HA 15/34

Select Committee

1886

TASMANIAN PARLIAMENTARY ARCHIVES

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1886

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Mining – Reporter Notes

12 months, would that not be a

Mining — 1

Word

John Richards, of Lefroy

By the Chairman. —

99. Have you had much experience in mining? — Yes, in gold mining for the last 34 years

100. In other colonies besides Tasmania? — In Queensland and Victoria

101 Do you consider any alterations are required in the mining regulations? — I think we want a new regulation with regard to boys. They compel the whim boys to take out a miners right and some of them are under 15 years of age. Another thing I think wrong is that the Government allows surplus ground to be taken between blocks. Some miners peg out 12 acres instead of and of another man pegs out 12 acres

instead of 10 my one can come and peg out 5 acres in between. This difficulty does not occur when a surveyor is on the ground but it is a source of trouble on the west coast

102 Are you satisfied as to the quantity of land that can be taken up under a miners right? Yes

103 What is your opinion with reference to the issuing of miners rights, which now expire on the 31st December? - I think it a difficult question to deal with, because if you allow man to take out a right for half a year he will frequently not take one out for the first half of the year

104 Do you think it ~~right~~ just to compel a man to take out a right for the unexpired quarter of a year at the full rate? - It is not fair to the miner.

Mining
3

105 Can you suggest any means of altering it? - I would be difficult to suggest a remedy, but I think it should not be enforced for the last quarter because no digger could hold a claim without taking out a miners right

106 From your experience in working on gold fields, and employing men, would you recommend that the rights should stand for 12 months all expiring on the 31st December, and allow a half year to be taken? - Yes that would meet the case much better. Persons working on leaseholds should not be required to take out miners rights. I think the rent for leaseholds should be reduced. It is rather a heavy case for a poor man to

Minority 4

pay ~~£1 per acre~~ £10 for his area.

107 You consider the present fee of £1 per acre too much? Yes, I would suggest that it be 10s.

108 By Mr Barrett

But if ~~they~~ miners live on the leasehold of a claim belonging to a company and ~~that company allows him to remove wood and~~ they are allowed to remove wood - Take the case of the Native Youth Co with 50 of 60 workmen who have a residence area and everything else free on the lease which is crown land, do you consider the fee of 5s. is too much in such a case? - No, I do not think they should be on the goldfields of they

Murray
5-

cannot afford to pay that. But it is the case of men, many of whom come across from Victoria, who take a few weeks employment on a mine towards the end of the year, and may then go on to the Tin mines. It is better that they should have to take out miners right

109 Which do you think the better regulation, to make all miners rights expire 12 months after the date of issue, or issue them every half year and expiring at the end of each half year? — The latter would be better because the man who came here for a few months & came take out a right for that time

110 On the other hand, there are advocates in issuing the right at any time and allowing it to run for 12 months from the date of issue? What system would create difficulties

111 Define those difficulties? — A miner would always have to carry his right about with him and produce it on demand by any policeman or other government official; consequently the paper would be worn out before the end of the year. It would be a very difficult way of getting over a difficulty, and would prove something like the 30s. miners right in Victoria which created a great deal of trouble. I have made it a rule from my mining experience

Mining
7

to always have in my possession a miners right, no matter what employment I am at and if a man cannot take out a miners right to protect his residence upon crown land he should not ~~not~~ be allowed to live there. I think, though the law as to boys should be altered

112 In deep alluvial claims that is your idea of a fair amount of ground to be allotted under the miners right? — Well that is a very hard question to answer because much depends upon the character of the ground. On very wet ground he wants a good extent. On dry ground he ought not to have more than double as

Mining
8

much as on shallow ground. I think there is a provision in the Act that where land is over 60 ft deep it can be leased as in Victoria. That is the best security a man can take. It is no use to work deep ground with a miners right

By the Chairman

113 — Do you favor a rate for prospecting purposes? Yes

114 — Would you devote any portion of such a rate to the assistance of prospectors directly? — No — that is if I understand you to mean assisting prospectors to go out

115 — You are opposed to devoting any portion of such a rate for wages, food

Mining
9

or anything of that sort? — I should be thoroughly opposed to paying anything for wages, and think it very unwise to give prospectors food. Under such circumstances they would become hunters ~~not for miners~~ instead of diggers

116 — What is your opinion about tracks for mining districts? — ~~I~~ My opinion is that if there are no tracks from the men to the store they ought to have tracks; beyond this, if there is any gold in the district the miners will put the tracks quickly enough

117 — There has been a great deal said about Mining Boards; can you give any information with reference to

Mining

10

Mining Boards, or Boards of Advice? —

I question whether they would answer in

this country. The mining communities

are very small and scattered about

the country. Boards of Advice might be

very good, but I remember that a

good deal has expected from the

local boards in Victoria and it has

found that they do not answer. They

are very good for some districts but

will not suit general districts

118 — How would you be in favor of

a Central Board with delegates from each

Mining centre? — What would be a

better system

119 — How would you have them

delegates elected? — Oh, they would have to

Murray
11

be elected by the miners. They ought
to be the best judges of the qualities
of the men

By Mr Bennett

120 — Have you ever experienced
any inconvenience from the Head of
Mining Department being such a
distance away from the Workings
mining districts? — No

121 — Are you of opinion that it
would better conduce to the conduct
of mining affairs in the North of the
Island was resident at Launceston? —
I do not see that it would make any
difference. I have had a good deal of
communication with the Government, backwards
and onwards, for the last 17 years in

Morning
12

Morning while the Head of the Department has been at Hobart and ~~as~~ never had any difficulty. As long as you have good officials at Launceston and elsewhere no difficulty can arise

~~Lunch~~ 122 — When in the whole of your experience you have never been put to any inconvenience by having to come to Hobart? — No. As longs as they keep good plans at Launceston they are just as well off there as down here.

By the Chairman

123 What is your opinion with reference to permanent surveys? I do not understand.

124 Do you believe in one survey and then keeping the block in that form

Mining
13

Too matter through whose hands it passes? —

I believe every claim should be resurveyed

for a fresh appearant.

125 — Have you had any

difficulty with water rights? — No, but

I have not had much experience of

water rights here

126 — If there is anything you

wish to add to your evidence or any

explanations you wish to make

all you submit them in writing to me? Yes

(John Graves Payne examined.

By the Chairman

— Where do you reside? At Beaconsfield.

— Have you had much experience in

mining? 30 years.

Mining
14

129 — In what parts? — Ballarat, principally, and for the last 8 years in Tasmania

130 — Can you give us any statement or any expression of opinion with reference to mining where you have been in Tasmania? — I would rather you ask questions, for I do not know exactly what you want to get at.

131 — What is your opinion with reference to the present mining laws and regulations? — Well, the principal alteration I would like to see would be to reduce the rent for gold leases from £1 to 10s. per acre

132 — I suppose you have had not experience in tin? — No

Mining
15

133 — What quantity of land do you think a man should be allowed to occupy under his miners right? — I think the present privelege very fair, and do not think you could better it.

134 — You do not consider a miners right should entitle a man to take up two distinct pieces of ground? — Decidedly not.

135 — Should land taken up under a miners right be worked by the holder? — By the holder or by wages so long as he complies with the labor clause

136 By Mr Barrett

Are you in favor of the present system of issuing miners rights for 12 months expiring on the 31st December? — Yes, but there should be a concession given at the end of six months. Under this system you can find out whether the miners have taken out rights

Morning
16

or not, but I do not think a man should be compelled to take out a right from November till Christmas if he happens to arrive in Tasmania in November. That is where the shoe pinches. If I am in Tasmania at the beginning of the year and do not take out a right till November, I am trying to evade the law and should be punished; but when a new man comes to the colony in November and is compelled to take out a right, which only holds good till the following January, I think that a great hardship

137. Supposing a miners right has issued for 6 months instead of for 12 months, would that not be a

Mining
17

more preferable arrangement, and
one that would satisfy the Opposition
to the present system? - Yes it
would be a better system ~~to~~ If a
man did not take one out for the
year he could take one for the
six months

138 By Mr Scott

— Then you would give a man the
privilege of taking out a right for
6 months after the first ~~six~~ 6 months
of the year had expired? - If a man
took out a right at the ~~first~~ 1st of
the year it would last till the 1st of
the following year; but if he did not
require one till June I would give
him one from June till January for

Morning
18

25.6? Though it might lead to
loading it

139 But his land could be
taken away by anyone else? — He
could not stop it

140 — There is no reason why
he should try to trade it for 6
months any more than for 12 months.
Can you state any reason why he
should do the one more than the other? —
No I cannot. There is one very hard
thing upon a wages man in compelling
him to take out a miners right
when he is only working for wages

141 Do you consider a
man working on a claim should not
take out a miners right? No, I
do not consider that. I will put it in

Morning
18

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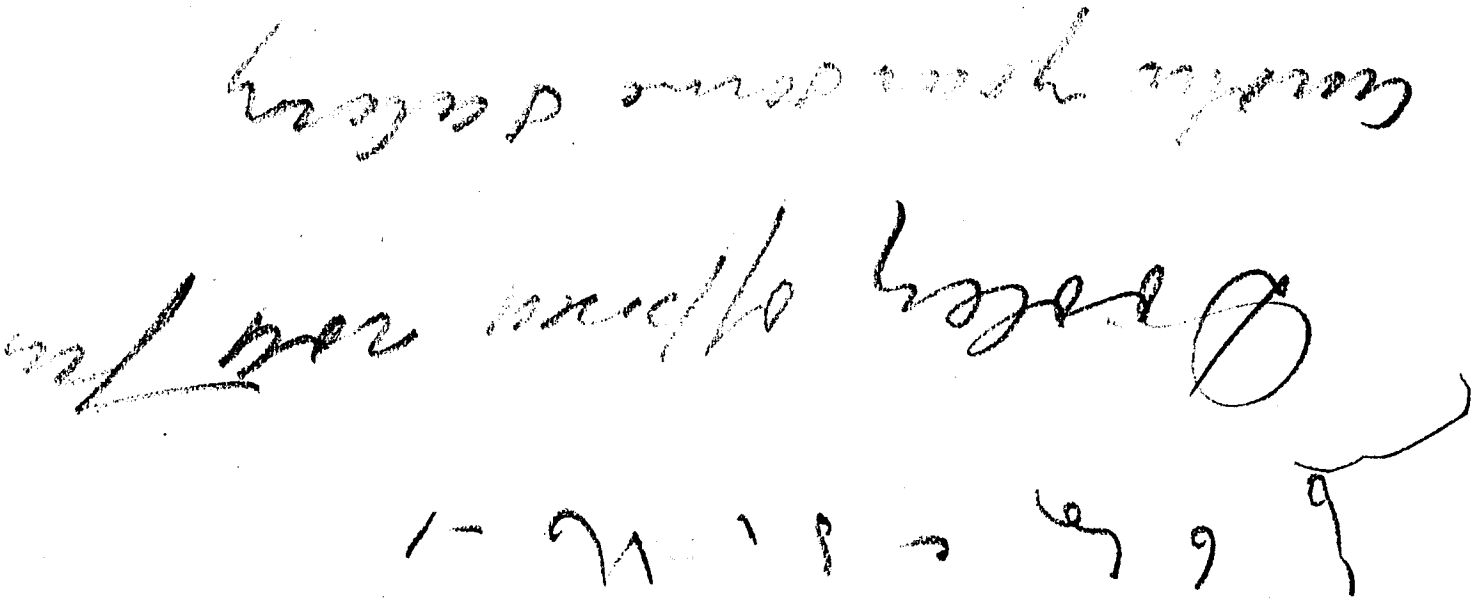
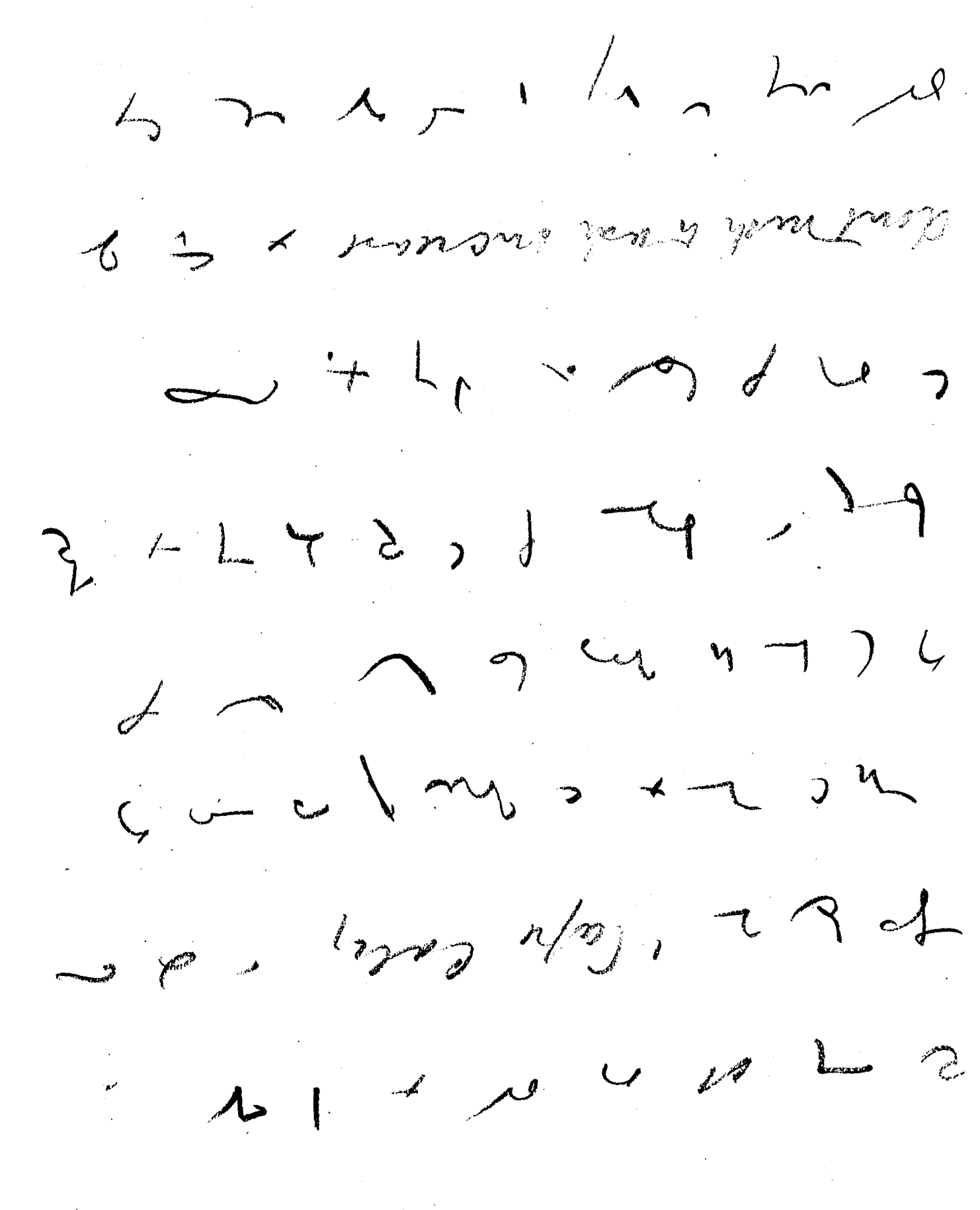
Morning
19

this way: Supposing a single man is working on the Claim who boards at a house not on Government land and has come over from one of the other colonies to work on the Tasmania or Florence or any of these places.

