deal with here—in fact, it would be out of the question. The mining managers are men from Victoria and South Australia, where the majority of the mines are in open country, but here they have to carve their way through bush.

199. What, in your opinion, is the best method to adopt in regard to the labour covenants? It is a very difficult question, and I don't see how you can deal with it in any more just or efficient way than we do at present—that is, dealing with every case upon its own merits. In our method of proceeding the Government does not take any initiative themselves to enforce them, because, if they did, they would have to keep an army of bailiffs. If anyone applies for the forfeiture of the lease his application is enquired into by the Commissioner, and both sides heard. The Commissioner makes his recommendation, which is sent to the Mines Office. I then make my recommendation. The whole matter is then laid before the Minister, and whichever view he takes he acts upon.

200. You are never guided by political influence? No, I have never heard or known the slightest suspicion of it.

201. Do you know that difficulties have taken place between alluvial workers and quartz-miners? There should not be any difficulty at all. The quartz-miner has no right to the alluvial within 100 feet of the surface, and the alluvial miner has no right to the quartz. There is nothing to prevent a quartz-miner having an alluvial right too.

DONALD CAMPBELL URQUHART, *called and examined.*

202. *By the Chairman.*—What is your name? Donald Campbell Urquhart.

203. You reside at Zeehan? Yes.

204. *By Mr. Mackenzie.*—What is your opinion in regard to residence areas? In limited numbers they do no harm, but when a whole property is rushed they act unfairly.

205. How near the surface should a company be allowed to mine? I am not an expert in mining.

206. Have you had any experience in regard to the inspection of mines? None whatever.

207. Have you heard any complaints made regarding the mining regulations? I have heard of great delays in surveying land.

208. Can you suggest any remedy? Only that surveys be made in accordance with priority of application.

209. Would you recommend the employment of private surveyors where Government surveyors could

not do the work? I am not prepared to say. It is a matter that leaves an opening for fraud, and requires a lot of consideration.

210. Are there sufficient Commissioners at the West Coast? We want a resident Commissioner at Zeehan. There is only one there now, and he is at Strahan.

211. That will be to some extent remedied when the railway is finished? Yes, but at present we are suffering great hardship. I do not think the railway will be finished this year.

212. *By the Chairman.*—Do you think it is a mistake to station the Commissioner at Zeehan? It depends on whether you want a Commissioner or a customs officer.

213. Do you think the offices should be separated? Certainly I do.

214. Do you think the Commissioner should reside at Zeehan? Yes.

215. Have you heard any complaints with regard to the reservation of timber on the different sections? Yes, there are a great many, on account of the people not being able to get timber with facility.

216. *By Mr. Mackenzie.*—Is that owing to the refusal of the lessees to let them have it? Yes.

217. Are you of opinion that the lessee, who would be a considerable user of timber, should give way to others? To a certain extent. The lessee has no exclusive right to the timber; he is only licensed to take what he requires.

218. Would it be a hardship to the lessee to have other people come in and take timber that he might want himself? There is a great deal of timber that he does not want, and won't let anyone else have. The few should give way to the many.

219. *By Mr. Sutton.*—But supposing he wants the timber for mining purposes? He wants a certain proportion of it, but some of these sections are nothing but bush.

220. *By the Chairman.*—You have had some experience in dealing with mining disputes? Yes.

221. Can you suggest any means that would facilitate the hearing and determining of these cases? To start with, we want a really first-class man as Commissioner, as the amounts involved in these disputes are very large indeed.

222. I am alluding to the present construction of the Court. Suppose you had three assessors as a sort of jury to assist the Commissioner? I would rather have a Judge, to try all questions of fact as well as of law. I am not a believer in the jury system. My experience of juries is that if they know one of the parties they generally lean towards him. With a view of lessening the cost of litigation, we want the very best man we can get as Commissioner. There is no case of any importance tried at Zeehan, because people are not satisfied with the Commissioner. They have no confidence in him, and no case will be finally determined there.

223. You think the present system entails extra cost to both parties? Yes, decidedly so.

224. And you think steps should be taken to provide a local Court at Zeehan? Yes, it will give satisfaction, and there will be a certain degree of finality attached to its proceedings. At present we might as well have no Commissioner there at all, as we are put to the expense of having two trials instead of one. When we get a decision we are not satisfied with the competency of the man who gives it, and at once go to the Supreme Court, and there is always a delay to enable the Commissioner to report the matter to the officers of the Crown.

225. Is it necessary that steps should be taken to remove that difficulty? Decidedly so. It seems to me, also, that the Regulations regarding the taking up of land are very defective, and I will tell you why I think so:—Anyone who takes up land for a Mineral Lease has to comply with certain conditions, and these very conditions open the way to fraud. He must expose a notice, and make a track to it; that very track may lead a blackmailer up to the notice; he sees it, and puts up another one in the bush close to it. The applicant must apply for that land within seven days, but the date on his notice enables the blackmailer to put an earlier one on his application. Priority should be in regard to the lodgment of the application. I know of one instance where a man pegged out on the 23rd, and sent his application in; seven days afterwards another application is received for the same piece of land, said to have been pegged off the day before. The words of the Regulation, "within seven days, or as soon after as practicable" open the way to a lot of fraud. I think, also, that every Post Office should be also a Mining Office.

226. *By Mr. Sutton.*—And the lodgment of the application should decide the question? Yes.

227. Where should it be lodged? At any Mining Office, and the date of its lodgment should be stamped upon it; every Post Office should be a Mining Office for that purpose. If two applications are received for the same ground on the same day, it should be regarded as a simultaneous application. I think, also, that the Regulations regarding residence areas are defective, as people residing upon them suffer hardship. If a resident builds a house upon a residence area, and goes away for a short time, his rights are forfeited for non-occupation. He may get a protection from a Commissioner for three months, but a notice has to be maintained. If he leaves a man in charge, the man can jump the house, or wilfully let the notice go down.

228. Your protection order is defective? Yes. There are other causes of complaint. According to the existing law, anyone who holds a residence area can acquire the fee simple by paying £10 provided he improves to the extent of £50. Great dissatisfaction was expressed at the uncertainty of the tenure, and when the Minister of Lands was at Zeehan he was asked to take some steps to have it improved. Mr. Pillinger stated he would introduce a Bill whereby people might obtain possession of the land upon paying £10 and improving to the extent of £50. The Bill provided that the land should be assessed, and anyone residing upon it for six months should have the option of purchasing it at the assessed value. Numbers of people have come into Zeehan and bought land at £20 per foot, because the people who take it up take it up for speculative purposes. Relying upon the Minister's promise, we were induced to buy

land at these high prices, and these residents are subdividing their full $\frac{1}{4}$ -acre allotments to 10 or 15 feet ones. The enhanced value of the land is caused by the people coming in on the Minister's promise, and it is a cruel injustice to have the land assessed.

CHARLES EDWARD HOGG, *called and examined.*

229. *By the Chairman.*—What is your name? Charles Edward Hogg.