He gets a small contract for six months, when the Crown Bailiff comes around in the meantime and says to the manager "All your men got miners rights" "The manager asks the men and this man says" No, the job will only last a few months and I do not know whether I will stop afterwards" Without a miners right he would be discharged, so he has



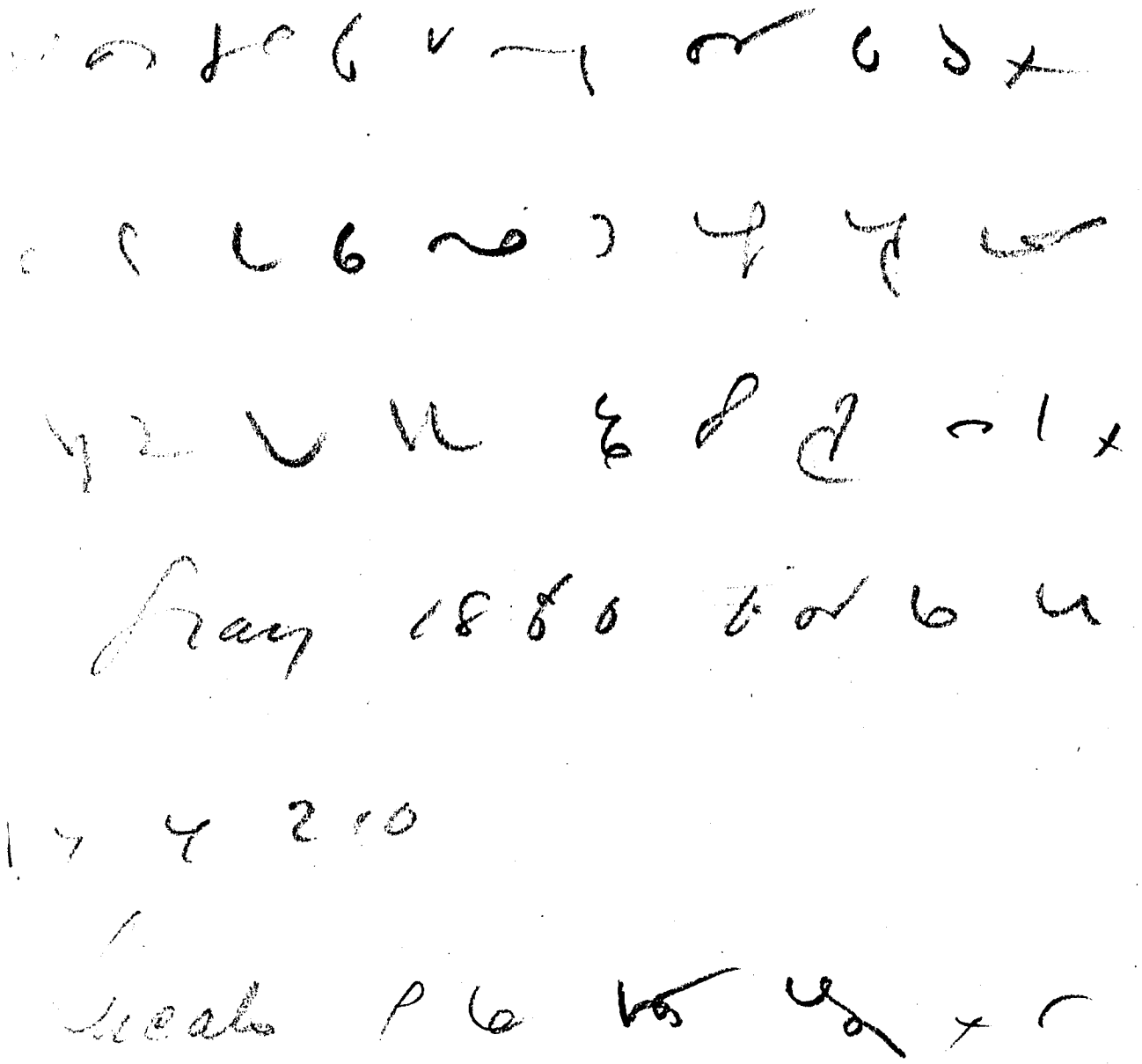


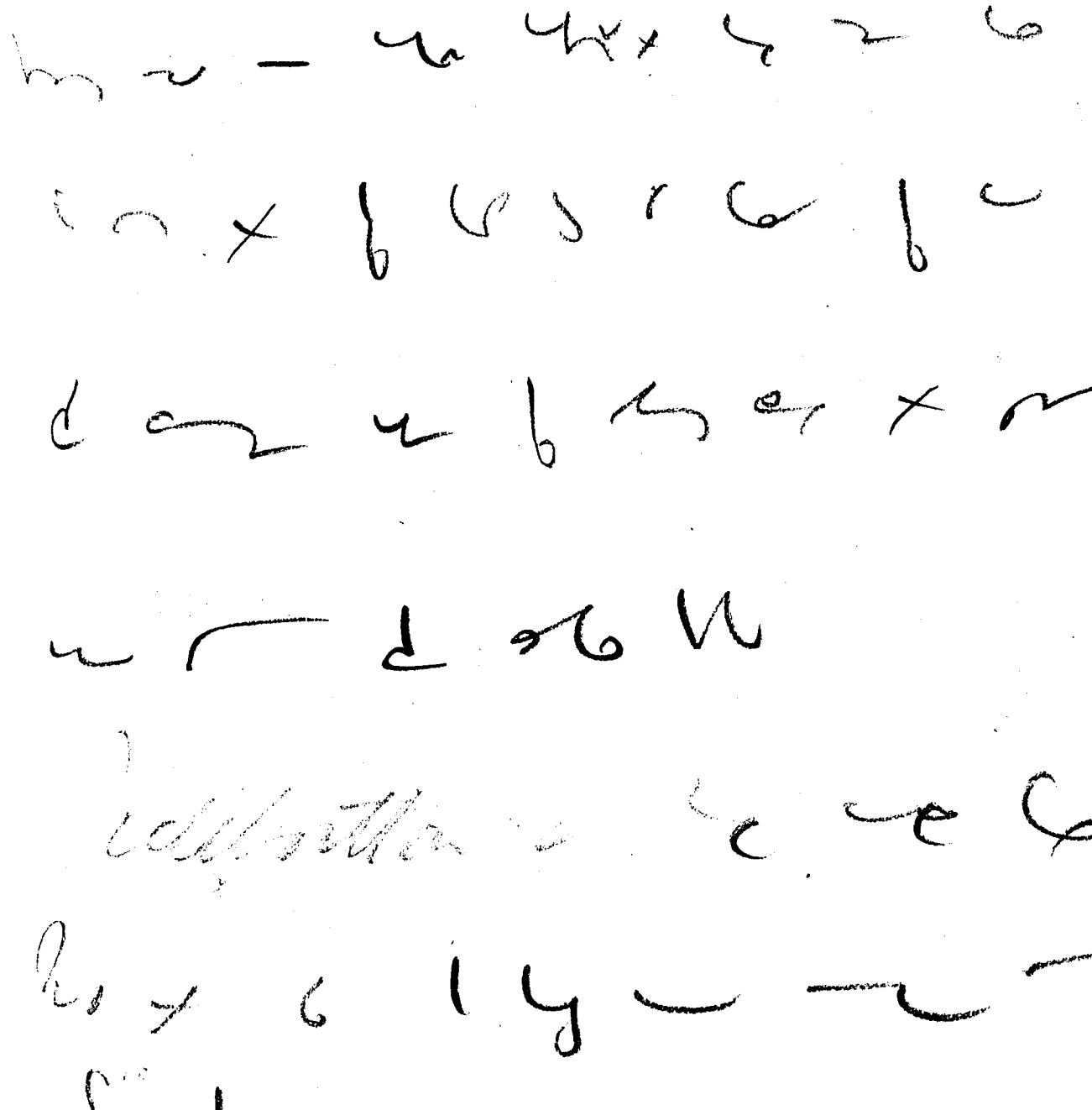
Morning
20

to pay 5s. to be allowed to go to work.
He may not get another contract
for 4 or 5 months yet the Government
gets the 5s. This is felt to be
a hardship by the men

— By the Minister of Lands
— Is not that the practice in Victoria? —
No, I was 13 years in Victoria
and never knew a working man to be
obliged to take out a miners right

143 By Mr Scott
— What is the practice there? —
Men working on a lease for wages
do not have to take out a miners
right. I was never asked for
them until I came to Tasmania.
The first time that Callaghan said





I mean allege him by seeing that my men had mineral rights, I looked at him thoroughly surprised

144 By the Chairman

What is your opinion with reference to a prospecting rate for the assistance of prospecting? — I think the prospecting rate quite sufficient up to the present time. We are doing very well.

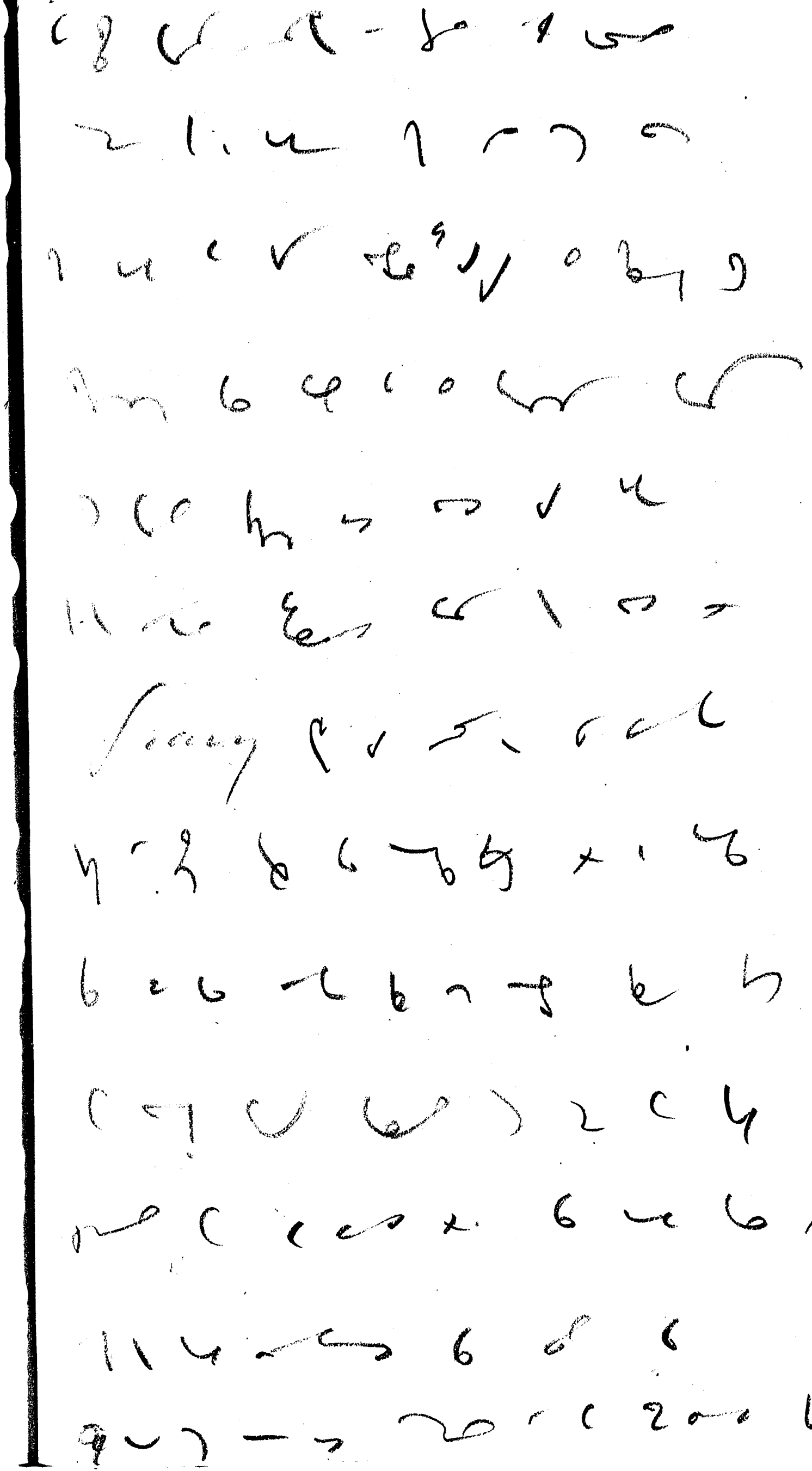
145 How should a prospecting rate be divided supposing we get it? What is your opinion with reference to its being used, and how? — Well it has been given to Native Youths & Best Claim and could not go to better claims, and to Lefroy but principally the former but where money can very well be spent

146 — I do not mean that, I mean prospecting for new fields as you oppose of Government giving assistance to prospecting parties? — I think that would be another matter altogether

147 — You would not be in favor of providing bodies of men with tools? — No, I would not

148 — Are you in favor of providing them with food? — No, unless under a thoroughly trustworthy man, because I have seen cases where it has been squandered

149 — When you were here in favor of bonuses? — Yes that would be better plan. When they seen what good work has been done



and a payable field discovered
for them abonus

150 What recommendation can
you make to this committee with
reference to ~~the~~ men who have
proceeded a certain stage in the
development of a mine and then
desire ~~to~~ borrowed assistance
for further prospecting? Could you
recommend any system by which
the Minister of Lands could be
guided? — Well, hardly. It
requires a good deal of consideration,
because some men might go on
working a claim and ask for assistance
merely to keep them in work without
any prospect of the mine developing
into a payable one. This is a

Mining
24

matters that wants thinking over

Appendix 151 — When in the event of the Government having a prospecting vote how would you propose to distribute or apply that vote for the benefit of mining? — As I have already said, by a system of bonuses

152 — And in any other way? — I do not see how you could assist a party of men, unless by half wages. Certainly it would never do to give the men full wages, but you might pay them for a portion of their time. Say they earn £2.5 a week at ordinary work, the Government might give them half of that or just enough

Mining
25

to keep them in tucker and tools, but not enough to enable them to sit in their tents and play cards on what the government had given them

153 — You think it would be liable to corruption and fraud? — I fancy it would

154 What is your opinion with regard to Commissioners on goldfields and the establishment of Mining Boards? — I would not have Mining Boards they have the principle of disintegration in them

155 The Commissioners might make use of them as assessors? — Yes, as assessors they would be useful

Mining
26

156 By the Minister of Lands

— Do you know that provision has already been made for calling in assessors in any case where the Commissioner may desire? — No, I have not been closely in to the cause

By Mr Scott

Under the bonus system, suppose two parties are out prospecting and one dropp on a good reef while the other has spent an equal amount of money and been unsuccessfull which of the two parties would you give it to? — Certainly give it to the party that got the gold

Has not the other done good to the country? — hell a manager

Mining
27

who gets a good claim is thought a great deal of because it pays, and another who has got a bad claim is discharged as incompetent. It is success that is rewarded.

9 — Do you not think that the party which has been unsuccessful in finding gold has the more need of assistance? No I do not believe in that. If you went that way to work men would go out and do certain things and then say the have been unlucky, but it will all right for we will get the bonus. Assistance might be given to prospectors but certainly not wages

10 Does the Miners right under the present system allow you to take

up enough ground for a miner
to work? — I think it is quite
sufficient

21 By the Chairman

Are you in favor of increasing
the force of miners rights? — No;
but I will tell you what I do not
approve of — I do not approve of
letting the alluvial ground, or
a quartz reef held upon lease to
be worked by miners right. The
lessee should have right to
all the quartz and alluvial
in every section of 10 acres taken
up. 22 You believe that the lessee
should be entitled to the whole of the
minerals in the area of land he
takes? — If I take up 10 acres
in quartz and alluvial I should

Summary
29

be entitled to any alluvial or to all alluvial as well as quartz on that land. It is very troublesome for on the Olive Branch and other claims the men with miners rights have come right up to the Shaft and do not care a button for you. If you complain they say "There is my miners right, and you have nothing to do with this alluvial; he will work where we like. I have had a great deal of trouble sometimes as to what is alluvial and what is quartz

163 By the Minister of Lands

But look at the other side of the question. Supposing you were an alluvial miner instead

of being a manager of a quartz claim, and you saw a wealthy company in possession of both quartz and alluvial, and were getting so much good quartz that they did not care to touch the alluvial but left it for years — don't you think it would be rather hard of you were debarred from working that alluvial? — Yes, ~~I would like it~~ if you look at it in that light; but still that quartz reef which has come to the company has open to anyone else to discover and take up

164 — But I was looking at it from the working miners point of view? — I have seen them all over the surface of the Olive Branch really interfering with the working of the mine

165 — Surely that must be only

Mining
31

temporary because they would soon work out the alluvial? — It prevents you from going about on your claim, and they pile up heaps of mullock all around here and there. Cunning right up to the shaft. In Victoria the leaseholder takes the whole of it quartz and alluvial. I think Mr Shaw got the present privilege given to miners rights to induce miners to come over from Victoria and test the thing. I was never bothered in the same manner in Victoria

Are you sure that it is not the case in Victoria? — No it is not. The Borough Borough was first worked for alluvial afterwards as a quartz mine, and then for alluvial again — all under one lease? — Yes

Morning
32 No 33

William Nobes, of Moorina, examined

By the Chairman

Can you make any statement as to your experience of mining in your district? — I have been connected with mines during the whole time I have resided there — nearly 10 years — and have seen mining in most forms but exclusively for tin

— Will you give us some few remarks with reference to your experience up there, and we will examine you afterwards? — I first took charge of the Weld River and worked that successfully for 4 years, then went to Mt Cameron, and sold then to the Pioneer. My experience is a varied one

— You have had bodies of men working under you? — Yes

Mining
34

1/ — Have you had any difficulty with reference to the mining regulations? — No, not personally, but I have seen many imperfections that might be remedied.

2 — Can you state any? — Well, for one thing, the regulations require you to give notice 14 days of intention to apply for a lease whereas the application itself is the best notice and there would then be no time lost. Any dishonest person seeing a post with a 12 days notice on it could predate another notice and apply for your section and get it

3 — But when you put up the notice in the ground do you not post your application to the Department? — They make you put up the notice and will not grant the application for 14 days afterwards and any dishonest person could rob you of your

Mining
35

rights
174 You have stated an evil, now
give us your opinion as to a
preventative for that? — I would
have all applications made within
48 hours of the notice, provided the
registrars office was within 10 miles.
~~and~~ I do not know that this would
do for the West Coast, but there is no
part of the North Eastern district where you
could not reach a registrar within 48
hours
175 — There have been a great many
remarks made about surveys and
pegs — what do you think about the
latter? — I think 4 corner pegs are
unnecessary. One would be sufficient.
In many cases you cannot have
surveys. It is almost impossible
find the early surveys
176 Could you recommend any alteration? —

Shrub of one corner peg was put in 3 ft 6 in high, ~~and~~ a trench made north and south or east and west to show the angle of the lines, and the peg marked with the number of the section it would be all that would be required

By Mr Barrett

If there was only one peg and all were liable to be obliterated, is there not more chance of that one peg being obliterated than the whole four? — The frontage line can in most cases be found; but the back line, where the scrub ~~had~~ has been thick and the fires have ran, it is almost impossible to find. In the open country where the ground is marked with stakes the stakes are broken down, burned, or taken away.

Mining
37

178 By Mr Scott

— Who ought to put in these pegs when the ground is first surveyed the applicant or surveyor? — I think the surveyor should

179 — Is it at all necessary to put pegs in of the size in the regulations? — No I think not.

180 The regulation stipulates for 8 in pegs, 4 ft 6 in above ground? — Yes, with a trench showing direction of the line

181 You think pegs of that size unnecessary? — I think one peg sufficient ~~and~~ if the position of the line is shown and the number of the section given

182 The marking seems to be a great cause of trouble among the miners? — Yes it is almost impossible to find the

lines, and there is a penalty if the
bailiff comes around and finds the
pegs not in. It is a continuous
source of trouble.

By Mr Barrett

Could you suggest anything to
do away with these difficulties? — I
think one peg would be sufficient. It
requires some mark to distinguish
the section, and if that one peg was
placed at the angle in the front
of the section and the positions of the
lines shown by trenches with
the number of the section marked
on the peg, nothing further is required.

— Have you ever worked alone
as a private miner? I have, in
Queensland. The reason I ask the

Mining
39

Question is ~~that~~ to see if you can give us any information as to the extent of ground a miner should hold under a mineral licence?- I think 2 or 3 acres. In New South Wales it is 4 acres

86 You think 2 or 3 acres sufficient?- I think it would be a fair area - sufficient ground to enable a miner to go to some outlay in bringing in water. With anything less ~~th~~ he would not care to go to much expense to work it for the deposits are now principally on the hills and highlands and are mostly patchy - at any rate those in our district. In New South Wales the 4 acre system is found to work well and has been the means

of Keeping a large mining population around Stanthorpe and at the border mines where a large population is working under the mineral licence system

— Do you think is some reward has offered by government to prospectors on the discovery of new mineral lands it would have the effect of promoting the mining industry? — Yes, I think it would be a very good step in the right direction

— In what way would you suggest that this reward should be bestowed? — Whoever discovered a new country within a certain distance of any known tin field should have a reward

— What distance away would you consider a new ~~country~~ field in a district

Mining
41

like Mt Cameron ?— Ten miles

190 — Is not that rather a large distance?—
Well I do not think there is any thing within
miles of Mt Cameron that has not
been looked over

191 — Do you think that reward
should assume a money value or
simply a grant of an extended area
of land ?— I think the money value
would work best. It would induce
miners to push out and exert themselves
for it

192 — Upon what basis should that
reward be given so as to prevent
any imposition upon the Government ?—
It would have to be a field that would
maintain a certain number of
miners and produce a certain amount of
in to prove that it was payable
ground.

Mining
42

13 Don't you think in giving this reward it would be much more simple to give discoverers an increased area of land than a sum of money — better and more simple, and a greater safeguard against the government being imposed upon? — It would be a better safeguard to the government; but it would not hold out the same inducement to the miner to push out. It is more the money reward that would actuate them

14 Regarding miners rights should they be issued for 12 months from certain day or 12 months from the day of issue, or would you give intermediate the current for the last half of the year and make them all date from the 1st

and the middle of the year? – I would have them current from the day of issue. What is the Victorian plan and it works well there

195 You think that a more preferable plan? – I think so. It would lead to more being taken

By the Chairman

Do you think 5-$ sufficient for a mineral licence? – That would depend upon the area

By Mr Scott

197 Suppose a mineral licence allows you to take up 2 acres would you consider 5-$ sufficient, in view of the fact that you pay ~~5-$~~ 10$ an acre of you lease the same land? – I think it a fair price

198 Still is there not a want of

equally on it? Why charge one 10s an acre and the other 5s for two acres? — I think the advantage would be that more men would make use of it

[illegible] — Do you think 5s per acre would be low enough or too high? — I think it is quite low enough

[illegible] — Then by granting a man two acres for 5s you would make it still less? — I think the miner is heavily handicapped by rents. Oftimes he holds ground for a length of time without being able to work it

[illegible] — Would that be a miner or a speculator? — A miner and, no doubt, speculators too. There are plenty of cases where a miner would work land if he could get it at a small

rental. Sometimes he cannot do anything for want of water, but considers his land so good that he holds on to it.

202 He considers his land so good that he holds on to it for speculative purposes? — There are many cases where it is not so

203. Do you think two acres for a mineral licence is sufficient? — Yes I think it is quite as much as a miner should have. If this were dealt to him as reasonably as could be arranged it would induce many miners to start prospecting and open up ground that would otherwise remain idle

In connection with water rights there is a fee that has to be paid to

Government for them, and a survey fee likewise paid to Government? — I think they are both wrong under the existing regulations. You are not allowed to cut the race until it has been surveyed, or you are not supposed to do so, and it is risky, for until the survey is made you cannot get the lease of the ground and might cut a race and then not get the lease

205 Is there any necessity for these fees being charged? — I do not think there is. If the water right has granted and you have allowed to cut a race from a certain point to the lower terminus of the race, that is all that would be necessary. You should be allowed to cut the race where you like, of course, not cutting it so as to interfere with existing rights, but you

Murray
47

would not do that for your own sake

206 Supposing same one

else wanted a race coming from

to same direction and you had no

claim to the ground over which your race

ran, how would you settle disputes? If

there are any circumstances by

which your race would interfere with

an existing race you could not do

207 You have no legal right, it is simply

permission that you are allowed to cut

the race? You would not be allowed to

cut two or three races

208 Supposing both parties cut a

race and they interfered with each other

how would you settle the dispute? – The

prior applicant is allowed to cut two

Murray
48

race as it suits him so long as he does not interfere with and appercunt prior to himself

Da 209 But he has no legal standing? — I do not see how that would affect him any more than it does under the present system. If you interfere with any existing rights they have a remedy and if any one interferes with your right you have a remedy

210 Although you pay these fees to the government for these rights have you no claim to the race? — Yes you have a tracing?

211 The very fact that the government has surveyed the race gives you a claim? — Yes.

212 Under the other system you could cut a race where you liked? — Yes,

Mining
49

from the point of commencement
to the termination

213 Then you propose to abolish
all fees in connection with water
rights? — Yes

By the Chairman

But if the race cut between those
points has to pass over ground held
by other men you must pay some
fee to give you the right to hold it.
If you abolished fees would you not
abolish all claims to races? — You
would have to apply for the water right
as now

But you pay no survey and
consequently there would not be any
claim upon the government nor anything
to prove that claim. Would it not be
better to ~~redu~~ reduce the fees than to

Mining
50

abolish them? — Yes, perhaps it would, but I do not think that would affect the actual facts as to the ~~circumstances~~ race

216 Unless some charge is made how would you define the right and what protection would you have for it? The charge for the application gives you a claim to the water right. The survey does not give you any claim to the water ~~right~~ race, it is simply made for the information of the department. Any question arising or any dispute is settled by the Commissioner, and the survey is very little guide to him

By Mr Scott

The course that the survey traverses gives no right to the water, but

Mining
57

does it not give a legal right to the ground which the surveyor has marked for you ?— Provided it does not interfere with existing rights

18 ~~Yes~~ Still when a surveyor makes that survey, surely he will endeavour not to interfere with existing rights. When he has done so he gives you a legal claim to that land, and by your not getting that ground surveyed would it not be more detrimental to the miner to waive this right than to pay for the survey ?— The fees are very heavy. I do not know that my suggestion is a good one, but I do not know any other remedy for the heavy charge of 1s 3d per chain for surveys when some of the races are

Minnay
52

over 3 miles long. ~~the~~ I am
speaking for the Moorina district
more than any other. I do not
know how it affects the others. I know
there is ground held on lease where it
would pay to bring water on, but the
holders are prevented by reason of
the charges for survey fees. They
have to wait for their survey and
then it is 3 or 4 months before they
get the line and are allowed to cut the
race. There are the difficulties
we are laboring under now, and
by doing away with the surveys
you get rid of these obstacles — making
the application for so many heads
of water and the right to cut a race
from that point to another given
point

mining
83

Q. Would it not be better to make the fees lower than to abolish them altogether? - Perhaps it would. Of course to have it surveyed as now is better if there were no fees

— When you deem it is better to have the surveys? - Yes. I do, simply because all would know then that the race is in existence.

What is your opinion about working small sections of the ground under the mineral licence system - would there be much ground wrought under that system? - A great deal more than at the present time. A great deal more prospecting would be done in a bona fide manner if man knew he was free of the notice regulation and all form of application

Mining
54

and was free to prospect under the licensing system

92 — Are you of opinion that small sections would be taken up by co-operative bodies of miners? — Yes, I have seen it work well in other colonies — in both Queensland and New South Wales. At Stanthorpe there is a large population that would not be there if it was not for the mineral licence system. The ground being patchy and small

93 Would you have any limit to the number of miners combining together to take up ground under the mineral licence system? — I do not think I would. It might be necessary for a large number of men to amalgamate

for the purpose of bringing water on to the ground, cutting a tail race. If the ground was situated on a creek with 5 men on each side they could work better and more profitably if they amalgamated

By the Chairman ~~to~~

Have you had any experience in connection with the Commissioners settling disputes in your district? — Yes, frequently.

Does the present system seem to answer the requirements of the district? — Yes, I think so.

Do you know whether on any occasion assessors have been called in? — No

Then you do not know of the

Numeny
56

system of commissioners with possessors to assist? — No it has never been required in our district.

8 — Have you had any experience in taking up abandoned ground? Yes

9 — Has it come under your notice that difficulties arise in taking up ground where the required portion overlaps the lines of an old block? Have you had any difficulty in getting the land resurveyed to form you wanted it, not confining yourself to the original boundaries? — I have taken up two or three blocks at Nyneford River where the sections have been surveyed four or five times

10 Do you think it would be any advantage to have ~~the~~ permanent

Mining
57

surveys by have the country divided
to permanent blocks, or would
difficulties arise from such a system? —
I think the present system could be
bettered but I am hardly prepared
to say how at the present time

By Mr Scott

Under the permanent system you
would have to take the blocks as they
stood and would not be allowed to
take 20 acres out of an 80 acre
section or to cut the sections into any
other form. Do you think that would be
an advisable system to adopt? — No,
not without mineral licences were
granted. ? If mineral licences
were granted it would not matter
whether there was permanent survey

Mining
58
or not. There are plenty of large sections it would not pay anyone to take up as a whole, but there might be small patches in it that would pay a man under the mineral licence system

2 By the Chairman

Supposing a number of men take up 80 acres and after prospecting it find 10 acres of really good ground then they get it re ~~[illegible]~~ surveyed and only pay rent on the 10 acres. Would that not be permitting a monopoly? It would be a difficult matter to get over

33 Could it not be got over by limiting each party to 10 acres? Do you think that area would be sufficient? — No, in many cases 20 acres would not be sufficient — for there is so much dead-work required that it would

mining
60

take up the four ~~corner~~ corner pieces of these sections to make new section? Him would be able to take them? — Four 20 acre sections

— Or under the mineral licence system 2 acres? — Yes

By Mr Barrett

Do you think the business could be expedited and cheapened by having the office of the Secretary of Mines in Launceston? — It would for our district in every way.

Have you ever been inconvenienced by not finding the requisite information in Launceston and losing time by having to go to Hobart? — I have, on several occasions.

Mining
66

Have other people been similarly inconvenienced to any great extent? — I have known many cases

241 In your opinion it would be a step in the right direction to have the head quarters of the Mining Department in Lancaster? — Yes it would benefit our district in many respects

By Mr Fenton

242 Do you think it right that a miner working on a gold lease should have to work under a miners right? — Yes I do, for his own protection

243 How do you explain that? — His miners right gives him protection

244 Suppose he is working for a company for wages? I do not know how to answer that question.

Mining
66

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244 Suppose he is working for a company for wages? I do not know how to answer that question.

Mining
62

245 Its not necessary in working on a tin lease to work under a miners right? No

~~By the Chairman~~

James Ogelvie examined

By the Chairman

246 Where do you reside? – At Gladstone

247 You have had a great deal of experience in tin mining? – Yes

248 Since when? – Since the commencement of tin mining in Tasmania

By Mr Scott

249 Would a mineral licence allowing a miner to take up a certain amount of ground be an advantage to the general working miner in working tin? – Yes, I think so – to the general working miner.

250 What quantity of ground would you be in favor of a man holding under

Mining
68

a mineral licence? – I have given the matter considerable consideration and I think about 2 acres would be enough for one man.

Seeing that a miners right at the present time is 5s. and the lease for ten ground being 5s ~~10s~~ per acre now would you propose to equalise this discrepancy? ~~So that~~ anyone leasing 10 acres of ground would have to pay £2.10, and any 5 miners could hold the same quantity for 25s., and such a discrepancy ought not to exist? – I wrote a letter to Mr Packer at the request of this committee and from that it will be seen that I have long seen the inequalities of the present system of rents. "They are not paying fairly according to what they

get under the present system and it would be worse under a miner's right. I believe in justice that the rents should be collected upon the ton obtained by levying a royalty upon it. Whereas would be actual payment by result. There is so much unfairness under the present system. One man pays £20 a year for an 80 acre section and he perhaps gets 5 tons of tin out of it while another man paying the same rent gets 150 tons of tin. There is a case of great inequality there and it would stand altering. The mineral licence would get over it to a very great extent particularly be avoiding the necessity to take up large areas. If a return were prepared of the ground that has been worked in my district

and the rents collected for leases in the district it would be found that £30 or £40 per acre had been paid to the Government for the ground that had actually been worked

352 By Mr Barrett

Which in your opinion best leads to the development of the mineral resources of the Colony, the individual energy of the working miner, or capital contributed to work on lease? — That is a very large question. There are very often claims that cannot be worked without a certain amount of capital over the reach of ordinary working miners. Companies have spent large sums of money in the district I am connected with

353 Do you know which has been the most successful, your own energy guarded

Mining
66

by capital or the capitalist? I have been in the Mt Cameron district before any companies were started and there has much more energy put into the work ~~and~~ more tin got out, and a larger quantity of European labor on the field than now. But other causes have been operating. They only only working now on the large spurs. If water is supplied the experienced working miner is the man to settle on the field

254 If the working miner contributed most to the development of the of the mineral resources then government ought to make him some consideration? – Yes.

255 Well if the rent is 5.8 and you let a working miner hold two acres for the same sum that is a just premium on

Mining
67

favor of the working miner? — I think the realat is a small matter for the working miner. If you settle 4 men on 8 acres you get £1 from them; but the general revenue is far more benefitted than if you let ~~the~~ a 20 acre block to a company because they may work it with 2 men, and probably would let it lay idle for a lengthend period without doing anything with it; whereas a miner would work it or give it up and another would take it up — there is one remark I desire to make in connection with miners rights. I have suggested an important question. I have advocated these mineral licences publicly and privately and considerable discussion has arisen from the action I have taken in the matter. In this

Mining
68

way I have got the opinions of a good many and have had my own views considerably altered. Everything I have said in regard to it is perfectly in accord with ~~many~~ views of others. There is an element that might not to be let in and that the Chinese element.

256 By Mr Fenton

How would the alterations affect them? — They are on the same footing as we are now; but leases are rather complicated matters and take a considerable amount of money. Once you grant them the mineral licence they would soon be supplied with them and by prowling about the ground would cause considerable trouble with the Europeans.

257 When you think unless the Chinese are excluded it would be better

not to make this alteration ?— Yes
I think so. I would prefer to remain
under the Leasing system than encourage
the Chinese

258 You are not an admirer of
the Chinese ?— I have employed
them a great deal and find them very
useful in keeping a yard; but that is
their place, no more

259 I suppose you consider water
races necessary for the development
of tin mines ?— Yes, decidedly

260 Do you consider surveys
should be made for them and rates
charged ?— No it is exorbitant; the
charges are unnecessary.

261 How could you hold a water
right claim crossing Government ground
unless you have it surveyed and pay the fee ?—
Simply by putting on the regulations that any

mining.
70
applicant for a water right shall have power to cross over government ground

262 Have you any idea what the law is in other colonies with reference to water races? — No, I am not acquainted with them

263 Do you consider it a sufficient guarantee to hold it upon a mere application? — You register your water right and have it marked sufficiently to identify the line.

264 That mark is no use unless a survey is made, is it? — Under a mineral licence a certain area is granted; it is not defined in any way; the water right might be given in the same way

265 Unless you have some claim or right to show, the mere fact of holding possession would not be sufficient in case of dispute — such as anyone crossing your

Mining
71

race? You must have some title to prevent trespass.? — The general spirit under which mining laws are administered is that miners shall not in any way interfere with one another, but all facilities shall be given by one to another to go through ground for damages for which compensation by arbitration. But in going over crown land all surveys and traverses are useless and unnecessary expense.