230. What are you? A civil engineer.

231. You have seen a good deal of our mineral fields? Yes.

232. What is your opinion of our present mining laws and regulations? There are one or two regulations I would like to call attention to, especially in regard to the West Coast. I was at Broken Hill for four years, and was a Government engineer for several years, and I think your mining laws, taking them all through, are very good. The system of water rights is a defect, however. The system you use for measuring the water is that adopted for measuring out of still water, and is not applicable to running streams. If a man takes up a water-right on a slow stream and another takes one on a rapid stream, you will give the latter practically ten times as much water as the former. I am a director of the Broken Hill Smelting Works at Zeehan, and I proposed to use water as a motive power, but the tax under the present Act will be so heavy that I don't think we can do it. Under your law a person using water, even if he returns it to the stream immediately, pays £1 a year for each sluice-head, 16 inches by 1 inch, which is almost prohibitory when a large supply is required. Our position is on the Henty River, and in order to work a 44 horse-power turbine, which is a very small one, we would have to pay the Government £62 per annum. If I was ten miles lower down, where the stream is slow, I would have to pay £310 a year to work that turbine. In New South Wales there is no tax put upon enterprise of that nature. I want 200 horse-power at least, and to work a turbine of that capacity I would have to pay £300 at least, which, of course, was never intended. In New South Wales the holder of a miner's right can be registered for any number of sluice-heads he requires as long as he does not interfere with anyone else. If he does, the other parties can claim shares in the water, and for this he pays 10s. 6d. This is done to encourage mining. There is no tax at per sluice-head, and I would suggest, in view of the fact that a lot of mining machinery can be run by water power, that a maximum charge of £5 a year would be ample. Where our works are, if all the water was diverted and put back again 100 yards below, the person using it would have to pay £1370 per annum. The water here is measured upon the "miner's inch," which is an American system for measuring still streams, and no consideration is taken of the velocity of the stream. This is a matter that requires immediate attention. Another matter is in relation to easements. Easement Clause 48 of the Mining Act is the best clause in any Mining Act in Australia, but the objection to it is that it confines the benefits of the easement to the holders of the mineral lease. If a mine has a limited capital it cannot, under this clause, construct a tramway without doing it at its own cost, as the person who has the capital and the enterprise is precluded from doing it, not being the holder of the lease, and therefore having no security. Under that clause a company could not construct a water-race to supply any particular part of the country.

233. *By Mr. Mackenzie.*—But if such a company were formed, where would they stop? It is not compulsory for anyone to use water supplied or trams constructed by others; they will only be used if they are wanted. I do not see why anyone should not be entitled to construct such works, because they will be subject to the approval of the Governor in Council. The Act should be extended to provide that in the event of the company who holds the easement not being able to do the work, some one else should be allowed to do it. Much of the land will remain locked up, because we cannot get a transfer of the easement as security without getting a transfer of the mine also. Another matter is, that when a person takes up ground as a silver mine and gold is found on it, he has to repeg, or his land is liable to be jumped by gold-miners. Why should not a man be able to take out a lease for whatever minerals are to be found? In New South Wales, I believe, if a man takes up a silver mine and gold becomes associated with the silver, as it is certain to, he loses no right or title in the property, but is merely assessed at a higher price.

234. Our Secretary of Mines has just told us that the original lessee is protected if the land is necessary for the working of the silver mine? The original lessee should have the prior claim under all circumstances. I know of a silver mine at Mt. Lyell where the stuff assayed 8 dwts. of gold, and that is liable to be repegged at any moment. Where gold is associated with silver, it does not necessarily pay to take up the land for gold alone. There should be a sliding scale of charges, and if the original lessee will not pay an increased rental for gold his lease should be forfeited, but he should have the first claim. In regard to the water-rights, we do not know what to do for the smelting works, whether to order boilers for steam machinery, or use the water power; I have seen Mr. Belstead on the subject, and he cannot help me. The Act says the Minister may grant the right to divert a stream, provided that he may revoke the authority he has given, for political or other reasons; it is the most insecure thing possible. If a man gets his water-right under a waterfall, he will get for £2 as much water as he would get for £100 anywhere else. We would use about 2 million gallons of water per day if we went in for ore-dressing, so that we cannot profitably put up our machinery under the present Regulations.

THURSDAY, AUGUST 20, 1891.

SAMUEL HAWKES, *called and examined.*

235. *By the Chairman.*—What is your name? Samuel Hawkes.
236. You are a Member of the House and a mining proprietor at Scottsdale? Yes.
237. Are you well acquainted with our Mining Laws and Regulations? Yes.
238. Can you point out any defects in them that require improvement? As far as the Regulations are concerned, I think, generally speaking, they work fairly well.
239. Are you well acquainted with the working of the Mount Cameron Water-race? I am.
240. A question has arisen in regard to the water supply to mines, and we wish to get as much information on that subject as we can,—What is your opinion in regard to the size of the sluice-heads? The present size is 16 inches by 1 inch. I do not think it is a matter of any detriment, as it is a question of the quantity of water to be paid for. If you increase the size to 2 inches by 16 inches, you would have to charge double the amount for the water.
241. Do you think the present arrangement is an equitable one? Yes, I think so. The present size is only a unit of division, and if we increase the size of the sluice-head we would have to increase the charges.
242. *By Mr. Sutton.*—You must have a certain amount of revenue? Yes.
243. *By the Chairman.*—Has it ever occurred to you that the rate charged for each sluice-head of water discourages the use of water for motive power? The question to which you refer has claimed the attention of the Mount Cameron Water-race Board; but the Board has felt, considering the short time it has been in existence and using the race, that it would be unwise to lower the rate of water at the present time, especially in view of the fact that the Board have under consideration the extension of the water-race to the western bank of the Ringarooma River.
244. Have you read this letter of Mr. Ogilvy's? Yes.
245. Do you think the charges against the Commission are fully justified? Under the circumstances. The Mount Cameron Board has reduced the price of water supplied for machinery purposes to the lowest amount allowed by law, either for day or night use. Then a question has been brought forward as to the desirability of the Board asking Parliament for power to regulate the price of water themselves, but the Board has felt that, in view of the brief period the race has been in operation, and the consequent brief experience they have had, it would be better to extend the time and gain a better experience before asking Parliament to confer these powers; and it was felt that if Parliament did confer these powers on the Board at any time it would be made the subject of local influence to reduce the value of the water below what might be considered fair to the Colony.
246. It has been suggested that the water should be given at a different rate to companies who wish to use it for motive power? I don't think the Government should permit any large companies to absorb the water to the detriment of individual leaseholders; but facilities should be given by the Crown to induce capital to bring water from districts, where it is not required by leaseholders, to other districts where it is required; for Parliament could always make such terms as would fairly compensate the capitalists, and yet protect the public interests.
247. Would you recommend the Department to make some arrangement by which water could be taken from a river or creek, and used and returned again, at a lower rate, providing it did not interfere with other interests? There could be no objection to that; but you must remember that in all mineral fields the acquisition of the water supplies by any large company may mean also the acquisition of the mineral leases as well. By acquiring a monopoly of the water supply, any company would have the leaseholders on the field at its control.
248. Do you think the present charge for water per sluice-head is a fair one? Yes; I think the Government charges are very fair. I don't think there are any charges excessive enough to prevent holders of mineral ground from working.
249. Do you think it would be detrimental to allow the streams round our mineral fields to get into the hands of one class of individuals? It is always a question of circumstances. There might be circumstances in which a large company would be able to bring the water to a given point on a field, and this would be highly advantageous if the lessees on the field had not enough capital to get it there themselves. There is one thing I would like to point out, and that is that under our Mineral Lands Act everyone who acquires a water-right must use his water for legitimate purposes, or it ceases to belong to him. If you pay for water you must not waste it. The object of the law is to prevent persons from monopolising the water for other than legitimate uses, and saying to some one else, "We don't want the water, but will take care you don't get it."
250. What is your opinion in reference to our present method of surveying? The only alteration I think necessary is in regard to having the sections more substantially marked.
251. Can you suggest any way in which to determine the question of priority of right? You must have one of two systems—either priority of right must depend upon the actual marking out of the ground, which is very hard to prove and very much open to fraud; or it must depend upon the first lodging of the application at the nearest Registrar's office. Where the right depends upon the first marking out of ground the fraud may easily take place. When a person marks off ground and puts up a notice in accordance with the regulations, another may come along and tear down the notice, or the next day or week afterwards put up another notice dated prior to the first one. I think the Government should increase the facilities for registration, and that the law should be amended so that the prior right should depend upon the first lodgment of the application.

252. Is there not something vague in the words of the law where it provides that the application shall be registered within seven days, or as soon after as practicable? That allows objectionable features to creep in, but it is only a secondary circumstance, because at present the acquisition of the title mainly depends upon the marking off.

253. What is your opinion in regard to the use of ladders in shafts? I think they should be in all shafts.

254. Do you refer to winze shafts as well? Yes, I think there should be ladders in winzes.

255. What distance should the stagings be apart? I think any distance up to 100 feet would not be excessive. These questions are very much regulated by the practical necessities of mining.

256. Do you think that it should be compulsory to put in ladders where machinery is used? I think escape ladders should be put in all shafts, whether there is machinery or not, as a measure of safety.