266

By Mr Barrett

Supposing the ~~ground~~ race is not surveyed what right or title have you to the ground through which it goes? — Just simply what the application for a water right to take water from a running stream at a particular point will confer

Mining
72

upon you — the right to cut into
Crown land and to carry it over.

267 All these things should
be registered, and how is the government
to undertake all this without any payment
being made? — I do not think it is
necessary to have it plotted down
and all those charges connected with it.
I may have a water right working at
a certain level and if I want to alter it
and if I wanted to alter it would have to
pay 2s 6d per chain again for a new tracing
and new levels. If it was done otherwise
I would simply have a little document
a licence given me and so long as I
did not interfere with others could carry
it out as I liked.

Mining

73

What is your opinion about pegging out claims as prescribed by 8 in. posts 4 ft. 6 in above ground? Do you consider it is necessary to have one at each corner of the ground? — The surveyor ought to put such pegs and marks as may be needful for securely defining the land. The lessee should put up on one of the surveyors corner pegs the number of the lease and the regulation to define the angle. The present regulation about large pegs and trenches is a mistake. Surveyors pegs are held sacred by miners and it would be wise to maintain this feeling

By Mr Barrett

269 Is the present charge for mineral leases too high? — The charge is 5.5 per acre and operates very unequally,

Mining
74

but I do not see ~~[illegible]~~ any way of getting out of that except by a system of royalties so as to equalise it

By H Chairman

Will you in favor of miners enquiring into any difficulties that may arise by the establishment of a Central Board in Launceston composed of delegates from the different districts as in some of the other colonies? - I think of there were fewer mining laws and regulations it would be better. Mining land should be worked as simply as other land under the Waste Lands Act. I do not see why there should be any more complication in working land for minerals than in raising

Mining
76 & 77

Imperial the Brothers Home and the Bischoff. The whole of the mining legislation has been in favor of those big claims. The mining laws and regulations have yet to be made for the small men

273 By the Chairman

Are the working miners fully satisfied with the Commissioners and not in favor of boards? — All mining cases should be tried by a jury the same as small debts cases

274 Do there been any difficulty in getting disputes settled on the fields are you were working? — No difficulty in getting them settled by the Commissioner but the Commissioners decision is not always according to the feeling

78

of the community as to the justice of the case

275 Do they ever use assessors to act as jurors? — No, none in such cases

276 The act provides that they shall have that privilege? Yes, I have just noticed that lately.

277 Would it be an advantage to the miners in your district if the office of the Mines Department was at ~~Ho~~ Launceston instead of being at Hobart? — The office of Secretary of Mines should be as near to the field as possible

278 Do you think greater facilities would be given of delegates appointed by each of the centres of mining population

Mining
79

were to consult periodically with the Secretary of Mines? Most decidedly. The regulations want altering often, and the Secretary of Mines may be a most competent man but he would be greatly assisted by practical men

279 By what process ought such delegates to be appointed? I am not acquainted with the working of such systems elsewhere but no doubt the information could be obtained.

280 If you were electing a Road Trust or any thing of that kind how would you proceed? Call a meeting and elect them

281 By miners? — Oh yes by miners.

282 By Mr Fenton

Is it a fact that the last owner of

Nunnery
80
a forfeited leave can claim compensation from anyone taking it up, for surface improvements. ?— It is not clear to me, but it ought to be a fact. There is a statement that surface improvements shall be paid by the Lessee but it is not clear to me

283 Do you think there should be any limit to the time within which he should be allowed to claim?— If the land is never taken up by a second applicant he never gets any thing; but if another man comes in and uses his survey, his dam, his head race or tail race he must pay the originally Lessee for them

284 Up to what time?— I do not know that there should be any limit. If a man makes use of them he should pay for them

Mining
8/ Ward

By Mr Barrett

— But if the incoming lessee does not use them — assuming that the original lessee has constructed a catch water and has spent £400 in surface improvements of that nature and the government then undertakes to supply the water, this dam &c would be no use to him — should the man who has taken up the forfeited lease pay for them then? — Cases may happen where the improvements would not be used, but it can always be settled by arbitration as the law ~~allows~~ provides

286 — Do you understand what is meant by permanent surveys? — Not clearly. I have had it partially explained to me and believe it means that once a section has been surveyed it is fixed in that form

287 Would you support that system? — No, I believe it would be

Nunney
82

better to break up the blocks if required

288 — Do you think miners rights should date from the day they are taken out or from the beginning of the year? — I do not see that it would make much difference. You can always come and get another on the 1st of January. If they all fall due together it is the best way because it saves the risk of men working without a licence

289 — Are you in favor of rates for prospecting parties? — Yes

290 — How should they be expended? — Without prospecting there is a ~~want~~ want of continuity in the tin mining industry. I do not think the ordinary miner is able to do prospecting. I think where it is known there is a deep lead country the government should adopt some means to get at it.

291 Would you advocate

any portion of the rate being given to prospecting parties to assist them in prospecting operations in the bush ?— Under proper supervision I think it would be wise to spend a limited sum in that way in some districts

292 Are you in favor of applying a portion of the rate to assist deep sinking ?— Yes

By Mr Scott

293 Have you ever been put to inconvenience yourself by the Mining Office being at Hokitika ?— I have lost some thousands of pounds, partly caused by the distance the Office is away from the district

294 Have you ever known of any one in your district being so inconvenienced — It is constantly occurring

Mining

84

295 By Mr Fenton

With regard to a Central Board, are you in favor of it or not? I am in favor of

296 it and the head quarters of the Central Board should be - where? - The head quarters of the Central Board should be where the mining offices and the Secretary of Mines should be - In Launceston. I am not at all in favor of it being at Hobart; it might as well be at Japan.

297 Do you think the delegates should be elected by miners under their miners rights? - Yes, by all persons holding miners rights, licences or leases

Select Committee on Mining Laws

Evidence

Thursday 23rd September 1886

Samuel Hawkes

Examined By the Chairman. -

1. You reside at Scottsdale and are a member of this committee? - Yes

2. Have you had much experience in mining, if so, where? - I have had experience of mining in New Zealand New South Wales Queensland & Tasmania for about 23 years

3. Have you had any experience of mining for other minerals than gold in other colonies? - Yes, for 7 years experience in tin mining in New South Wales & Queensland

4. Do you consider the Mineral Lands Act requires amendment in any particular? — I think clauses 3 and 4 of the amended Act No 3 1885 should be amended so as to give the holder of a miners right power to mine for tin. The regulations should also be amended

5. What is your opinion with regard to the extent of land that would be desirable a miners right should entitle a man to hold under the Mineral Lands Act? — Not less than two acres. I should like to see that I consider a miners right should entitle persons to hold such an area in any portion of the colony, and that it should be

mandates for 12 months from the

date of issue

6. What reference both to mining for gold or any other mineral? - Yes

7. What is your opinion with regard to regulation No. 33 as to the value of improvements on forfeited land leases? - The regulation does not give any limit to the time within which a lessee can claim compensation for surface improvements. I consider that is very objectionable. There should be a limitation of the time within which a person who has abandoned a lease should be entitled to compensation for surface improvements, say six months. At present the power to

claim this compensation operates
continuous
as a bar ~~thereby~~ against any
other person applying for the land
who may not care to pay for the
surface improvement or may not
be able to do so. If in fact, for
all practical purposes it locks
up land in the power of persons
who do not really own it, but merely
have a claim for surface improvement
against any other persons who
may desire to take up the land
and recommence work upon it for
an undefined period. I think two
months would be ample. I also
consider the fees charged for the
surveys of water races are not
required. If they are required they

should not be charged to the applicant
for this reason: while the applicants
have to pay heavy fees for the
survey & the survey is practically of
no value to him, affording him not
assistance in cutting his race. It
is simply a survey effected at the
expense of the applicant for the purposes
of the Mines Department only. The
fee is altogether excessive, and
if this objection to it did not
exist. I am strongly in favor
of the establishment of Mining Boards,
and consider the value to be derived
from them is the concentration in
a numerous form of the opinions
of practical miners in the colony
which opinions would thus be available

for the recognition of the Secretary
of Mines as the Minister. Under
existing circumstances, which
unfortunately men in the Colony who
have a sound knowledge of mining,
there is no channel through which
this knowledge can flow to the
Mines Department. By the establishment
of a Central Mining Board the whole
circumstances connected with the
operation of our mining laws could
be brought under notice and required
amendments could always be made
under the advice of men selected from
the various mining centres. I am
not in favor of Local Mining Boards.

8. How would you have the
members of this Board elected? The

Mining

7

Members of the Central Mining Board
should be delegates elected by
the several sub-districts to be
created, and they should be chosen
by the holders of any right or privilege
under the Mineral Lands Act or the
Gold Fields Act. I have had experience
of the working of Mining Boards, and
have no hesitation in stating
that such a Board would be found to
contain ~~the~~ elements that would
~~confer~~ afford very valuable results
to mining throughout the Colony.
It must be borne in mind that mining
is an industry in which a considerable
deal of change in circumstances takes
place. Hence the necessity for periodical

Mining
&
revision of regulations and even
to laws on account of such changes
in circumstances. Iti the
fact that this particular feature
had not been recognised that
causes the friction in mining
matters that we have at present.
The main objection to the existing
Scale of things is to be found more
in the regulations than in the
Mining Acts themselves. Some of
the regulations which may be applicable
to one district owing to the particular
character of the mining there are not
applicable to another district, and
the delegates composing the Board
during the recent local knowledge
when would be able to rectify
this and suggest arrangements

Mining
9

for any local necessities that might arise. I consider that our mining districts should be carefully subdivided, and that no land should be taken up on least except through the local office of the district where the land is situated. The object of this is, mainly, so as to have all the information as to ownership at the local office. I am decidedly in favor of what is termed permanent surveys so as to afford a reliable means of ascertaining the whereabouts of any existing right under the Mineral Lands Act so far as the surveyed areas of the Crown are concerned.

Memory
10

It would afford a ready means to the Mines Department of compiling a correct mineral chart of the Colony. Under the existing system, no sooner is a mineral chart compiled than the re-applications for forfeited leases alters the whole thing and a constant system of disintegration is going on in the surveys of the Colony. In the course of a few months a chart that has been compiled at great labor and expense is rendered practically useless. Objections have been made to the system of permanent surveys on the ground that people would

Mining 11 Williams

be compelled to take the section as it is surveyed or none at all. These objection would be got rid of at once if the occupation of small areas by a mineral licence was allowed within the limits of unoccupied surveyed areas. All sections should be numbered, and all forfeitures of sections should be duly forwarded to the local registrar and placed by him outside the office for inspection. This information, together with a proper permanent mineral chart would afford the means to every person engaged in mining of knowing who owned

Mining
12

any particular surveyed area of the Crown without any reference to officials. I think the system of contract surveys a very objectionable one. In our districts (Scousdale & Bingarooma) the surveys are farmed out to a very large extent to youths employed by contract surveyors and the work is executed in a very indifferent manner indeed. I am very decidedly of opinion that the survey fees should be paid into the Treasury and the surveyors should be paid salaries from the Consolidated Revenue

Land. The very fact of having a system of permanent surveys would obviate the necessity for employment of more than one surveyor when three are now employed. In that point of view there would be a saving of expense, they nothing of having the surveys properly effected. It is almost impossible under the present system to ascertain location of any survey as the country is cut up into interminable surveys, and this acts as an obstruction to men desirous of forming prospecting as they

Mining
14

never know whose land they may be trespassing on. The system of permanent surveys is the element necessary where mining by mineral licence is allowed. The laws regulating the occupation of any old surveyed area by mineral licence in the other colonies require any person who desires to lease a previously ~~surveyed~~ forfeited surveyed area to see that no mineral licence men are working within its limits. If any mineral licence men are working within the limits of a previously

Mining
Miner 5

Surveyed area ~~then~~ the land is not open for lease. Under the system which I refer to our mineral lands would be changing from one set of men to another — first by capital under lease, and secondly by labor at the hand of the individual miner. By a system of this description the very best results are got out of the land. Not only that, but a system of mineral licence opens an avenue for the more energetic class of miners to go out into the bush with this simple tenure and keep up a continuous

prospecting of the mineral lands
of the colony. I consider this
to one of the most essential features
in the economical consideration
of the development of the
mining industry. If we wish
mining to advance in the colony
we must a fair and continuous
prospecting Report up, and of
what can be done by liberalising
the laws and the tenure I think
it would be a far more valuable
consideration than spending Government
money on prospecting expeditions.
I am decidedly in favour of Government
assisting mining by a prospecting
vote to be applied when prospecting

of the nature of deep sinking
prospecting, examination by means
of the diamond drill, or any
fairly deep sinking in alluvial
mining. I think that would
materially aid mining throughout
the colony. I look upon the present
circumscribed condition of mining
as being mainly brought about
by having only one system of
tenure of the mineral lands.
Such specially to put it that
under the Gold Fields Act the
leasing system and the miners
right can be worked, and worked
to advantage, there is no reason whatever
from a practical point of view the

If
dual system could not be
worked under the Mineral Lands
Act

Q. What is your opinion with
regard to the present rentals, both
for gold and mineral land? — I
consider that for land which has
been previously worked and forfeited
a fair reduction on the rental should
be made. Under existing circumstances
a person who wishes to rent
land from the Crown has to
pay as much for that is,
a certain extent, marked out land
as for any other.

10 You do not think the
present fees of £1 per acre
for gold and five shillings for

19

Tin are too high? — I think they are too high so far as they affect the men of small means

Draft

By Mr Fenton

You advocated that a miners right ~~mineral licence~~ should entitle a man to select land and mine upon it in different parts of the colony — would that enable a man to occupy two or more pieces under the same right at the same time? — No, because the Act should carry a provision that he should only actually hold it by a working tenure

12 Personally working it? — It does not matter whether he works

to personally or employs a man. If he employed 20 men he could hold 20 pieces of land; but the men he employed ~~whom~~ would each have to hold a ~~mineral~~ miners right ~~licence~~ — every man upon the claim, up to the required number to represent the area only

13 Why should a miners right be issued for 12 months from the date of issue? — The reasons are that under the existing system a man has to pay five shillings for a miners right when, perhaps, that right has only three months or three days to run. Whereas if he took it at the commencement of the year he would only pay five shillings

21

for the whole 12 months

14. Is the amount charged for a miners right of sufficient importance to warrant that alteration being made? — I think it is not fair that a man should have to pay five shillings for three days privilege while another man has the same right for 12 months.

15. Would it not be more confusing to the holders of miners rights to have to keep account of the day their right expires than it is when they know they all expire on a certain day? — No, each right, under the system I refer to would have upon the face of it the day of its termination.

16. Would it not ~~be better to~~ lead to the chance of a mans claim being jumped the day after his right expired? — What is the law under any circumstances

17. Would it not be better to prevent the possibility of this by having all expire on the one day as at present? The fact of their all expiring on one day does not give a miner any more protection against his claim being jumped. The law says if he had not a valid ~~claim~~ miners right his claim may be jumped.

Would not the miners as a body be more liable to neglect taking out fresh miners rights when the old ones terminated if they terminated

2?

in varying dates than if they all terminated on one day? No. I do not think so. The great objection miners have to the present system is that they are compelled to pay the full fee for protection during a portion of the year

18. You favor rates for prospecting ~~parties~~ purposes — would you devote any portion of ~~that~~ such a rate to assisting prospectors, directly, ? — I am decidedly of opinion that to assist small parties to go out into the bush would have very little value whatever

19. You would be opposed to devoting any portion of such a

note to provide such parties with wages food or pack their food to where they are prospecting? - I think it is very unnecessary. If you cut tracks into the country you give the miners rights and privileges under a tenure of a simpler character, it would be far more valuable than sending out prospecting parties into the dense bush of the country without any tracks. But I am decidedly in favor of applying a prospecting vote to the more permanent phase of the development of mining — deep leads and deep sinking.

20. Do associations? — Not necessarily large companies — to associate not only companies who have reached a certain point in any body of corporate miners searching for minerals

By Mr Conway

21. How would you have the different mining delegates sent by the different districts to the Mining Board elected? By the votes of persons holding any right or privilege under either the Mineral Lands Act or the Gold Fields Act

22 When every man who held a miners right would be entitled to vote? Yes — a miners right, lease, license, right or privilege of

any kind.

23. What are the powers of Mining Commissioners with regard to assessors in your experience?— My experience is that assessors are very seldom used.

24. Is it not your opinion that it would be a great advantage to the mining community if Commissioners used them more as juries? Assessors can only be used by the mutual agreement of the parties interested?