257. What is your opinion in regard to the use of straps? Speaking from experience, I should decidedly object to straps being put upon me.

258. Do you think their use should be optional? Yes.

259. *By Mr. Sutton.*—Do you think that they should be provided at the mine? Yes. Many timid people may require to use them.

260. *By Mr. Mackenzie.*—Is there any danger in their use? If you get tangled with them, or there is water in the shaft and anything goes wrong, you cannot loose yourself.

261. *By the Chairman.*—What is your opinion in regard to the inspection of mines? The present system is fairly efficient; but, in view of the further development of mining, I think that District Inspectors should be appointed.

262. Would you advocate the division of the Colony into Districts for the purposes of inspection? Yes.

263. Do you think that the blocks, tackles, windlasses, capstans, &c. should be inspected by the Inspector of Machinery. I hardly think it necessary. Under the common law a mine-owner guilty of neglect in that respect is liable to a serious penalty. It is always the duty of those in charge of mines to do all they can to prevent accidents. The inspection of machinery, which is of purely a technical character, is quite another matter: it should be regularly inspected by competent men.

264. Do you think the present regulations provide sufficient protection to leaseholders to prevent gold-miners from pegging over the silver leases? I think that a lease marked off for silver should have the same rights as if marked off for gold; and I also think that where a lease is marked off for mining for quartz gold it should also include alluvial gold.

265. *By Mr. Sidebottom.*—A man could apply for a lease for silver and at the same time work it for gold? Not necessarily. The Goldfields Act only applies to such areas as are declared goldfields, and in that limit no one can hold an 80-acre section. The same distinction might be drawn in any other parts of the Colony where gold is found.

266. What is your opinion in regard to the system of jumping that prevails? I think that the regulations should impose a very severe penalty upon anyone who sets up what can be proved to be a frivolous claim to the rights of another. That would do away with those who prow round a field waiting to take advantage of any technical error that may be made by legitimate miners.

267. Do you think that the Committee should make a recommendation to the Department on the subject? Yes, to the effect that where anyone makes what is clearly proved to be a frivolous claim a penalty should be fixed, so that the Commissioner must inflict it.

268. *By Mr. Sutton.*—Have you been to the West Coast? Yes.

269. Do you think it is fair that leaseholders should have their leases cut up by residence areas? I think it is unfair and improper in cases where the Government has made provision for the location of a township in the immediate vicinity.

270. Is the Government township at Zeehan far away from the actual one? No, a very short distance away.

271. A leaseholder cannot mine within 50 feet of the surface of a residence area? Yes.

272. And it is in contemplation to alter it to 20 feet? Yes.

273. Don't you think the Government should give the lessees some compensation for taking away their land? From an equitable point of view I would think so, but the lease provides for the Government resuming the land.

274. What is your opinion in regard to the timber on leases? Where a township is reserved by the Crown the inhabitants should have the right to go on the mineral leases and remove that class of timber which is unfitted for mining purposes, under the direction of the Commissioner of the district.

275. *By Mr. Sidebottom.*—Supposing gold was discovered in a new district, and a silver lease was applied for to cover it, how would your scheme work then? There is nothing to prevent the Government declaring it under the Goldfields Act. If there were isolated cases of that kind there could be no great objection, as the abuse in that direction would be far less than the abuse necessarily brought about by having a sort of dual ownership in the lease.

NICHOLAS JOHN BROWN, *called and examined.*

276. *By the Chairman.*—You are Member of the House of Assembly for Cumberland? Yes.

277. Are you well acquainted with our Mining Laws and Regulations? Yes, I have a general knowledge of them.

278. Do you know any respects in which they require improvement? I don't think there are any radical changes required, but there are several matters which have been brought under my notice in which new Regulations should be framed to meet the altered state of mining, especially as regards the West Coast.

279. What is your opinion in reference to the resumption of leases for residence areas? I think that the law should be altered so as to give facilities to those wishing to reside upon land not likely to be required for mining purposes, and at the same time I think that the lessees should be carefully protected. When the matter was mentioned to me I suggested that the lodes should be defined, as can easily be done in the Zeehan country, and their courses reserved from occupation. It would be quite possible for mining surveyors to do this. It could be done by the Government and the lessees conjointly, or at all events with the concurrence of the lessees. I understand that the lessees are not averse to having the land they do not require for mining occupied. That answer applies particularly to the Zeehan district, as the circumstances there are so different from what they are on other fields.

280. From your experience as Minister of Mines, do you think that some fresh laws require framing in view of the altered conditions of the silver fields? Yes. The regulations require to be altered as the conditions alter.

281. What is your opinion in regard to allowing miners to mine up to the surface? I think if the miner or leaseholder is made responsible, as I believe he is in America, for any damage that might arise from his excavations, he might almost be left unrestricted as to the nearness he went to the surface. Of course, if you give an unrestricted right to mine up to the surface you must safeguard those who have a right to occupy the surface.

282. Do you think the present regulation which prevents miners from working within 50 feet of the surface requires modification? Yes.

283. *By the Chairman.*—Do you think the present system of inspection of mines is sufficient? No. I think that the office of Inspector of Mines should be apart from that of Geologist. When the mining interests were small, and there was only a limited area of country to deal with, it was possible to combine the two, but I think we have outgrown that state of affairs now. An inspector of mines should have some considerable mechanical knowledge, and his duties should include the inspection of machinery also.

284. Do you think the present system of surveying is open to improvement? I understand that recent regulations have removed a great many of the complaints made in that respect. Under the former regulations I am quite sure the fees were inadequate in many cases, though sufficient for the open country.

285. Do you think there should be better provision for inspection of surveys? I speak feelingly in the matter, as I had organized a staff quite capable of carrying out the inspection of surveys all over the country, but that staff was dispersed a few years ago. It would be well to have it re-organized as soon as possible, because I am sure that a fruitful seed-bed of litigation and dispute has been sown during the last few years for want of proper supervision and inspection of surveys, both as to mineral sections and freehold land.

286. Do you approve of mileage being allowed to surveyors beyond a given distance from camp, in preference to an increase of pay? It would be a rather difficult matter to arrange. What would you define as a surveyor's camp? If you were to make his place of residence the centre, and then fix a scale of expenses in accordance with the distance that he has to move, I think it might be reasonable, but I think it should also be accompanied by some qualification as to the number of surveys he has to make. I am not prepared to give a definite opinion upon the matter.

287. What is your opinion in regard to auditing the accounts of mining companies? The matter should be dealt with by an amendment of the law as to the auditing of accounts of companies generally. The law of auditing companies' accounts generally requires revision.

288. *By Mr. Sidebottom.*—Has the Governor in Council now the power to grant residence areas on leases? Yes, but I think it is always done with the consent of the lessees.

289. Do you think it is necessary to have fresh legislation on the subject? Certainly. When the Governor in Council has power to grant residence areas without considering the interests of the lessee in any way whatever, I decidedly think that the law should be altered. When I was Minister of Mines the practice was invariably to consult lessees as to granting residence areas, although there was no legal obligation to do so.

290. *By the Chairman.*—What is your opinion in regard to timber on leases? If I remember rightly, the lessee has the right to timber for mining purposes, and I do not see why he should have the timber for any other purpose.

291. *By Mr. Sidebottom.*—Supposing there is steam machinery on the ground, would you consider the timber used as fuel as being used for mining purposes? Yes, decidedly.

WEDNESDAY, AUGUST 26, 1891.

EDWARD MULCAHY, *called and examined.*

290. *By the Chairman.*—What is your name? Edward Mulcahy.

291. You are a mining proprietor and investor? Yes.

292. And you reside at Hobart and Zeehan? Yes.

293. Have you any complaints to make with reference to our Mining Laws and Regulations? Well, I have not come quite prepared to answer questions of that kind. I do not know a great deal about Mining Laws and Regulations.

294. Have you had anything to do with residence areas? Yes.

295. Can you state whether they are satisfactory in their working? There is a good deal of dissatisfaction about the way holders of them are treated at the present time, if you refer to the proposal to turn them into freeholds soon.

296. Can you recommend any method by which that dissatisfaction can be done away with? I would recommend that some commission or other constituted body should take the residence area question into consideration, or a great deal of injustice will probably be done. At Zeehan, the residence areas have been taken up under conditions so different from what exist elsewhere that they almost require special legislation. The present law may be right enough as regards residence areas on ordinary mining sections, but in granting them where large centres of population are likely to be established there should be some fixed plan followed, and they should not be allowed to be surveyed along a line of road for miles.

297. *By Mr. Davies.*—Would not the best plan be to have a proper survey of these areas, and then put them up by auction? Yes. I think it is a pity that that was not done in the first instance at Zeehan.

298. *By the Chairman.*—What is your opinion in regard to the distance from the surface of residence areas that leaseholders should be allowed to mine? I think, as a general principle, that 50 feet from the surface is fair, but it is scarcely fair where a large area of land is taken up from leases, as at Zeehan, to deprive the lessees of so much of their lodes. I think the proposal in the Residence Areas Bill to make the distance 20 feet is a fair one.

299. *By Mr. Davies.*—You are not a practical miner? No.

300. You cannot express an opinion as to the safety or otherwise of such a proceeding? No.

301. You are speaking from a business point of view? Yes.

302. *By the Chairman.*—What is your opinion of the present method of auditing companies' accounts? All those accounts of companies in which a great deal of public money is invested ought to be audited by some responsible body, and not by men who are employed by directors, and may be discharged by them. There ought to be a special department to deal with it.

303. Your opinion is that the present system is defective? Yes, it is.

304. And it would be advisable to recommend the authorities to propound a scheme to remedy the defects? Yes; the Government ought to take the auditing of all those accounts into their own hands. The auditing of many of the accounts of companies, speaking from experience, is simply a matter of form. The legal manager gets things ready, and two auditors are called in, and, beyond receiving their guinea, they do little else.

305. *By Mr. Davies.*—What can they do for a guinea? Well, when they undertake to audit the accounts they should do so, even if they get nothing for it.

306. *By the Chairman.*—Have you had any experience in the pegging out of sections? I am interested in a great many.

307. Does the present method require any alteration? It is very vexatious at times. A man may go and peg out land in a very difficult part of the country, and he has then to go back, perhaps a considerable distance, and post his notice at the post office. Then he is supposed to go out to his land again and retain the notice there until the survey is accomplished, which I believe may not be for months. The prospector, having pegged off his section, should be at liberty to go elsewhere.

308. The present system is defective? Yes, I think so, although I am not prepared to suggest in what shape improvements should come.

309. Do you approve of mileage being allowed to surveyors beyond a given distance from camp? That is a question I feel strongly about. Surveyors at Zeehan and other districts are expected to go out and accomplish surveys in open country or in almost inaccessible country at the same rates. Surveys ought to be classified in three or four sections, according to the nature of the country, such as ordinarily easy, difficult, and very difficult, and the surveyors ought to be paid accordingly. For some of the surveys at Mount Dundas a surveyor ought to be paid four or five times as much as they get for a survey in the open country round about Zeehan.

310. *By Mr. Machenzie.*—Who is to classify them? The head of the Survey Department. There was a great deal of inconvenience and delay occasioned at Dundas through the defects of the present system. The surveyors had to pay men £1 a day, and two-thirds of their time was taken up in carrying supplies and stores to camp. They had to pay two days' wages for nothing, and one day's wages for the survey work, which thus cost them £3 a day. I recommend that mileage should be allowed beyond a given distance, and that the land be classified according to its nature.

JOHN SENOR GOODALL, *called and examined.*

311. *By Mr. Davies.*—What is your name? John Senor Goodall.
312. You are a mining investor? Yes.
313. You have had a large experience of the working of the Mineral Lands Act and the Mining Regulations of this colony? Yes; for twenty-eight years.
314. Will you inform the Committee in what respects you think those Laws and Regulations can be improved? I can suggest a means which I think would stop all grievances and annoyances that the mining community complain of, that I urged ten years ago in the *Mercury*, and which was done with great success in Victoria. Each mining division appointed a delegate or two, and they sat in the *Globe Hotel* in Melbourne, and went over all the Mining Laws and Regulations as they affected each district, and a Bill was then drafted and put before Parliament to become law. Afterwards, when anyone complained, Parliament turned round and said, "These are the laws made by your own men." It would give general satisfaction throughout the colony if the same thing was done here.
315. *By the Chairman.*—As a quartz-miner, have you had any difficulty with the alluvial miners? Yes, very great difficulties. We were put to a great deal of trouble on the property we are now working, the Sunbeam, on that account. The alluvial miners broke the surface and allowed the storm waters to get through the cap of the lode and into the shaft. It is not permitted in Victoria at all. A man taking up land there is entitled to all the gold that is within his four pegs.
316. What is your opinion in reference to that portion of our mining laws which require a separate licence for quartz and for alluvial mining? I think the matter should be dealt with as it is in Victoria. When you apply for a lease there you state whether you want the surface or not, and you get what you ask for.
317. Do you think our mining laws require assimilating to those of Victoria? Yes, undoubtedly.
318. Do you think that the present system of not allowing mine-owners to mine within 50 feet of the surface of residence areas requires alteration? I should have no objection to allowing the Government to form streets or roads on a lease, or to allowing people to live upon them, provided that they did not interfere with the working of the lodes, but I decidedly object to the Government having the power to compel a man to stop working his lode within 50 feet of the surface. There might be a fortune in that 50 feet. Such a provision does not exist in the neighbouring colonies.
319. If the distance is reduced to 20 feet, what effect will that have upon buildings? The lodes in a section are like a ribbon run through them, and there is ample room to put up buildings without putting them on top of a lode.
320. *By Mr. Davies.*—Supposing a certain portion of land is taken for residence areas, which at the time it was taken was not in proximity to any lode, and a company comes in and finds a lode under the buildings—what distance from the surface should the miner be restricted to in order to protect the buildings? You should do as you do in Victoria: if it was a municipality, it would remove the building somewhere else; if it was in the bush on land granted by the Government, the Government went to the expense of moving it, or paid compensation. There were very few instances where that took place, however.
321. *By the Chairman.*—If the Government allows residence areas to be taken up on a mining lease, the Government should give compensation to the residence area holder if his property is damaged by underground workings? Yes; that is my view.
322. Do you approve of the use of straps in ascending or descending mines? No, I do not. I think it is a foolish idea altogether to use them. No man who is a miner would like to be strapped to a rope or bucket.
323. What is your opinion in reference to the present inspection of mines? The present system is merely a farce, because the inspector has too much to do. There is room for a great deal of improvement. In Victoria each inspector of mines has his own district.
324. Do you approve of a ladder-way in shafts? I do.
325. What distance do you think the stages should be apart? In Victoria there are iron-rung ladders throughout the principal shafts, with about 25 feet between the stages.
326. Do you recommend 25 feet? Yes, and with iron-rung ladders.
327. Do you think the present Regulations sufficiently protect the quartz miner from the incursions of the alluvial miner? No. I do not mean to say that if a man took up a 10-acre lease for a quartz reef he should be allowed to shut up rich alluvial that may exist there, but I do object that alluvial should have to be specified as alluvial, which is wash. At present an alluvial miner may go within a foot of a reef and carry away gold which really belongs to that reef. The quartz miner cannot stop him, because the stuff is called alluvial.
328. *By Mr. Davies.*—Do you think the present method of obtaining water for the supply of mines is satisfactory? I have not heard many complaints about it. As it is now the prior applicant has the first show of getting it. For the amount of work done in making races in Tasmania there has been surprisingly little litigation. There is a great scarcity of water at Mathinna for mining purposes.
329. Can you make any suggestion whereby an adequate supply of water can be obtained for that district for mining purposes? In one way there is no goldfield better supplied than Mathinna, that is, with a river of water running close to it, but the river there is at such a level that it cannot be used for mining purposes. With very little expense a good supply could be brought to the mines, and such a work would prove a very remunerative one to the Government, or any company that took it in hand.
330. Is it your opinion that the Parliament of the country should treat the large Mining District of Mathinna on the same lines as they have the District of Mount Cameron in regard to water? It is just as necessary for the advancement and development of Mathinna to have a good water supply as it is for Mount Cameron.