25. With reference to the sub-division of the mining districts, what basis would you go upon?— I should take the particular character of the mining carried on as an indisc to the subdivision

26. You spoke of local officers

Murray
27

in each district — who would have the conduct of these local offices? would they only be where the Commissioners are? — Where local offices would be entirely under the Mines Department

Turner
27. would that not entail a large number of extra officials in the department? — No, it only requires a local officer. It would be just the same system as we have now, but better regulated one

28. How would you have the permanent surveys effected in the first instance? — Just as ~~under~~ ordinary ~~circum~~ surveys are effected now — carried out promiscuously as per application

29. as in all probability there will be a petition presented to

Mercury
28

Parliament shortly for a prospecting rate, how would you regulate the administration of that? ~~Hi Boy~~ by reward, or by what means, and by whom supervised? — In the other colonies boards are appointed to examine into the applications for assistance and the money is allotted under the authority of that board.

30. Do you think the miners right should date from a fixed day or the day of issue? — From the date of issue

31. If the right was given at the full rate from the first of January and at half rate from the first of July, would not be equally advantageous and less troublesome to the officers in making up their accounts? — I do

January
29

not think in would confer any thing of value to the miner, while I think the system I have suggested really would, and it would not interfere with the office

32. A miner working on a lease under the Gold Fields Act is compelled to have a miners right like a miner working on a tin lease

exempt? Yes

33. I think that is a little arbitrary. ~~A~~ Should not a man working at a mine under lease be allowed to work as a man at any other trade without interference? — I entirely disagree with the law which compels a man working at a gold mine to hold a miners right. It is altogether unnecessary, and is imposed merely for the purposes of

revenue and of revenue alone. The
object of a miners right, and
any other document by which a
man holds any consideration from
the crown, is to show his tenure.
Under these circumstances, to
compel a man to hold a miners
right because he is working at
gold mine he may leave in a few
days, I consider an oppressive
and unnecessary regulation

By Mr Scott

24 In working under these permanent surveys,
suppose an allotment has once surveyed
~~should~~ would you never have that survey
interfered with again? No

25. Suppose a future party got a
reef directly on the sideline? – Well,

Morning
31

the law allows amalgamation of claims without interfering with the surveys, and there you have a remedy in such a case

~~NM~~ 36 But suppose both sections have been given up and the reef is cut directly on the side line, would the applicant be compelled to take up both sections? The supposition is certainly quite possible but it very seldom occurs, and I consider the immense advantage to be derived from permanent surveys altogether outweighs the disadvantage of an exceptional case where a man would be compelled to take up a little more ground than he wants.

37 You state that you consider

Summary
32

there is no necessity for the survey of water races and the fees charge for them? — Yes

38 How then would you give the holder of the water right a claim to the race running over government property? — The law in the other colonies only requires you to ~~apply~~ make application for the intake and the termination, and you are entitled to cut a race between the two points over the contour of the country. — of 2 or 4 ft, or whatever is necessary, without any survey at all. The general objection to the fees is that no benefit is derived from the survey by those who pay them.

The Surveyor merely runs a
line over for the Government
and when the applicant comes to
put his race he has to employ
a Surveyor, if he is not
competent to do the work himself
to lay a line down

39 Has there not been
several disputes in Tasmania over
these water rights, and would not
the scheme you propose complicate
matters more? Suppose you had a
race and I had another and
they interfered with each other — neither
having been surveyed — who would have
the prior claim? — It has been
proved by an examination of the
several cases tried — notably the

North Brothers Home and the Briseis
that the contour surveys of the
department were absolutely
unreliable. The law affecting
water races in the other colonies,
where I have had experience places
the control in the hands of the
commissioner who has the power to
order the removal of any portion
of a water race that interferes
with the rights and privileges of
any other party without any reference
to surveys or anything of the kind.

40 Would the licence system
under the Mineral Lands act similar
to the miners right lead to more
bound heavy worked in the N E
District than under the leasing

Murray
35

system? — I feel satisfied that many thousands of acres, now comparatively locked up, would by such a simple tenure be taken up by energetic persevering men operating in small parties

Mr Davis 41 Seeing that the fee is only five shillings per acre for ten pound, would you give the miner right to occupy ten acres for five shillings? — The usual charge is ten shillings. The system is that parties using mineral land working like the holder of a miners right have to work that mineral land with a mineral licence. These mineral licences

Mining
36

for which ten shillings a year is charged entitle the licensee to hold ordinarily two acres of mineral land on any unsurveyed or surveyed but unoccupied crown land. It also entitles him, ~~to~~ on unsurveyed portions of crown land, when prospecting, to hold for prospecting purposes, an area equal to 40 acres; and, in the event of striking payable tin outside of previously surveyed or occupied lands, he is entitled to double the area of he wishes to hold under the mineral licence, or he has the alternative of holding ~~a~~ the prospecting area on lease.

Morning
37

Under any circumstances the occupation by mineral licence entitles the holder of the mineral licence to turn his holding into a lease and gives him a preferential right

42 You are then in favor of increasing the price of the right to ten shillings, ~~notwithstan~~ notwithstanding the fact that you say the miners are complaining at the present time? – Nothing of the kind. I am in favor of reducing all fees. There would not be any loss to the colony if the fees were reduced to one shilling. In other colonies this fact has been recognised

Money
38

years ago and the charges for rights and licences are merely nominal fees

43 Would the gain to the miner of altering the period of the miners right to 12 months from the date of issue be greater than the trouble it would cause the department? — I am not aware of what trouble the department would be put to by the alteration of the system. Under any circumstances I am decidedly of opinion that so far as the miner is concerned it would be an improvement.

44 Would not the suggestion Mr Conway has thrown out, to have the rights issued for the half year, not be preferable? — I think Mr

Mooney
39

Conways suggestion preferable to the present system, but not so good as the system under which the right should run for 12 months from the date of issue

45. Is it necessary, as provided in the mineral lands act, that posts of 8 inches diameter and 4 ft 6 in above ground should be placed at every angle of a lease? — It is totally unnecessary. A small peg about 9 in high would be more likely to remain in position than a post of the height prescribed.

46. Would not a peg somewhere in the centre of the ground answer all requirements? — My experience

Mummy
~~35~~ 40

in other Colonies leads me to believe that to cut a large slab of bark off the nearest tree to the corner of the block and chisel on the tree the number of the section is the most perfect way of marking

47. The Government intend making a cruise around to see if these matters are being attended to? Yes, we have been served with notices. I would like to amend my answer about these posts. I consider them quite unnecessary if surveys are effected in a proper manner

Mining

~~36~~ 41

~~47~~ John McKenna examined by the

Chairman

48 Where do you reside Mr McKenna? —

At present I am living at Penguin

49 Have you had much

experience in mining? Yes I have

been a good deal amongst it both

in Tasmania and in other colonies.

50 For what period have

you been connected with mining? —

about 20 years

51 Both in gold and tin? Yes —

Only in this colony in Tin

52 Are you acquainted with

the laws and regulations governing

mining in this colony? Yes,

pretty well

53 Are there any amendments

Murray
~~37~~ 42

you would recommend, either in
the lets or regulations? - Well,
only in regard to these prospecting
areas on a new rush like. Some
of them take 250 acres instead of
80 and there is no means of
deciding the point.

Hearns

To Mr Hawkes

54 Is it not a fact that the present
system of granting prospecting
protection areas at a rush like
Mt Lyell permits of the country
being occupied unfairly? - I
does, and wants being put
stop to altogether

55 Do you not think it
advisable the law should be altered

prevent it? Yes, I do
indeed. Each party has a
prospecting area. It may be
good enough for one, but to
have the whole country taken up
in that way is not fair

By the Surveyor of Lands

Q. would not that objection be met
by reducing the area. — You might
reduce the area as well. Some
take 250 acres instead of 50. You
say they are wrong, they say they
are right and there is no Surveyor
to settle the dispute. You may go
for months without having a Survey.

~~By the Chairman~~

Q. Do you not think it a remedy

Murray.
44-a

could be made in this way: where a find of reputed payable gold has been made and a prospecting area granted, no further protection should be given within a range of 4 or 5 miles? — Yes, I do think so. at the time Lynch's Creek broke out over 1000 acres was claimed under prospecting areas, and other miners were deterred from looking because if they found anything it would be in these prospecting areas

By Mr Hawkes

Have you had any experience, at all, of the system of working by mineral licence in this? — No

Mining
44

59 Do you think regulation No 33 should be amended so as to limit the time within which a party should have the right to claim for surface improvements? — I have seen plenty of districts where the value would be very little. Take the case of the best coast mines, miners would put no value at all upon the surface improvements.

60 That ~~Clause~~ regulation gives a person who previously held a forfeited lease the right to claim for surface improvements? — I do not think they should claim anything

61 Are you of opinion that the time should be limited within which they should have the right to claim? — It should

Mining
45

be limited to within a short time after forfeiture, and after that I do not think they should have any claim upon it

62 What is your opinion about contract surveys? Do you think the work would be better performed by surveyors under the Government receiving fixed salaries? I believe the work would be better performed by surveyors with fixed salaries

63 Have any instances come within your knowledge where lads have been employed to effect surveys under contract surveyors? — Yes

64 What is your opinion about the manner in which the ~~sys~~ surveys, from a practical point of view have been carried out — I mean so far as clearing the line and marking is concerned? — It is very

imperfect. In some scrubs you could not tell the marks from the blazed tracts prospectors make to set out by

66. By the Minister of Lands

You think the blocks insufficiently marked? The marks are not permanent marks? — No

By Mr Hawkes

67. Have you any experience of the permanent survey system? No

68. Do you think that the right to occupy two acres or any smaller area of mineral land by miners right would induce further prospecting? — I do. I know several small places on the West Coast — about the Pieman & Heemskirk — here if a man could work for a bit of tin

Summary
47

under a miners right — many would

work

Prob. You understand that the present area allowed is only a quarter acre. Do you consider that sufficient ground for a man to hold working under a miners right for tin? — It is not enough, because a man is put to a lot of expense to put in a tail race &c to work that bit of ground

Do you think two acres more like the proper quantity? Yes; I do not think it should be less than two acres.

Do you think it would be an improvement of the law to have all land taken up in the first instance through the local offices that may be created for each

particular sub district, and through that office only?- I think it would be the fairest way, to take it up at the nearest local office where there's a Registrar

72 You would think a system of that description far better than the existing one?- Decidedly so

73 Have you had any experience of water rights in this Colony?- No

74 Do you think it would assist mining materially in this colony of priority of occupation, as far as rights are concerned, were more substantially incorporated into our laws?- Yes

75 That no technical mistake should bar in any case where priority is proved?- No; I think priority should

Money
49

be the first consideration

76 Has it come within your experience in Tasmania that in cases where priority of occupation has been indisputably proved persons have lost their rights on account of some technical mistake? — I know of plenty of instances

77 Do you ~~thing~~ think the introduction of a ~~clause~~ law establishing priority of right would be a benefit to miners? — Yes; there are many cases in my own experience where men have taken up ground, and, just through a little deficiency in complying with the laws and regulations, their claims have been jumped by sharks going about looking for these things and they have

Mining
50—a

lost their ground

78. Do you think that priority of occupation should give an absolutely preferential claim, and that any breach of the regulations should be met by the imposition of a fine instead of forfeiture?— I believe it would be far better.

By Mr Fenton

79. Do you think that the system of permanent surveys would be preferable to the system in working now?— No, if a man wants only half a block, he should only pay rent on half a block

89 If four blocks adjoining were forfeited, and a man wanted the four corners to form one block?— No I would fix him to one

Morning
50-B

81 Do you think he should take
the four blocks? — No that would
be too hard

82 Is there any reason why he
should not pick the best pieces
of the four? — No, no reason.

83 Do you think there could be
any improvement with regard to the issue
of miners rights? — I think they should
stand good for 12 months from the
date of issue. That would be an improvement.

84 Do you not think there would
be more risk to the miner of having his
right run out than under the present
system when they all expire on the one day? —
Yes there would be more risk that way; but
a man may be going out three weeks before
January and find some one had jumped his

Mining
57

Claim before he could get a new right.
if if got a right on the 14th or 15th
of December and it held good untill
next December he would have less risk

85 Do you consider any
portion of a prospecting rate could
be well spent in encouraging small
parties to prospect the country? - Yes,
I do. If some of the money it is
contemplated to spend on cutting
tracks were devoted to rewards for
finding payable creeks it would
encourage prospecting and a good deal
more country would be opened up.

86 Do you think any portion
of the money could be well expended to assist
prospecting by paying for supplies, or

Mining
52

packing them? No; I think if you were to offer the reward for a find, they would like to have the management of their own affairs. By the time you got the things from Government to the camp the whole thing would be burst up & I would not hold with government sending men out as I do not think much would be got from it.

84 By the Minister of Lands

With reference to your answer just now about the payment of rewards to discoverers of anything worth having, do you not think that it is the unsuccessful ones who most require assistance? – I think they want it, but those who want ~~are not always~~ do not always get

85 Do you not think that a prospector

who has been successful and found a
creek yielding so many ounces of
gold, or supporting so many
miners, has gained his reward
already? — He has worked for it. I think
it would only encourage idleness if you
rewarded men who did not find anything.
A great many people would go out prospecting
in new country if they knew they could
get a reward by discovering a payable
creek.

By Mr Conway

Have you had any experience of
difficulties with Commissioners of Mining
Districts — any disputes? Yes, I had
a dispute once

Do the present regulations meet
all requirements as to these disputes?

January
54

Decidedly they do, if you can get the Commissioner; but at the best Coast he lives so far away

91 Are miners satisfied with the decisions of one man? hell, yes, as a body they are. They give pretty fair satisfaction to the body of the miners

92 Has it ever struck you that assessors to assist the Commissioner would be of advantage in settling these disputes more satisfactorily? The Commissioners as a rule devote themselves to the study of the mining laws and are better able to dispense them than a man just called in

93 There seems to be a great requisition among miners for delegates to be sent to Mining Boards; could they

Mining
55

not be employed in a double capacity — as delegates and assessors to assist the Commissioner? They might be

94 Have you had any experience of miners working on leases? — Only for tin, not for gold.

95 When you do not know whether there is any dissatisfaction with reference to miners working for wages having to pay fees for miners rights? — I was not aware they did. It must be evaded in many instances

96 By the Chairman

With reference to charges for gold mining leases, do you think £1 per acre too high? — No I do not think so

97 Not the charge for other

Mining
56

Mineral leases of five shillings per acre? — Under the circumstances I think they might be reduced

98 Do you think the present charge for the right of working mineral land sufficiently high if a man is allowed two acres whilst under the Gold Fields Act he can only take up a much smaller quantity? — I think he should not pay more than a man does for a miners right under the Gold Fields Act because the outlay required for working tin is greater than that for working gold. A hundredweight of tin may be worth so much in the market, but an ounce or two of gold may be put in the pocket and carried away

99 If there is anything you desire to add to your evidence will you submit it in writing? — I will.

Mining 1 2y date Evidence taken

Robert Henry Price, examined

By the Chairman

298 What are you Mr Price? — A manager of mining companies

299 300 What companies do you manage? — The Tasmania, Florence Nightingale & other companies

301 — In what districts are the mines of the companies ~~mines~~ you manage? — In Beaconsfield & Lefroy

302 Do you think it would be in the interest of mining generally to have the head office at Launceston? — Most decidedly, I do

303 Have you ever in the past been put to much inconvenience in consequence of the head office being at Hobart? — I cannot say I have been

put to inconvenience individually, because
I have always found a a way out of
difficulty; but many points
arise which would make it great
advantage to have the Office in Launceston.
For instance, I have had a lot of
correspondence and running about of
late which could go straight to the Secretary
of Mines. Launceston is the centre
of the mining industry and of the Office
where the miners could get at it
more readily

30 Do you think applications for
leases for either gold or other minerals
should only be received at the District
where the land is situated, or at the
head office? - I think it would
complicate matters very much
if applications were to be received
all over the country.

Mining 3

305 My question is whether the applications should be made in the district where the land is. Take Lefroy for instance, would you limit the applications for leases there to the Registrar of that district alone or send them all to Hobart? I would have them go to the Commissioner of each district.

306 Are you in favor of a vote for prospecting purposes? - Yes

306 Have you considered the question sufficiently well to give any idea as to how you would have the money expended? - I have not given it much thought; but the money should be spent under the supervision of the Government to a certain extent on the recommendation of their

Minerva
4

Inspector of Mines, as he do now in connection with the aid to deep sinking. I think the role should be on a liberal basis; but, of course, you would have to be careful as it would not do to let anyone have money to go and loaf about the country

308/ In regard to the present rental for gold bearing and mineral land, do you think them too high? — Yes; in Victoria the rent is 5s. per acre and in Tasmania it is £1. You have the right of renewal at the expiration of the lease here but the government can exact three times the ~~rent~~ former rent, and if you object to that, they can put it up by auction. This may seem fair at first blush,

Mining
5

and with good dividend paying
mines there could be no objection
to paying three times the former
rental. It must be borne in mind
though that while the dividend
tax is imposed the dividend
paying mines are handicapped
~~twice~~ twice over. I think the rent
should be 10s an acre with the
right of renewal — that is double
the Victorian rent. Certainly, if the
rent remains as it is the
claims should have a right of
renewal. This is a matter that
has been legislated upon three
times already. In the first case
lessees had the right of renewal
without extra payment. When that was

Mining
6

repealed, and lessees were left to apply again and again. As the leases would expire at 12 o clock at night it was in the power of anyone to beg out your claim the moment your lease expired. When the right of renewal was again given at an advanced rental while in the event of any objection the lease could be put up by auction, which is the present state of the law. You can now claim the right of renewal by giving a months notice

308. As to Miners rights; do you think they should be issued for 12 months from the date of issue, or as it is now, from

Mining
7

a fixed day in the year? — What again is a vexed question, and one the miners have taken a great interest in. Many are of opinion, and my own opinion is, that the miners right should be issued for 12 months from any day. This was at one time the law, but the miners objected to it and upon their representations they were all made to date from the 1st of January. There is just this to be said about the system of making them run for 12 months from the day of issue the miners will have to look out when their rights expire, but that is their own look out. The law once was that a right was taken out for 12 months from the 1st of January and at the end of

Monroy
8

June you could take one out for six months and it worked well though it was done away with

309 Do you think it right that miners employed on leases held by companies should be compelled to take out miners rights? — No, not to enable them to work; but I think it is just where they live on crown land that they should take out a miners right. It is right to make a man with a family do so; but in the case of his 2 or 3 sons who do not live on crown land but in lodgings it is rather hard to make them take out a miners rights, or other single men who live in lodgings.