331. Do you know the Mount Cameron country very well? Yes.

332. Are you of opinion that the Government would reap as large a revenue from the Mathinna District if they constructed a water-race there as from the Mount Cameron District? I do. They would reap even more, providing it is brought in on a certain level. It would also be used as water-power for crushing purposes.

333. Any expenditure on these lines would be reproductive to the country? I have not the slightest doubt that it would be a most reproductive work.

334. *By Mr. Sutton.*—You have not had much experience of silver mines? Not lately.

WILLIAM M'LOUGHLIN, *called and examined.*

335. *By the Chairman.*—What is your name? William M'Loughlin.

336. You are a mining manager? Yes.

337. And you reside at Zeehan? Yes.

338. You have had a large general experience in mining? Yes, in gold, silver, and copper.

339. Have you had any trouble in reference to the survey of mineral areas at Zeehan? Yes, I have. The trouble was caused by the manner in which the ground is marked off. There has been no regular system of marking off land.

340. Do you think the present system requires any alteration? I do.

341. In what respect would you suggest alterations? In marking off the land, I would suggest that a line should be marked across the centre of the block, and that a notice should be posted at each end of the block. The line should be marked from north to south, so that anyone could come across it by going east and west. It would be necessary, after marking off the land, to have a description taken by the nearest Mining Registrar. This would show anyone enquiring afterwards where the land was situated. At present, a notice is supposed to be posted at a Post Office, which is sometimes done, and sometimes not. Then a notice has to be posted on the ground, which it is sometimes impossible to find again; in fact it may be shifted from place to place without anyone knowing where it is.

342. Do you approve of the present remuneration given to surveyors? No. I don't think it is sufficient for country like the West Coast.

343. What is your opinion in reference to the use of ladders in shafts? I think they should be in all shafts. The distance between the stagings should not be less than 20 feet or more than 30 feet.

344. Do you approve of the use of straps in mines? I have never seen them used.

345. Do you think our present system of inspection of mines is sufficient? I have not gone into the question.

346. *By Mr. Davies.*—You are aware we have only one Inspector? Yes.

347. Do you think that is sufficient? No; I think there ought to be one Inspector appointed for each district.

348. *By the Chairman.*—You think the mining areas should be divided into districts, and an Inspector appointed for each one? Yes.

349. What should be the qualifications of an Inspector? He should be a practical miner.

350. Have you had any difficulty in regard to residence areas on any section you are interested in? No; there have been no residence areas on any sections I have been in.

351. Do you approve of mileage being allowed to surveyors beyond a given distance from camp? Yes; I think it is necessary.

352. What do you think in regard to the system of jumping that goes on at present? If a system of marking off the sections properly was adopted, there could be no jumping, except where the labour conditions were not complied with. The principal course of jumping at present is from the way in which the sections are marked off.

353. Do you consider the time has arrived when the labour conditions ought to be enforced? No; the time will not arrive until railways are constructed to places where appliances cannot be got in to carry on work.

354. Do you think the present Regulations are sufficient to regulate the labour conditions? Yes, for the time being, but I think it would be better if there was a Mining Board formed to deal with these matters. There should be a meeting of delegates from the different mining districts, who could draw up the views of the miners, and those interested on all these questions. It would save the Government a lot of trouble. That is how the Victorian Mining Laws were drawn up.

FRIDAY, SEPTEMBER 4, 1891.

EDWIN JACOBS, *called and examined.*

355. *By the Chairman.*—You are a Legal Manager and Accountant? Yes.
356. You have had considerable experience of the management of mining companies, and in keeping their accounts? Yes.
357. Does the Mining Companies Act provide any mode of keeping mining companies' accounts? No. The Secretary of Mines has power to prescribe a mode, but so far as I am aware he has not done so.
358. Do you think that regulations should be framed prescribing a mode in which the accounts of these companies should be kept? I think it would be desirable; but before doing so, note should be taken of the manner in which some of the companies, such as the Mount Bischoff, for instance, keep their accounts. From a description given me by Mr. Haywood, of Launceston, of the mode in which the Mount Bischoff Company keeps its accounts, I should think it was a very effective one. Everything that is necessary seems to be there provided for. It is my intention to ask Mr. Haywood, who has a very much larger experience, to send me down a few notes on the subject. Mr. Haywood is connected with the Equitable Building Society at Launceston, and is one of the Mount Bischoff Company's Auditors.
359. Do you think, then, that an amendment in the Mining Company's Act is necessary with a view to improving the system of keeping accounts? Provision is necessary for some better mode of auditing, but I can hardly say off-hand how accounts should be kept. There is a good deal of difference of opinion between managers as to how expenditure should be dealt with. Some contend that everything under this head should be carried to the debit of profit and loss, and others that it should be debited to mining property. These are scarcely matters for legislation,—rather matters that the shareholders should decide, so long as all the receipts are clearly accounted for.
360. Would uniformity in the mode of keeping accounts be advantageous to the shareholders and public? Yes, generally speaking; but in the case of prospecting associations and mining companies, whose operations are very limited, it would be unnecessary to prescribe a form which would go into a lot of particulars only required for a large company. The general outlines of a mode of keeping accounts could be prescribed with advantage.
361. What is your opinion in regard to the auditing of mining companies' accounts? I think there should be provision made so that only men whose competence is assured should be appointed auditors. Men practising as auditors should have to satisfy some public authority of their competency before they are eligible. My own experience during the last few weeks has shown me the necessity of this. My co-auditor turned over all the vouchers and passed them, and I found three of them which were not signed. All through the audit the same want of capacity for his work came under my notice. This seems to be by no means unusual, because I spoke to Mr. Charles Pretymann about it, and he said that he had had another auditor who acted in the same way. I think it is idle for shareholders to send men like that to audit accounts. Everything is taken for granted; the auditor signs, gets his guinea, and goes away. It would not be difficult to prescribe all that is necessary for a man to prove his competence.
362. It has been suggested that the accounts of mining companies should be subjected to a public audit? I do not think that is necessary. The Act already provides—though it is a provision that is more honoured in the breach than in the observance—that accounts shall be sent in to the Secretary of Mines every half-year. Although I am pretty careful in carrying out the requirements of the Act, I found this provision so generally disregarded that I, in common with others, did not observe it. If this provision is insisted upon, the accounts would be always in the office of the Secretary of Mines for inspection. To appoint a Government official as Auditor seems to me unduly interfering with the business of a certain class. If it is necessary for a Government official to audit the accounts of a mining company, it is necessary that he should take companies of every description, more especially as these other companies often have very large transactions.
363. *By Mr. Sutton.*—Does not the Act require that legal managers shall send in their accounts to the Government? Yes, and it also requires other things that the Secretary of Mines does not insist upon. The Act also provides that they shall be published in the *Gazette*. It will be a difficult thing to do more than outline the mode in which mining companies shall keep their accounts. At a meeting of the Silver Queen Company I noticed that the value of the ore at grass was credited to profit and loss. At the time I questioned the desirability of crediting as a balance available for distribution an amount which was only an estimate. That is a case you cannot very well provide for by legislation.
364. *By the Chairman.*—If the provisions of the Act are carried out, and the Secretary of Mines served with a verified copy of the half-yearly accounts, would it be advisable for an accountant to be appointed in his department to examine those accounts, and certify to their correctness, and the way in which they are kept? I think that is scarcely contemplated by the Act.
365. Then, the only object of sending them to the Secretary of Mines is as a record? Yes, unless the Secretary of Mines examines them. By the Act, all accounts may be sent to the Secretary of Mines, and it seems to me desirable that those legal managers who are thorough and conscientious in their work should have an acknowledgment from the Mines Department that their accounts have been received, are in the prescribed form, and are satisfactory in all respects. It did not suggest itself to me as necessary that a public official should have to examine every voucher. He could see, by glancing through, if they had the appearance of being satisfactory, and he could see by the names at the foot whether the auditors employed were capable men or not. To audit all the accounts the Government would have to appoint one man, perhaps more than one, with nothing else to do. I think if the Act were carried out, and it was insisted upon that copies of the accounts went before the Secretary of Mines, it would make most men careful of their work.
366. *By Mr. Sutton.*—Don't you think it necessary, in the interests of shareholders, that accounts of mining companies should be audited by a Government official? No, I don't think so. It is more necessary that the auditors should be required to be up to a certain standard.

367. But don't you know, as a matter of fact, that shareholders elect auditors without any regard to their fitness? I am speaking on the assumption that some alteration or improvement is contemplated in the law. If it was provided that those who practised as auditors should satisfy the Auditor-General, or some other official, of their competency, the shareholders would only have the choice of certain men. I do not think that it is any more necessary to send in the accounts of mining companies than it is to send in the accounts of other public companies, such as the T.S.N. or T.P.A. Companies. The shareholders, as a body, don't attend the meetings of mining companies, and all the work is left in the hands of two or three. There seems to be a pretty general understanding on the subject at Launceston, but in Hobart it has been a "go-as-you-please," and the man who is conscientious in his duty, and objects to certain things, is the man who is left out when auditors are appointed. I fail to see the reason for sending in accounts, without knowing why the provision was made, unless they are to be open for public inspection, or to pass under the eye of some Government official. I am not suggesting that he should go into every detail, but he could see at a glance whether the balance sheet contained the information required, assuming a form of balance sheet was specified, and could send it back if it did not.

368. *By the Chairman.*—Can you make any recommendations in regard to the improvement of the Mining Companies Act? There are one or two things that occurred to me this morning when I received the summons to attend. There is one thing I have frequently felt should be altered, and that is in regard to advertising the names of shareholders. There is no obligation to publish the names of shareholders in other companies, and why should there be in regard to mining companies? Why not let the declaration, with the names of shareholders, go before the Secretary of Mines. Anyone investing in a mining company is subject to the penalty of all the country knowing where he has put his money. It is easily avoided by asking some one to hold the shares in trust, and it entails unnecessary expense upon companies. If I have a long list of shareholders I have to pay £3 or £4 in advertising in Hobart and Launceston and in the *Gazette*. The information required by the Schedule, apart from the shareholders' names, might be published, and the list of shareholders sent in to the Secretary of Mines.

369. *By Mr. Mackenzie.*—What was the object in having that provision? I do not know.

370. *By Mr. Sidebottom.*—Does the same provision exist in Victoria? I cannot say. During the Broken Hill and Silverton discoveries I never saw a list of shareholders advertised. It is the general practice, when the occupations of shareholders cannot be ascertained, to put them down as investors, and I, who wish to be conscientious, felt I had no right to do this, though the Secretary of Mines told me he would accept that definition. In one case that came under my notice, the legal manager advertised the whole of the shares in his own name in trust. I said to the Secretary of Mines that I felt sure this was not correct. He said, "Can you swear he does not hold them in trust?" I replied that I could not, and was told not to say anything more about it. There is another point in regard to depositing a copy of the rules before registration. The necessity for this arises from the fact that the rules printed at the *Mercury* office, and other offices, have clauses in them inconsistent with the Act. Up to this day mining companies are adopting rules which, in two or three points, do not agree with the Act. In one of the clauses of these rules it provides you should advertise in one newspaper in Hobart, while the Act provides that the *Gazette*, and one newspaper in Hobart and one in Launceston, must be advertised in. Another clause is in regard to extraordinary meetings. The Act provides that if the manager does not call them within five days the requisitioners may call them. The rules say ten days. If the section relating to incorporation and registration were carried out, and the rules left with the Secretary of Mines, there might be some one to look through them and see that they are not in contravention of the Act. If, as was the case a short time ago, shareholders wish to protect themselves and see everything going on regularly, they have to go to the legal manager's office, and thus let him know who is acting against him. If there was a copy of the rules at the Registrar's Office this would be avoided.

371. *By Mr. Mackenzie.*—I suppose the rules are pretty well alike for all companies? There is a form printed, but the objection that I raise is that some of these are not in accordance with the Act. They are published by the *Mercury* and other offices, and have not been carefully compared with the Act.

372. *By the Chairman.*—If the rules are made before the incorporation they must be forwarded to the Secretary of Mines, but the Act also provides that the rules may be made before or after incorporation? It is customary to make the rules before incorporation, because there must be an extraordinary meeting to do so afterwards. I think it should be insisted upon that at the time of registration a copy of the rules should be deposited with the Secretary of Mines. There is another thing worthy of consideration, and that is the compulsory transfer of shares. The buyers should be compelled to register within a certain time, or else lose all right in the shares. The Act provides for a majority in number and value of shares, and when the shares are not transferred it is impossible to say who is holding them. I have no sympathy with the movement that a few are initiating, to obtain the abolition of that section which provides for a majority in number and value. It is only in extreme cases that you cannot get a majority in number and value. It is a very necessary precaution, and will leave an opening for all sorts of abuses if it is done away with. In regard to Part 2 of Section 36, I would like to remark there is scrip in circulation in Hobart without any numbers on it. There is too much laxity in this matter, and the Mines Department should have power to require that all scrip be numbered. Some issue scrip without a seal, which is irregular, though I don't think the Act requires a seal. I can produce scrip issued by one office in this town where there are no share numbers at all. It seems to me there should be some official to look after these matters. I have had to do with mining companies in Hobart for about four years, and I know of no instance where the Mines Department has pulled anyone up for neglect on any of these points. A few penalties would soon make a difference. In Section 61, with regard to keeping the office open the day before the sale of shares, there is no provision for Sundays or holidays. The provision for the redemption of shares also is not sufficiently clear.

373. *By Mr. Mackenzie.*—Could not the Company so arrange as to have the sales of shares always on a Tuesday? It often happens, after the notice is given, that the Government declares a holiday, and the legal manager must keep his office open on that holiday, if it is the day before the sale of shares.

[Mines Regulation.]

In connection with the redemption of shares Section 60 says "anything hereinbefore," and the No Liability provision comes below that. It seems to me to be necessary to add the words "hereinafter," or make provision in Clause 4, Section 120, for the redemption of shares.

374. *By the Chairman.*—Have you found any difficulty with regard to directors having their shares forfeited for non-payment of calls, and the question arising whether they are legally directors or not? Yes; I insisted upon the re-election of a director three times, and in each case I caused a lot of ill-feeling, and was told I was the only man in Hobart who would do that sort of thing. There is one director now who always leaves the payment of his calls to the last day allowed by the Act. On one occasion he forgot it, and came in next morning to pay it; in which case a lot of unpleasantness ensued upon my insisting that the Act should be carried out.

375. *By Mr. Mackenzie.*—If you forfeit a man's shares the law allows him three weeks to recover them in? Yes; but he ceases to be a director directly his shares are forfeited. His co-directors then have to re-elect him, and submit his re-election to the shareholders for confirmation. There are many cases in Hobart, if the truth were known, where men are sitting as directors when their shares have been forfeited.

EDWARD MACE, *called and examined.*

376. *By the Chairman.*—You are a Legal Manager and Accountant? Yes.

377. And you have had a large experience of the management of mining companies generally? Yes.

378. What is your opinion in regard to keeping mining companies' accounts? I think there should be one system, stated by the Government, and every company should be made to keep its accounts on that system. It would be better if Mr. Belstead, the Secretary of Mines, and delegates from the legal managers of Hobart and Launceston, were to confer together upon the subject, and draw up a system. I believe something of that sort was done some time back. It would be much better for everyone to act on the same principle. At present there are not two single managers here who have their balance sheets alike.

379. Is it the practice for managers to forward a half-yearly statement of accounts in each company to the Secretary of Mines? It is the law, but it is not always observed.

380. Would it be desirable for the Secretary of Mines to insist upon having the accounts? Yes, it would be much better.

381. Do you know the object of requiring those accounts to be sent in—is it merely as a record, or should they be examined? Many years ago the balance sheet used to be published in the *Government Gazette*, but now we give the Secretary of Mines the balance sheet, and he simply holds it. I do not think he even looks at it.