Mining
9

By Mr Hawkes

310 In what way do you consider mining would be benefitted by allowing applications for mineral lands at Launceston & Hobart where no mining occurs? — I do not know that mining would benefit by it, but it ~~would~~ is a public convenience. If I have a man out prospecting for me, my money is in Launceston, and he sends to me to take up a piece of land ~~as~~ I can do it in Launceston. If, on the other hand, I have to send him the money I do not know to whom I am trusting it and he may take up land that is no use to me. It is not benefit to mining, but it is a public convenience

Mining
10

31 Do you not consider such a system fails to give the same publicity as when the application is made locally where the land is situated? — There is not the same publicity given to him as there is to gold. In gold when you make your application for a lease in Launceston you have to post a notice at the nearest post office to the place of operation. It is no so with ~~the~~ applications for tin leases and therefore there is not the same publicity given

312 You think that all the benefits derived from publicity are not met by making the applications at Launceston & Hobart, only that it is a business

Mining
11

Consideration — to managers of companies, for instance? Not to managers of companies only, but to others interested in Hobart or Launceston. Of course, there is no advantage whatever to mining

By Mr Barrett

31B Do you think the payment of the dividend tax acts prejudicially against mining? — There is no question about it; the dividend tax does act prejudicially against mining, inasmuch as you may be in a lot of companies and sink a lot of money in mining even in the particular mine that is paying dividends, while directly you get a dividend the Government

Mining
12

comes down for the dividend tax.
If Parliament determines to
sell adhere to the dividend tax
it should not be enforced until
a mine had paid back what the
shareholders had put into it. When
I think we should have renewals
without putting on any extra rent,
whatever the rent may be, on account
of the dividend tax. [314] If the dividend
tax was not in existence ~~the~~ there
need not be anything said about
paying three times the amount of
rent upon the renewal of the
lease? – No. ~~Of course anyone~~
~~having the misfortune to~~

315 Is there anything you could
suggest in a general way for

improving the laws and regulations at the present time? — Here is just one thing I had in my mind to suggest. In pegging out claims & leases, one party may peg out what he considers to be 10 acres — and as a rule he takes good care to peg out quite sufficient, because the surveyor will not give you more though he will take you back — and another party comes along and pegs out 10 acres adjoining. If the first appercount has taken two acres too much the surveyor puts him back but he does not bring me up to the line of the first appercount though I intended to join him. Of course if I knew

Mining
14

~~X~~ he had overpegged I could have overpegged too, but miners are not surveyors. I think the applicant adjoining ~~an~~ original application should have the right to be shifted up to adjoin the other, as his intention was to adjoin that other, and it is not his fault that the original man has overpegged. The result of this is that the ground between them is left vacant

316 Do difficulties and disputes arise from this piece of ground being left vacant? – Yes, because one man expects he is adjoining the other, and finding he is not ~~[illegible]~~ as there is this piece between them. When so far as mineral leases are

Mining
15

concerned, it is the opinion of many people in Launceston that a party taking up an 80 acre section of mineral land, should have the privilege of surrendering the lease if he found it was not remunerative and of taking up any portion of it. Of course, he may surrender the lease now, but then he runs the risk of not getting the portion he wants

By Mr Hankes

318. Do you think it would be an improvement in our laws that any person, who could satisfactorily prove ~~priort~~ priority of occupation and yet had made any errors in his application, should be confirmed in

against the interest of the country
when surveyors appear to go some
distance away and only take up
land in their immediate vicinity?—
No doubt it does.

320— Are you in favor of
Chinese holding leases on our
goldfields?— I do not see any
objection provided they are naturalised.

321. Then you are of
opinion that no right purchased
under the goldfields Act should
be granted to the Chinese unless
they are naturalised?— No, if
they are not.

Mining
18

By Mr Barrett

322 From your experience have you found the existing system of Commissioners sufficient to settle disputes which arise? — Yes, I have had some very important cases before the Commissioners, and I think both sides have had to acknowledge that the decisions have been just and quite sufficient.

323 When you think they would not derive any practical assistance from the institution of mining boards? — I do not think the establishment of mining boards would be a good thing

By Mr Conway

3257 In the event of their being a

Mining
19

Central Commissioner, do you favor delegates being appointed from centres of mining population? - No. I have had a great deal of experience of gold mining in all shapes and forms and have never suffered any inconvenience, and have never known any one to suffer any inconvenience, from the Commissioners acting alone. ~~I do not favor~~

~~[illegible]~~ 326 When you do not favor mining boards at all? - No, I do not.

326 Do you think of the proposed prospecting rate is granted, it would benefit mining if any portion of it was devoted to using the diamond drills under Government superintendence? - Yes I favor that

Mining
20

327 Do you think there ~~are~~ is any field where the indications are favorable for expenditure in prospecting with the diamond drill at Beaconsfield? – Not only at Beaconsfield but at Lefroy and the Denison too

328 At Back Creek – do you think there are favorable indications for expenditure in testing with the diamond drill there? – Yes. No reef has been found there yet, but no doubt there is a reef in the vicinity judging by the shed of gold

329 Do you think the position the Government Geologist occupies as Geologist and Inspector of Mines

requires alteration? Do you not think it would be better for him to attend solely to the duties of Geologist and that it complicates his duties too much to hold the other office as well? It would be very much better if the offices were separated

330 Is there not an Inspector under him?- No. Mr Harrison is Inspector of Machinery, and he acted as inspector and tested some boilers at the Tasmania mine

331 Have you ever come into contact with him in examining the underground workings?- I do not think he ever inspected the underground workings

332 Do you not think the interests of mining would be better attended to if there was a

Morning
22

a thoroughly practical Inspector — that is a man thoroughly acquainted with timbering &c ?— In the event of Mr Thureau being taken for other work, my own opinions is that we should have a man thoroughly acquainted with the timbering of mines

By Mr Hawkes

Leather

33~~3~~4. You have stated that you are not in favor of mining boards, Are you acquainted with the functions of mining boards? Only by what I read of their operations in Victoria. From what I have read about them I should not favor them

33~~4~~ Why?— Because they would only tend to clog and fetter

things more than at present.
I think it would be better to leave
matters as they are

335. Are you aware that
mining boards are exclusively
formed for the purpose of tendering
advice to the authorities as to
required amendments to the
mining laws and regulations?-
Yes

336 Can you think such
boards very objectionable?- I
do not see any advantage from
having them

337. Do you think advice
comes better in the promiscuous
manner in which it is now
given?- When has been a great
outcry lately that the mining laws
want altering, but as a rule the

Commissioners of Goldfields are
quite competent to advise the
Government in matters requiring
attention

By Mr Conway

338 - Do you think the Commissioners
of Goldfields have any Knowledge of
Mining? - I can only speak of
those I have come in contact with.
The two gentlemen we have had
in Launceston had a Knowledge
of mining gained in Travelling
through mining districts - no other
practical Knowledge

339. I suppose you are aware
that in other colonies delegates
are appointed to confer with, and
give advice to, officials such as we
have here upon any mining question? -
Yes, but I do not think it is any

Mining
25

advantage to them

340 It is said to work very well in the other colonies? — I do not see that it works well. I see by the papers sometimes that it does not work well in Victoria

By Mr Hawkes

341 Have you, or have you not, had any practical ~~experience~~ knowledge of the working of the mining laws? — No, I only give you my opinion, which you must take for what it is worth

By Mr Conway

342 With regard to the assistance given to deep sinking, do you think the regulations framed sufficiently liberal. Take the Lefroy, for instance, do you think a more liberal system could be adopted? — Yes. I think

Mining
26

where a claim is down 400 ft,
and from force of circumstances
they have left off working and
the ~~mine~~ mine is filled with
water, I think the government
should assist them to unwater
it. That is one thing. Again I
think the rate should extend to
surface expenditure as well
as sinking - that is on the
principle of £1 for £1. At present
it is only for sinking and
crosscutting

343 Do you favor assistance
in the shape of loans of security
can be given? Yes, that has
worked very well in Victoria.
I recently noticed a company
in that Colony had borrowed a small
amount which it has afterwards
repaid and paid a dividend, where,

Mining
27

but for the assistance given, it would have been wound up.

344 What is your opinion as to the division or application of a prospecting vote of it passes? Could you suggest any scheme by which loans could be effected? — I am not aware of the basis upon which the loans are regulated in Victoria, but the information could be obtained; and I should favor the adoption of a similar system here as it seems to work successfully

By Mr Barrett

345 Have you any other suggestions to offer? There is a great deal of talk touching the labor clauses. The Tasmanian Mining Department has just adopted the system they have adopted in Victoria. Directly

Mining
28

rents are due they send you a written notice stating that you are liable to forfeit within 30 days. That is a great improvement

Regarding the labor clause

~~I think~~ being enforced I think any one applying to have the labor clause enforced should be prepared to show ~~the benefit~~ that he would bona-fidedly work the claim. If a man has spent a lot of money in working a claim and another man applies for forfeiture of it on the ground that the labor clause has not been complied with, it should not be forfeited unless the applicant is prepared to work it himself. If he is not prepared to work it then the original holder should be allowed to keep it

Mining
29

By Mr Hawkes

346 Are you aware that the Government have frequently applied to the Launceston Stock Exchange for advice as to the revision of the mining laws? — No, I do not think the Government have ever applied to them. That has come about in this way. The Stock Exchange, knowing that the Government were preparing a measure, have applied for a copy of it and have then made suggestions of their own accord

347. Then you are aware that the Launceston Stock Exchange had given the Government advice gratuitously. Do you think they are more competent to give

advice than a body of selected miners who are engaged in practical mining?— It depends a great deal upon whom the Government would appoint or the board that would be appointed.

348 The boards would be elected by the miners?— The position that the Launceston Stock Exchange has taken up is this. It is not exactly what the boards would do. The Government has been framing new regulations and the Exchange has sent for a copy of them and after going through them has made certain recommendations. They do not frame the regulations. Of course

Mining
31

There is a difference between a working miner and one connected with mining

349 Your reply indicates that the Launceston Stock Exchange has been a committee of criticism on the proposals of the Government. Do you not think that a committee of criticism would be better composed of a body of practical miners elected by the miners themselves?— Not better but equally as good.

Mining

Re Home 11/10/26

Mr Thornton Root examined by the Chairman

351. Where do you reside? — At Waratah

352 What is your profession or business? Manager of the West Bischoff Treating Co

353 What experience have you had in mining? I have spent all my Australian life in mining — from the latter end of 1852 — principally in Victoria

354 I presume in gold mining? — Yes principally in Gold mining

355 — How long have you been at Waratah? — About 6 years

356 During which period you have been engaged in tin mining? — Yes

357 In regard to rents for mineral and gold bearing land. Do you think the present rents too high? — I do, most decidedly

358 What would you recommend them being reduced to? — In Victoria they have been reduced to 5s per acre; but

even supposing you reduce gold leases to 10s per acre it would be far better

359 And for other minerals? – I do not see there should be any difference with respect to the rent paid for tin or for gold. Other minerals might remain as they are

360 What extent of ground ought to be allowed for a prospecting area? – I think the areas laid down in the regulations are altogether too large

361 For gold? Yes, for gold they are much too large. For instance the present law allows 10 acres where the distance from another claim does not exceed a quarter of a mile; not exceeding half a mile 20 acres; not exceeding a mile 30 acres; ~~and~~ not exceeding 2 miles 40 acres; and over two miles 50 acres. This is altogether too much. ~~In Victoria~~ In Victoria if a miner goes out prospecting and discovers a payable field – a field to produce so many

How many ounces of gold is to support
so many men for 12 months or two years, he gets
perhaps £2000 but he is only entitled to an
ordinary prospecting claim no matter what the
distance away from other fields is
362 What is an ordinary claim? - 80 yards along
the line of reef, and 160 yards makes a prospecting
claim. You must be a quarter of a mile away
from the last claim before you can take up
a prospecting claim and that is only double the
ordinary area. Our areas are altogether too large.
I am a gold miner, and am likely to be so for the
rest of my life, as I am not fit for very little
else, and however pleased I might be to take
up 30 acres of I found anything I think it is
altogether too much

Murray
4

363 What do you consider a proper area? Ten acres. If such large areas are allowed to be taken up by a few men they shut out a number of legitimate miners who may come after them. A man can do a good deal of prospecting on 10 acres, and if he finds anything good on 10 acres he can get as much from a company for it as for 160 acres. If the discovery is good 10 acres is sufficient, if it is no good 10 acres is too much

364 Within what distance do you recommend that a prospecting area should be allowed? Not nearer than one mile

365 In regard to other minerals - say tin - what area would you think large enough? I must say I have not heard any complaints with respect to the area for tin mining, but not having had practical experience

supply in pegging out such areas I cannot speak from experience

366 Should applications for gold or mineral leases only be received in the district where the land is situated, or do you think they should only be lodged with the Commissioner there or elsewhere? I think applications should be made to nearest Commissioner whoever he may be. In Victoria, after a man has pegged out his claim he is supposed to register that with the mining registrar within 48 hours so that there is always proof that he is in occupation. It has thought useful as saved a lot of litigation as to the priority of ownership of claims

By Mr Hawkes

367 That registration is to be done locally?- Yes. In districts where I have been there has always been a

Murray
16

receive registrations

By the Chairman

368 Do you think miners rights should be issued for 12 months from the day of issue, or, as now, from one fixed day? - I think they should all be for 12 months from the date of issue - most decidedly

369 Do you think miners employed upon claims, and working for a company ought to be compelled to take out miners rights? A man working for wages should not be compelled to take out a miners right, but where he holds ground for others he should be forced to take out the right

370 Are you in favor of a vote for prospecting? Yes, decidedly, I am

371 Have you considered the matter sufficiently to suggest in what way the expenditure should be supervised? - I

Mining

7

Cannot say I have. The reason why I say I am in favor of the Government spending money for prospecting purposes, is because I think the prosperity of Tasmania largely depends upon the development of its mineral resources, and it is the duty of the Government to encourage the mining industry in every way it possibly can. While we see that it is being done in the other colonies we must be prepared to admit that it is there admitted to be for a good purpose. With respect to how the money should be spent, that requires a little consideration. I do not think the money would be misspent if the Government appointed one or two thoroughly reliable men to take the lead of prospecting parties, of 2 or 3 men each, for the discovery

Mining
8

of new fields

372 Do you recommend that these men should be paid by wages? – Let their wages be small, and give them the right to take up a certain area of land where they are successful for mining purposes. I know that Warden Howitt – I think of Gipsland – was the finder of the Crooked River diggins under this system

By Mr. Fenton

373. Do you consider you represent the opinions of the miners at Naratah and the West Coast generally? – I do. There is a great number of ~~of the as regards the~~ Victorian miners ~~of whom there is a good number at~~ at Naratah and the West Coast also.