382. Would it be desirable to revert to the old practice? The only thing is that there are a great number of companies who cannot afford to spend any money in printing. There ought to be some means by which companies that are not doing any work should not be compelled to spend money in advertising or calling meetings. You cannot call a meeting under £2.

383. Do you think any amendment should be made in the Mining Companies Act in regard to advertising? It would be a great help. For instance, when we call an extraordinary meeting we are compelled to advertise two consecutive times in each paper in a fortnight, besides the *Gazette*, which is the most expensive of the lot, and which is seen by very few.

384. What would you consider as sufficient notice to the shareholders? A circular by post, which is always sent now, and one notice in the newspaper, would be quite sufficient. There is a lot of unnecessary expense entailed by this Mining Act.

385. What would you do in the case of persons who have purchased shares and have not registered their names? That we cannot get over. It is their own fault if they have not registered their names, and they must take the consequences.

386. Do you think it desirable to compel holders of transfers of shares to register their transfers? Yes, it would be much better for everyone. I would suggest that they be compelled to register within 14 days.

387. Does any inconvenience arise in cases where the transfers are not registered? Lots of people lose their shares. I have repeatedly forfeited shares upon which the calls would have been paid only the holders happened to forget that they had them. If the shares had been in their own names they would have had a notice sent them.

388. Does it not cause difficulties also in regard to extraordinary meetings? Yes, it does indeed. The worst of the law is that you must have a certain number present, and we find that we often cannot get the required number because there are so many shares held by persons who are not on the register.

389. What is your opinion as to the minimum fixed for extraordinary meetings? At present the minimum is two-thirds in number and value, which is a great mistake. We can often get the requisite value when it is impossible to get the number.

390. What alterations do you think should be made? I should fix the minimum upon the value, and leave the number out. In three or four instances the law has compelled us to adjourn meetings when we have had two-thirds of the shares represented in the room. We have repeatedly had to get people to accept the shares merely to get the necessary number to hold a meeting.

391. What is your opinion in regard to auditing mining companies' accounts? I think there ought to be auditors licensed by the Government. At present men are put on who know nothing at all about auditing. I have had men as auditors who knew no more about accounts than a schoolboy, but who were

appointed as auditors only because they were friends of certain other people who were shareholders. The Government should license men as auditors, and the mining companies should be compelled to employ them. That, with a proper style of balance-sheet, would be a great protection to shareholders.

392. Have they any system of licensed auditors in the other colonies? I think they have licensed accountants, but I think the Mining Companies can employ anyone. It is the opinion of our Exchange that the accounts of all public companies should be audited by men who are licensed to do the work. We had a meeting of the Committee of the Exchange upon the subject, and the opinion was unanimous that auditors should be licensed by the Government, from whom companies should have to choose.

393. Would there be any penalty if these licensed auditors did not act consistently? They would lose their licences.

394. Can you make any suggestions to the Committee with a view to improving the Mining Companies Act? There are a number of things in it that want alteration. The first one is in regard to advertising in the *Gazette*. It is really of no use, as not one in five hundred ever sees it, and the Government gets 12s. 6d. or 15s. out of us for nothing. It is throwing money away. If people are interested in a mine they can always go and get a daily newspaper.

395. Do you think it is desirable to publish the names of shareholders on registering a company? No; it is another useless expense. I was charged £2 1s. 6d. by each of four newspapers for one advertisement. It is ridiculous.

396. What remedy would you suggest? Let it appear as so many shares held in trust by the Manager; we did that in one instance.

397. Have you another suggestion to make in regard to improving the Act? Yes, in regard to extraordinary meetings. Shareholders live all over the Colony, and it is very difficult to get a meeting. Proxies are of no use, as you must have a certain number in person. We could always get the requisite value, but not the number.

398. *By Mr. Sutton.*—Don't you think it is a great security to shareholders? But you cannot get a meeting. The only way we can get a meeting in any of my companies is by getting all my clerks and all my children to accept shares, and dummy it, in fact. Value should be sufficient, or by person and proxy; but individual attendance you cannot get.

399. If you remove the personal attendance and allow it by proxy, you remove the security? I do not see it.

400. It is easy to get proxies to vote any way on a subject? The persons who give proxies do not usually attend meetings. We want to get over the difficulty of number. I can give you instances of four or five meetings held in which we could not get a majority in person, although we could by proxy. I wish to offer a suggestion in regard to applications for leases. At the present time, according to the law, when you mark out a lease you have to keep a notice posted on your ground intact, perhaps for eighteen months. I can give you instances of where I have had to employ men for twelve months merely to look after notices; £1 a week is the usual fee for that work, and I have paid £250 for keeping notices up during the last year. It should be sufficient if, after putting up the notice, you give notice to the Commissioner of where you intend to take up your lease.

401. *By the Chairman.*—What remedy would you suggest? The registration of the application and the payment of a fee for doing so.

402. Would not that be hard on prospectors, who might take up your ground, finding no notice upon it, and upon going to the Registrar's office find it was already taken up? That difficulty could be got over in this way: let the Government have tin notices made, which you could buy from them, and nail up on the ground. When the application is registered, it would not be worth anyone's while to pull the notice down.

403. Have you any further suggestions to make? The present law requires you to cut a certain distance each way when you put in your corner pegs. It is difficult in timber country to do that; in fact, a man who is not a surveyor could not do it at all.

404. *By Mr. Sutton.*—Where do you think the notice should be posted? Wherever a man likes to put it; I should say on the boundary would be the best place. I would also suggest that when a section is surveyed the surveyors should burn the number of the section on the corner pegs. Anyone would then know at once what section any particular one was; at present it is impossible to tell. It would be a great help to prospectors, and would not cost much; even a good pencil mark would do. With respect to fees, I am quite of opinion that surveyors are not paid sufficient for a timber country like that on the West Coast. There ought to be a discriminatory power to allow the Secretary of Mines to pay surveyors according to the class of country they work in. In button-grass country they could survey half a dozen sections in a day, while in the timbered country it may take them a week to survey one. The sections in bad country are left. The sections ought to be surveyed as they stand upon the books, by priority. There are sections at Dundas which have been surveyed four months after application has been made for them, while there are others that were applied for two years ago and are not surveyed yet.

WEDNESDAY, SEPTEMBER 9, 1891.

EDWARD ALBERT COUNSEL, *called and examined.*

405. *By the Chairman.*—What is your name? Edward Albert Counsel.

406. You are Deputy Surveyor-General? Yes.

407. Are the mining surveyors under your jurisdiction? No, they are acting under the dual instructions of the Mining Department and the Survey Department.

408. Do you think it is a wise thing to have two distinct heads over the management of the mining surveys? I think all the surveys ought to be under one head, unless they are distinctly divided, and a professional head placed over each branch.

409. *By Mr. Sutton.*—Don't you think it is a mistake to have two heads in the matter? I think it is hardly a question for me to answer. What I think is that, being a professional matter, it should be dealt with by a professional head.

410. *By the Chairman.*—Is it your opinion that the whole of the surveyors should be under one general head? Yes, I think so.

411. Do you think the remuneration at present given to surveyors is sufficient? No, I do not think it is, but an increase of the fees is now in contemplation; it has been decided to increase them.

412. Would you approve of a sliding scale of charges? I think a sliding scale would be the most equitable if it could be fairly carried out; but I don't think, under present arrangements and circumstances, it could be carried out satisfactorily, inasmuch as there would always be a question as to the nature of the country. Some years ago we employed two scales in our ordinary surveys, but it did not work satisfactorily. One scale was for ordinary timbered country, and the other was for heavy scrub country, and it was left to the surveyor to decide under which scale he should charge. If we adopted a sliding scale, an inspector would be needed to inspect pretty well all the surveys made. A sliding scale is adopted elsewhere, and works all right, because there are officers appointed to supervise each district. It was the general opinion of the last Select Committee we had on the subject that it was desirable that we should have one uniform scale. That might be a little departed from in the case of the West Coast, and, by making one fee for the heavy work there and another for surveying in ordinary districts, we are acting as fairly as we can under the existing circumstances.