374 – You believe you represent the views of these men from having had

Mining
9

a meeting of miners, and finding their opinions agreed with your own? Yes +

375 – Do you consider it desirable that the Goldfields Regulations and the various acts relating to mining should be consolidated into one act? – I do and have heard the same opinion expressed by a good number

376. Do you consider the language of the Acts is in any way ambiguous? – Yes, in some instances, as in the case which has cropped up at Mt Lyell at the present time with respect to the pegging off of the prospectors claim. He pegged off thinking his claim was five miles away from the nearest Gold

find, and look 15 acres which
is 5 acres too much according
to Jones' opinion. Many argue that
you should measure by the road,
but it does not state whether you
should measure as the crow
flies or as the tracks go which
wind about the heads of gullies ~~and~~
or over spurs. Looking at it
from a common-sense point of
view I should say the distance
should be as the crow flies, because
in scrubby country a man can
make 10 miles into 20 miles
by taking a more circuitous route

377 When you think, generally, that
the language of the Acts might be

Mining
11

made less ambiguous? — Yes, I do

378 Do you approve of the appointment of mining boards? — Most certainly I do. I believe I was the first who ever mentioned the subject here at a meeting held a good time ago at the Mechanics Institute, Karatah. Since then others have advocated it in different parts of the island

379 How should the election of the members of that board be carried out? — I think the colony should be divided into mining districts or should form one district. If divided into districts, let each district appoint ~~those~~ a thoroughly practical diggers from among them by election under their miners rights. The

[illegible]

Chaum

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

January
12

reason why I think mining boards
desirable is that I cannot see
who should be more suitable to
form the Laws for the government of
the Goldfields than the miners
themselves. Circumstances at
Bischoff & West Coast & Lefroy
differ in character and consequently
require different regulations. An
excellent set of regulations for
Bischoff might not suit Lefroy
and what would suit Lefroy might not
suit the West Coast. In the Beechworth
district in Victoria there are a number
of different places with different regulations
simply because the character of
the country differs. If I represented

Mennery
13

the Naratah district I would know
what was suitable for that district
better than anyone else
though I might not know about others
districts; and the same could be
said of the representatives of Beaconsfield
and Lefroy. The duty of the Mining
board members would be to meet
quarterly, half yearly, or annually
as may be decided, at Launceston
or some other place, and each knowing
what laws require to be altered or
brought into existence they are
discussed by the whole of the members
of the board and then sent to
Parliament for approval or to
be made into law.† In Victoria. I
think each member of the Mining board

Resolves Hall Nairobi

Thursday 11+

2.45

Chairman [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Scott [illegible]

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[illegible]

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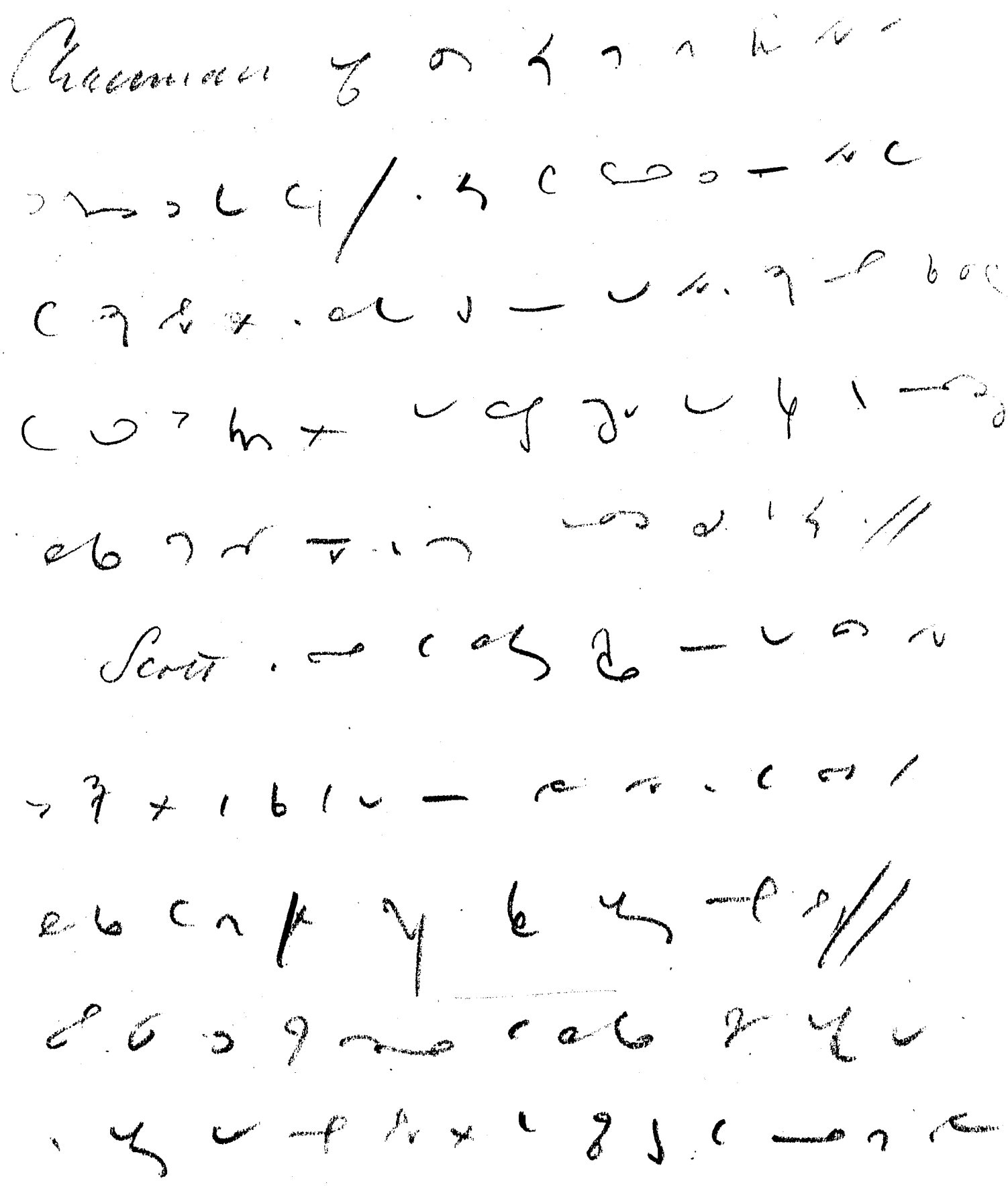


gets £50 ~~for his~~ allowed him for the cost of travelling. If mining boards are considered necessary in Victoria, which has been a mining colony for more than 34 or 35 years, and are in existence in that colony now, why should they not be suitable for Tasmania. There are a great number of Victorians at Karaldh at the present time, and one and all are of my opinion in this matter. I believe we will never have satisfactory and workable laws until we have mining boards established

380 With regard to marking off claims, what is your opinion of the way they ought to be marked off? –

Memo
18—

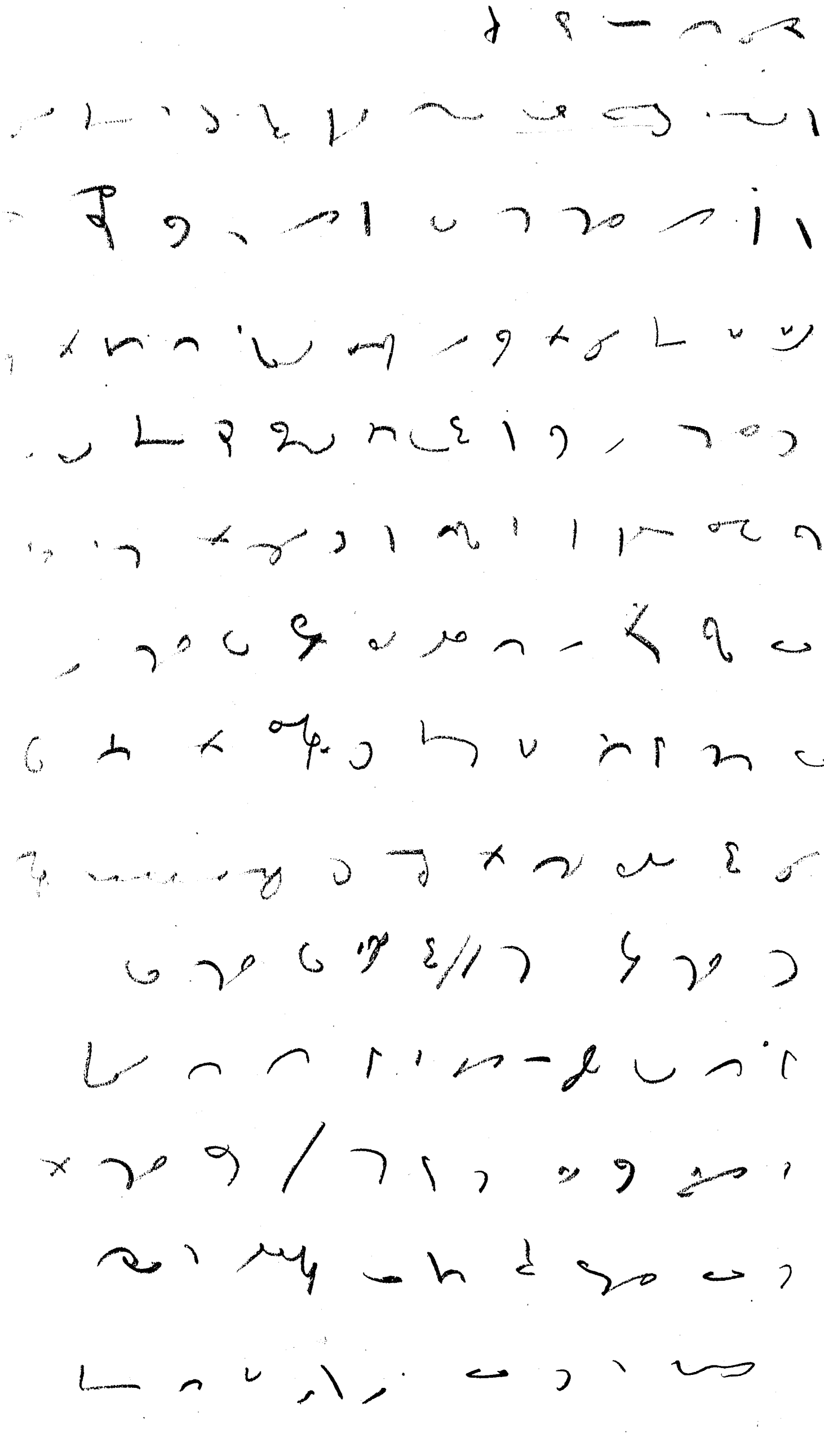
When first the question of pegging out
was mooted I thought that the
system of every man pegging
out his ground by pacing in full
steps of prescribed size, and trenching
was the best. Many seem to think
that miners, and anybody else
pegging out a claim, not being
surveyors find it very difficult to
mark out the ground in a densely
wooded country with accuracy; and
that it would be much better to mark
a claim by putting in two pegs
to mark his front line, a portion
along a line of ~~act~~ reef as the
case may be, leaving the surveyor
to put in the side lines at right angles

Mining
16

and ~~the base line~~ to complete the marking off. I see no objection to this

381 Where would ~~the surveyor~~ an adjoining man put in his pegs? Within a few feet of him, if he desired to come close up.

382. If after survey the position of the first applicants block is shifted ~~and~~ should the adjoining applicant close up to him? If the first claim was an area in excess of what he was entitled to, the adjoining applicant should be moved up to it if he desired; but if he declined to do so his claim ought to be surveyed as applied for. If the section applied for states to joint such & such claim north, or such and such claim south



Summary

17

ought to have his claim surveyed

in accordance with the application.

383 Do you consider a prospector

should report to the Commissioner

any discovery made by him within

a limited time ?- Yes I do

384 What time do you suggest ?-

I think it would give me every man

a full opportunity of within 14 days,

say. That would allow sufficiency

of time. I believe on actual say

within 14 days if practicable, but

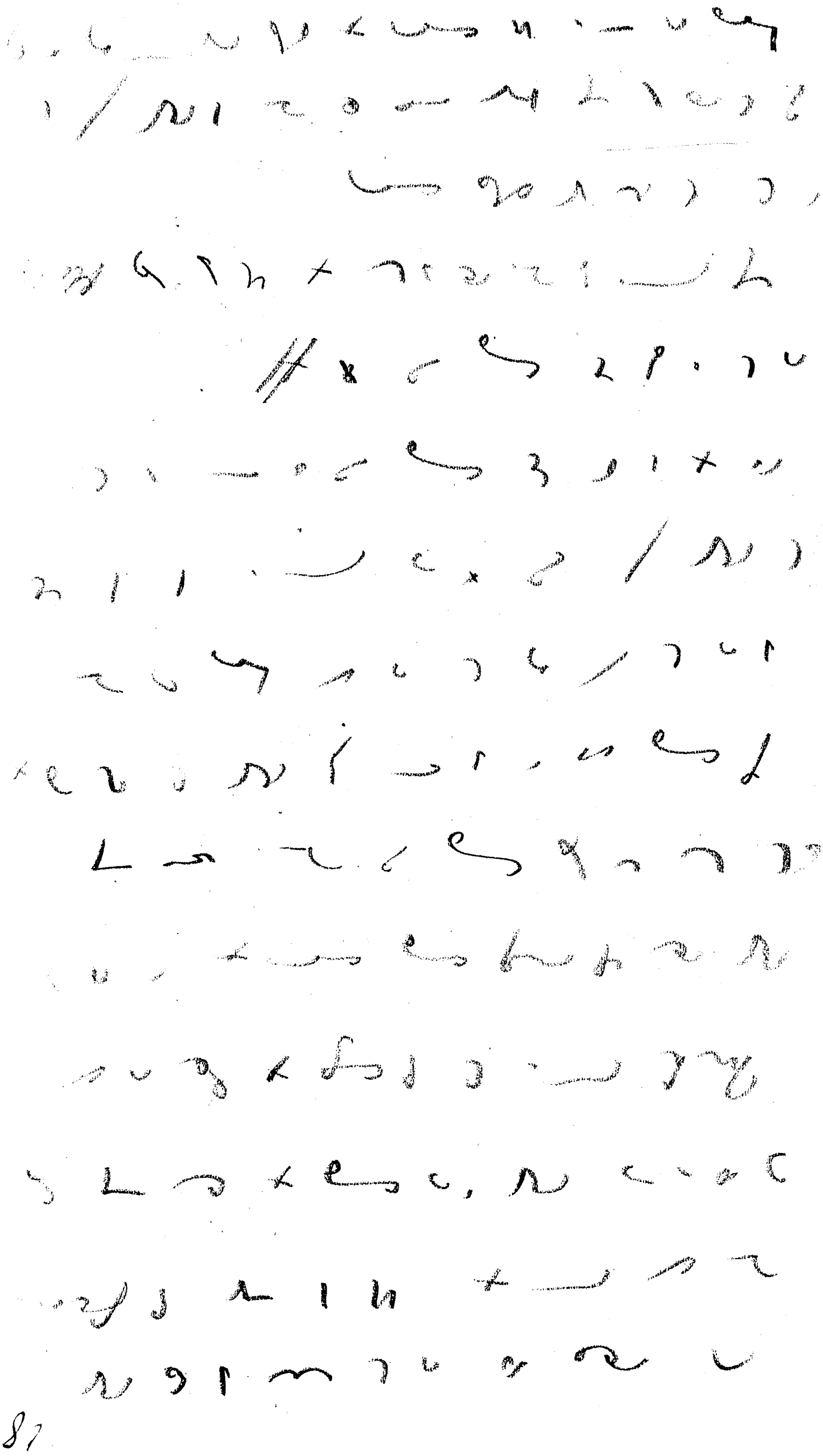
that "if practicable" should be

left out, It leaves a power in

the hands of the Commissioner

which he should not possess

385- Do you know of any case



Mining
18

where that word "practicable" has been unduly taken advantage of? No, I cannot say I have

Indian

386 Would you advocate that a discovery ought to be forfeited owing to failure to report within 14 days? — I would hardly go so far as that. I think if a fine were inflicted it would be sufficient. At the public meeting I have referred to, it was carried for forfeiture but that seems rather a hardship

387. Are you of opinion that in many cases fines should be substituted for forfeiture? — Yes - for not keeping up pegs, or anything of that sort. But if a man fails to take up a claim upon which he is supposed

Mining
19
to do legitimate prospecting but leaves it for a long time, it is a different thing
By Mr Hawkes
388 You are in favor of mining boards?
Yes
389. Are you in favor of a central or local mining boards - a central board being composed of allegates from the different mining districts elected by the holders of any right or privilege under the goldfields in Mineral Lands acts? - Well, that is rather a question. A man might take out a miners right for the purpose of the election. They should be elected by the miners, and if a man held a miners' right in

connection with mining he is a

miner

390 You are well acquainted with

the operation of our mining laws? -

Pretty well, I think, though I have

not had much practical experience

of them not having been actively

long in the country. Still I understand

them and have heard the complaints

of others

391. Do you think there should be a clear

law, that where a man can

show priority of occupation that

he should not under any circumstances

be subjected to prosecution? ~~that~~

Unless he has failed to comply

with the regulations as to the

Minnesy
21

labor covenants

392. Do you think any person who takes up a piece of ground and can prove priority of occupation should be made to forfeit by reason of any errors in his application, or that he should be only subject to a fine? — I think he should be subject to the fine only. Many a man who goes out prospecting is unable to read and blunders are natural.