413. Have you had any experience as to the method of marking out claims and putting in applications for them? Yes. I have had nearly three years' experience in making mining surveys.

414. Can you suggest any better method of marking out blocks? I think it would be an improvement if the applicant was compelled to blaze a line the full length of his section, and put up two notices instead of one, and then the land he applies for to be surveyed, provided its length did not exceed the regulation distance.

415. Do you think that method would do away with the overlapping that goes on? Not altogether, though I think it would improve matters to a great extent.

416. Has it ever come under your knowledge where an applicant has had his land squeezed out, or shifted out of line, owing to the number of applications in the vicinity? No, because in the Survey branch we never see the plans at all.

417. Would the system you now propose do away with that, and allow the first applicant to get the ground he applies for? As far as it can be practically given to him.

418. Do you approve of mileage being allowed to surveyors beyond a given distance from camp? I do not think that that would apply very well on the West Coast, inasmuch as the country is so bad that distances can hardly be recognised. Half a mile there is worse than three miles elsewhere. I think the fees should be made sufficient to remunerate surveyors for all the travelling they have to do. You can hardly make a scale for travelling in that country which would remunerate the surveyor fairly.

419. There have been complaints made at different times of surveyors not putting in an appearance at all, and leaving their work to be done entirely by their pupils and assistants: do you know how that can best be prevented? It cannot be prevented unless a fair check is kept upon the surveyors by inspection, and by enforcing the penalty for the employment of unauthorised surveyors.

420. Do you think the present system of allowing parties to employ their own surveyors is a good one? No, it is a bad system, because it would destroy the control of the department over the surveyors.

421. From that, I should imagine that you would recommend that the service should be under the control of one head, and be confined to certificated surveyors? Yes. In regard to the responsibility as to mining surveys, I do not recognise that the Survey Department is responsible. The instructions for mining surveys are issued from the Survey Department, after which that Department does not know anything about them.

422. *By Mr. Lewis.*—Does not the surveyor send in his reports and plans to your office? No. The position is this: the information is first of all prepared in the Mines Office, and it is then forwarded to the Survey Department, and simply signed there as the order to survey. For some time the instructions have been returned to the Mines Office, from which they are sent on to the surveyor. We know nothing more about them as a rule.

423. Are the surveys made on the West Coast inspected or checked at all? There is one inspector stationed at Zeehan just now, and he is there to keep a check upon these surveys as far as possible. I may say that the instructions are forwarded to him from the Mines Office, and he distributes them amongst the surveyors. His inspections have only applied to Zeehan and the locality so far. Other localities will be inspected.

424. Do you think the blazed line you referred to in reply to the Chairman should be cut along the boundary or where? It might either be in the centre or upon the boundary along the supposed strike of the lode, or north and south. My idea is that when the man got what he applied for, that line would be in existence for the guidance of other prospectors. I do not know that this is strictly a question for me to enter upon, as it is more a question of departmental administration for the Mines Department.

425. Would that prevent or minimise the overlapping existing at present? Yes, it would, to some extent, if it were adopted all through.

426. *By Mr. Sutton.*—Don't you think a great improvement could be made in the notices? I think they should be of tin, and painted. They would be very durable, and could not be obliterated without a great deal of trouble.

APPENDIX A.

Lower Junction, August 10th, 1891.

MINUTES of Meeting held at Hotel, Lower Junction, by request of the Member of the District (J. G. Davies, Esq.) to consider the present Mining Regulations, and make suggestions as to any alteration that may be required to strengthen the hands and assist the Commission now sitting as appointed by Parliament to further amend the Mining Regulations of this Colony: Mr. A. JOHNSTON, J.P., in the Chair.

The Chairman read over a copy of the Resolutions passed at a meeting held at St. Helen's, and, after some discussion, it was decided to eliminate all clauses except 10, 12, 13, and 14, which will stand as under, with additional clauses:—

1. That all applications for forfeiture shall be decided by the Commissioner after a hearing in open Court upon sworn testimony, with right of appeal to the Supreme Court.
2. That blazing a line of five chains to one of the cardinal points of the compass on marking out ground, as now required, be dispensed with.
3. That it shall not be necessary to state the consideration for any transfer, but that a uniform stamp of five shillings shall be payable on every transfer.
4. That each Mining Registrar of every central office shall post in some conspicuous place in his office on each of the usual quarter days a list of all sections abandoned or forfeited during the preceding quarter.
5. That it be compulsory on every applicant, within twenty-four hours (where practicable) of marking out ground, to register such ground at the nearest post office in a book kept for that purpose; and every postmaster or postmistress shall be a deputy-registrar, and such office be supplied with all the latest charts for the use of the public for reference.
6. That all rivers be considered the proper highway for sludge or tailings.

A. JOHNSTON, *Chairman.*

APPENDIX B.

*Stone Buildings, Macquarie-street,
Hobart, 9th September, 1891.*

SIR,

IN revising the proof of my evidence given before the Select Committee on 4th instant, I have added the following:—"I also think the transfer to the Company, within a specified time, of the lease of the ground such Company is understood to have acquired, should be made compulsory. Many Companies to-day do not appear to have a formal title to the ground upon which they are expending the money of the shareholders." If this addition be not permissible you will, of course, have it struck out, but I may be allowed to submit that there is much neglect of the shareholders' rights in this direction.

I desire also to supplement my evidence with the following comments upon "The Mining Companies Act, 1884":—

Section 8.—"Two-thirds of the shares * * shall have been subscribed for." It does not appear to me that the meaning of the words "subscribed for" is clear, or else many Companies are irregularly formed.

Section 13.—The words "were at that date" appear to me to convey the meaning of this section rather than the word "are" which occurs near the close of the section.

Sections 19 and 21.—I do not think these are generally observed. They appear to me superfluous, since the Memorial for Registration gives the information and publicity herein required.

Section 44.—"Not to be *earlier* than fourteen days"—? nor *later* than how many days?

(Is it desirable to make notice of *ordinary* meetings compulsory in the Act as well as in the Rules of Company?)

Section 60.—Add "or hereinafter" after the word "hereinbefore."

Section 61.—This seems to read as though it were intended to keep the office open the day previous to *advertising sale*, not the day *previous to the sale*. Surely the latter is what was contemplated.

Section 62 (also 47.) It appears to me desirable that the Manager should be required to record in the Minutes of an Extraordinary Meeting the names of shareholders and number of shares held by them, otherwise there is no evidence that this very necessary representation requirement has been met—a loophole Directors and Managers might in some cases avail themselves of, and so evade the Act.

Section 120.—If Section 60 be altered as suggested above, add the words "unless previously redeemed" before the words "shall be sold by public auction."

Section 142.—Might it not be well to make certain rules embodying provision for some approach to uniformity in the main requirements of Companies compulsory, leaving minor points and details to be optional?

Schedule 7.—

Clause 7 clashes with Section 62 in cases where rules already provide number of Directors.

Clause 24.—The closing paragraph is not in accord with the provisions of Clause 24.

Clause 22.—The 40th Section of the Act does not require the Manager to "publish in the *Hobart Gazette* a copy of each half-yearly statement."

Clauses 27 and 28.—The 45th Section of the Act gives the Manager *five* days, not *four* as herein provided. Section 44 names *fourteen* days as time after which meeting may be held. This is omitted from Clause 27.

Clause 65.—Section 54 requires only one insertion in each newspaper, and not less than *seven days'* notice. This clause is at variance with the section in three places.

I may be allowed to remark that I am aware that the 7th Schedule is not a part of the Act, but I point out what appear to me to be defects, because it seems very undesirable that an Act of Parliament shall have appended to it any Rules which may be taken as models and which are defective in some details, thus setting an example of irregularity.

It is my intention to proceed to Ballarat shortly, when, if not too late to be of service, I shall have pleasure in making enquiries as to what the experience of Legal Managers there is in connection with the Victorian Mining Companies Act.

I have the honor to be,

Sir,

Your obedient Servant,

EDWIN JACOBS.

*The Chairman of the Mines Regulation Select Committee,
Parliament House.*