393 Are you of opinion that any errors in an application for any ground should deprive the applicant of the ground

Mining
22

if he can prove priority of application? Decidedly not

394. Do you think that a miners right or mineral licence for mining for tin is as desirable as a miners right for gold? I do think so

395 Do you think the area now allowed on the West Coast - ~~a quarter of~~ ~~half~~ a quarter of an acre is sufficient for tin? It is not. My reason for saying so is that a man may find payable tin provided he can bring water to it. Even on a creek half an acre would be too small. But supposing a man finds alluvial tin where he will have to spend a good amount of

Mining
23

money to get a race to it. As soon as he has put the race in and got to work he finds there is only a quarter of an acre, for others have swallowed up the ground around him, and when that is done the water is not longer of any use to him. I think 2 acres is the least that might be given; that would give 4 men 8 acres

396. Four men is the usual party?

Yes

397 What is your opinion in respect to the operation of the mineral licence - do you think it should be confined to any particular portion of the colony or not? That is where the mining boards

Morning
24

would come in. Not having had sufficient experience of the different districts of the colony, I could not venture to say whether they should be applicable to the whole of the island

398. In any case you say it is applicable to the West Coast, and you have not had any experience elsewhere?. Yes

399 Do you think the surveys as at present effected are effected in a proper manner? Yes, as far as I know

400. Have you any experience of any particular district besides Bischoff? Yes - the West Coast

Mining
25

401 Are surveys effected as to time in a manner compatible with the interests of mining? Probably where one surveyor only is appointed in a district it is almost impossible for him to get through the surveys very expeditiously; but I cannot say I have heard much complaint in this respect

402 Have you ever heard any refusal on the part of a contract surveyor to effect surveys on account of there not being sufficient work where the survey was required? - No.

403 Never had any difficulty in getting surveys effected? - No

404 Do you think it would be any assistance to mining of

Minning
26

the district surveyor was compelled to keep a plotted chart of the surveys affected in the local registrars office? Yes it would be very serviceable and necessary

404 Are you in favor of the colony being carefully divided into sub districts? Yes I think it would be more easy and workable

405 Are you in favor of all applications for mineral lands of any description being applied for through the local office of the district in which the land is situated? Yes

407 Would that system confer any benefit upon mining by way of ~~news~~ information? — No, only

Mining
27

it would be more readily carried out

408 When you wish to enquire for any information you go to the local registrar, do you not? — Yes.

409 Would the local registrar be better able to give you information in regard to any particular lease of the application had been made to this office instead of, say, in the office at Lancaster? Yes decidedly.

410 You are in favor of prospecting roles for deep sinking in Quartz? — Yes, I think it is very necessary where a company has paid a large sum of money in developing a mine, and is unable to carry

Monday
28

on without aid, that government should assist. In Victoria of such a company was subsequently successful the money had to be refunded Lucker

411 Are you in favor of the money being refunded in the event of success being met? Yes certainly

412. Have you had any experience of the prospecting parties sent out by private individuals 4 or 5 years ago? I cannot say I have had practical experience but I have heard a good deal about them

413 Is you opinion favorable or unfavorable to that system? Favorable if you can get thoroughly reliable men who will do legitimate prospecting

Mining
29

414 What is your opinion of the ability of any government to subsidise prospecting parties with roving commissions? It would be money well spent if competent leaders were appointed to be accompanied by one or two men. They should not receive full pages, but part wages or "tucker" as we call it

415 Do you think if the Government spent the same amount of money in cutting tracks through the bush and in giving rewards it would be equally good? — Yes, I do. I believe it would be preferable

415 416 Do you think it desirable that prospecting areas should be allowed

to be taken up within a quarter of a mile of where payable mineral has been found? — I see no objection to allowing a man a prospecting claim, but he should not have a prospecting area

416 417 A prospecting claim is only double ground? Yes. There are four different areas here and there should only be one

417 418 Are you in favor of a regulation which would entirely prohibit any prospecting area from being taken up within a quarter of a mile of any other prospecting area that had struck payable indication of mineral?

Money
31

I am decidedly of opinion that no prospecting area should be taken up adjoining another as I am given to understand has been done at Mt Lyell to the exclusion of the general public, which is an injustice to them and a loss to the general revenue. No protection area ought to be allowed nearer than a mill of another one. If as at present there are 4 or 5 men in a party and each one takes up a prospecting area of 20, 30, 40, or 50 acres adjoining each other it is a monopoly.

~~By Mr Conway~~

418

419. Regulation 34 of the Mineral Lands Act gives no limit to the

Mining
32

time within which compensation for surface improvements may be claimed by the original lessee, who has forfeited, from the lessee who has taken up the forfeited ground. Are you of opinion that there should be any limit? – Yes there should be a limit

420 What do you consider a fair limit? – I think the right to claim for surface improvements if there is any right at all should be limited to three months after the forfeiture of the lease

By Mr Fenton

421 Suppose the land is not

Morning
33

taken up till 6 months after the forfeiture by the original lessee; what would he do about compensation for his improvements there? Let him go without

Joseph Farghar

By the Chairman

~~the~~ 422. Where do you live and what is your business? At Beaconsfield; I am a miner

423 Have you had much experience in gold mining? — Twenty-two years

424 How long have you been in Tasmania? Six years

425 Do you consider the present rentals for gold bearing

land too high? Yes; the Association I am connected with at Beaconsfield forwarded suggestions representing that it should be reduced to 10s. per annum as the present price prevented men from taking up land costing something like £14 for the first years rent and fees.

426 Do you think miners rights should run for 12 months from the day they are issued or as they run at present from a fixed day? — The miners rights the way they are now administered are a great grievance to many miners. A certain portion of the men completed to take out miners rights are

Minority
35

Just working for their daily wages
the same as any other tradesman
or laboring man. And why should
they have to pay for the right to
labor. I always take it a miners
right meant a privilege given
a man as security for the
occupation of a section of ground
and not a permit to labor
where he wants no protection.
It was only a portion of the men that
were taxed, because such a law
was evaded. If the inspector
comes around I have to pay for
it, but if I am not at work that
day I am not compelled
to take out the right.

Mining
36
By Mr Conway

427 But are you aware that the mining manager is asked by the Inspector how many men he has on the mine who have not taken out rights? — I wish to show that it is administered in a bad way. If a man is working for a company he has to pay five shilling a year for earning his living there. Why not treat the storekeepers and wood carters in the same way? It is simply dragging a tax out of a man for the privilege to work. I am a working miner working for the Yasmania Co, and I live on a freehold, and yet I am compelled to take out a miners right

mining
37

By the Chairman

428. You have got away from my question. Do you think miners rights should be from any day of issue? Yes I think they should run for 12 months from any day of issue

429 would that not be an inconvenience to the holders, as they might forget the date when it has issued and neglect to take out another when it expired; whereas in a fixed day everybody would recollect that the rights expired and renew them for protection? — If a man had any property worth looking after he would not omit to keep up his miners right

Mining
38

By Mr Conway

430 Would it be better to issue them for six months from a fixed day? — I hardly think so

431 You favor the rights being taken out for 12 months on any day, but would it not be equally well to take them out for six months from a fixed day and be a great advantage in keeping the books? — I do no see that any good would be effected by it. I think 12 months from any day of issue would be best. That is what I have seen done in the other Colonies

432 There is a strong feeling in your district with regard to the

Mining
39

dividend tax. You do not think the dividend tax should be taken from mining companies until the capital invested has been returned? — Yes they consider it detrimental to the miners interest.

By the Minister of Lands

433 I cannot see how it affects the working miners? Anything which affects the company affects the miners

By Mr Conway | 434 It is considered very arbitrary that a company has to pay the tax whereas a private individual is not taken into question — the Krushka's for instance who have taken £28,000 out in profits. That is the point? Yes

Mining
40

By the Minister of Lands

435 – Would you like an export duty on gold and tin better than the dividend tax? – I do not think we have considered that question

By the Chairman

436 Should applications for gold mining leases be sent to the Commissioner or registrar of the district where the land is; or, as at present be sent to Hobart or Launceston or anywhere? – I do not think I have heard any complaints of the present system; but I have not had much to do with taking up land

By Mr Conway

437 What is your opinion about mining boards? – There is a belling among miners in favor of

Mining
41

Mining boards being established, the Colony should be divided into a certain number of mining districts with members, elected by the holders of miners rights, to constitute a mining board meeting at stated intervals at some central spot

438. What qualifications would a man require to be a member of the board? — I do not know that he would require any qualification; the fact of the miners having chosen him would be a guarantee that he was a suitable person

By the Minister of Lands

439 What advantage do you suppose would be gained by

Mining
42

having mining boards? I understand you to say you would favor a central mining board - not one on each gold field? - No not a number of mining boards but one to meet at some central place

440 What advantage do you propose to gain? - The men constituting these boards would be conversant with the facts of mining in their districts, and through their suggestions the Minister of ~~Lands~~ the Department would receive advice about the amendment of the law in any particular ~~I~~.

441 Do you not think the

Minority
43

Same effect could be obtained by the miners appointing a sort of Committee of 4 or 5, at a public meeting, who would take some trouble about the work?. Possibly it might; but men are often very dilatory about this work

A. Segar

442 Speaking generally are you aware of any representation ever having been made by the mining communities, or those men who act for them, with reference to any amendment of the law, or the removal of any grievance, that has not been attended to with a fair amount of promptitude?—
No

Minny
44
By Mr Conway

443. Could you suggest any arrangement for the distribution of the role to assist prospecting? — I think the suggestions from the different districts would be a good guide to the Minister

444 Are you in favor of prospecting loans being advanced upon substantial security? — I do not know that that idea has been brought before the miners. The general idea is that the money for prospecting purposes should be applied for prospecting in different parts of the colony

445 Would there not be some danger of the money being frittered

away, without any benefit being derived? — There possibly might be some of it frittered away, but a great deal of good would be derived

446 You are not in favor of loans to assist mines in progress of work? — I do to a certain extent, if there is good security. But my idea is to assist prospecting in new country

447. Would you leave representations to be made by the Central Board to the Minister? — Yes

448 In the event of a claim being abandoned, after a water race and other surface improvements had been effected, and such claim being taken up by another man,

Mining
46

what time would you allow the original holder to have the right of claiming compensation? I do not think he is entitled to any compensation

449 Do you think the central office being in Launceston would be more convenient than in Hobart? Yes

By Mr Hawkes

450 Have you had any experience in other colonies? – Yes, in Victoria.

451. Miners rights there run for 12 months from the day of issue? Yes

452. Do you think a man mining for tin should have equal privileges of occupying ground all over the colony? – I think so;

Mining
47

but I have had no experience in the mining.

453 Do you consider the mining regulations generally suitable, and applicable to all cases of mining?— I think so, There may be some slight alterations required; but ~~the~~ take them generally they are about as good as in the other colonies.

454. Has it come within your experience that mining regulations suitable for one district are not suitable for another? No,— they are not

455 Do you think mining boards should be the best machinery for advising as to what regulations are required for each district?—

Murray
46

I think so because you would have every district represented on the board

456. Can you state what is the opinion of Mr Disraeli Beaconsfield as regards the establishment of central mining board composed of delegates from the different mining centres? No, because I do not know that it has ever been put to them

457. Do you think that a mining board would be more competent to deal with the regulations generally than men connected with the various mining centres? — I hardly think they would. I think a committee of mining men — say at Beaconsfield — could tell us

Mining
49

requirements of that place better than any man on the board could

458 But the mining board is to be composed of delegates from these various mining centres, and would probably be selected by these committees you speak of. Do you think the mining boards would give better assistance? The mining board would be able to frame regulations for the whole colony better than the local committee would

459 Do you think that under the present a working miner employed in mines receives that physical protection he is entitled to? — As far as my experience goes the Tasmania mine is worked in an excellent manner; but does your question go so far as to invite an expression

Mining
50

of opinion about the mining inspectorship?

460 No, only as to whether the mines are properly conducted? - They are properly conducted as far as I know. I have worked all my time in the Tasmania, since I have been here, and have never worked in a better conducted mine

By Mr Conway

461 There are some small mines at Beaconsfield that have been worked to a certain extent and cannot be worked any further for the want of assistance. Do you think a prospecting vote should be used to assist in such mining as well as in prospecting? - I think in Victoria the prospecting vote is used for almost all purposes

462 Do you favor a prospecting vote being treated on the same lines as in Victoria? - Yes.

Mining

Robert Carter

By the Chairman

351 462 You reside at Launceston? — Yes

463 352 Do you think it more desirable that the central office for mining should be at Launceston than at Hobart as at present? — Well that is a peculiar question. It would perhaps from a Launceston point of view; but looking at it in a wider view, I do not think it would?

464 353 Do you think applications for the rental of land upon gold or mineral leases should be made to the Commissioner, or to the local registrar of the district wherein the land is situate, or would you allow applications to be made anywhere, as at present? —

Memm
2

I should be in favor of the system we have at present

465 ~~354~~ Do you think the rents for gold bearing land too high at present? I think they are most exorbitant

466 ~~355~~ What would you propose reducing them to? — I should consider 10s. an acre quite sufficient for gold bearing land

467 ~~356~~ In regard to tin and other minerals? — I think 5s for tin, and 2/6 for other minerals is not out of the way; but I think £1 an acre for gold leases is much to high myself

468 ~~357~~ Do you think the same notice for ~~tin~~ applications for tin and

Mining
3

other mineral should be posted at the nearest post office as is now done with regard to gold? I do not think any harm could arise from it. It would give more publicity, and I think, perhaps, it would be advisable

469 357. With regard to miners rights, have you ever studied the question? — I as know something about miners rights

470 358 Do you think they should run for 12 months from any day of issue? — Yes most decidedly, I do not think a miner applying for one during the last three months of the year should have to pay for the whole year. They show run from the day of issue till the same day next year

mining Brown

474 359 Do you think good miners employed by companies and otherwise working for daily wages should be compelled to take out rights?- No, I think the money the government gets otherwise is quite sufficient without compelling him to take out a licence

472 360 Do you think the dividend tax as fair tax as it is at present levied?- No I do not think it is without it is accompanied by an income tax. Speaking for myself, I pay an income tax because most of my revenue is derived from dividends in mining companies. I think the present tax is most unfair. If the dividend tax is continued it certainly

Mining
5

should not be enforced until a
mine has ~~[illegible]~~ reimbursed
~~the~~ in dividends the money that
has been paid into it. In the Mt
Victoria Gold Mining Co the shareholders
have paid 2s/9d per share in calls and
are received back 1s/1d upon which
the dividend tax has been paid
while they have not yet got back their
original outlay

473 ~~364.~~ With regard to improvements
on forfeited leases at present,
we are aware, there is no limit
to the time within which the original
lessee who has forfeited can
claim compensation for the
surface improvements he has effected.

Mining
6

Do you think this should be altered? —
I think there should be a limit

474 ~~362~~ What would you fix it
at? — No claim should be allowed
after the lease has been abandoned
for twelve months

475 ~~363~~ Are you in favor of mining
boards being established? I
am, rather; but perhaps there is
some objection. I know a great
deal of information was obtained
in the early days of Victoria through
the mining boards, and I think
some could be got here. These are
boards of advice for taking
into consideration the circumstances
of different fields for the guidance
of the ~~minister~~ Commissioner. The

Murray

7

Country is divided into so many districts each with a board, and one board for a Central Board. I have not gone fully into the thing, but as I ~~regard~~ recollect the boards in Victoria gave a great deal of information in mining matters. I should be in favor of our establishment here

176 364. Are you in favor of a prospecting vote being granted by Parliament? - Yes

177 ~~365.~~ Have you considered in what way the money should be expended should a vote be granted? - I think the government should grant the money without any restriction as to repayment in the L1 for £1 principle. The assistance to mining out to be

men. If there are no boards of
advice the money should be distributed
by the advice of the commissioners
or others; but this is one of the
purposes for which I advocate
mining boards. In this way
alone I think mining boards would
be of great service — in connection
with these prospecting votes. Under
the rule of last session the only
company to take advantage of it
was the West Cham simply because
the others have not the means
478 ~~366~~ But in what way would
you have the money expended ~~=~~ in deep
sinking? I think in deep sinking
and testing with the diamond drills
for quartz or alluvial; also for regarding

Mining
9

parties who make discoveries like
those at Mt Victoria, ~~and~~ Mt Lyell
and other places. Rewards given to
these prospectors would be money
very well laid out

479 ~~367~~ Do you think it would be
more advisable to have surveys
effected by salaried surveyors
instead of the present contract
system? - I could not give
my opinion upon that. But I think,
as regards ~~surf~~ surveys, persons
should only have to pay what the
Government pays. It is not so now.
When two lots are surveyed together
the surveyors only get paid for the
lines not joining the other lots and

Mining
10

the appreciants should only pay for the same

~~368~~ If the surveyors were to carefully mark out sections and number them do you think it would be so necessary then for the lessees to keep up pegs and such like things? — I think the lessee should see that they are kept in order. The lessee should be responsible if anything happens to those pegs; but in the first instance the ground should be properly marked by the surveyor

~~369~~ Do you think that the prospecting areas allowed at present are too large? — No, I do not. If a man goes out and finds anything he is entitled to something out of

Mining
11

usual run of claims

~~370~~ within what distance of
the prospecting area do you think
another should be granted? For instance,
I believe at present they can almost
join ?— I think they should not
be as close as that. They should be
something like two miles apart

By Mr Haines

~~374~~ You are pretty well versed in
principles of our mining laws? Yes
~~375~~ Do you think it would be
desirable to incorporate into our
laws a principle that wherever a
man proves priority of occupation
he depot in his application, or
in any other technical matter should

deprive him of his right and title? — What is so now. The Commissioners have the power to impose a fine for technical breaches

Owner
4A5 373 But illiterate men make mistakes and blunders in their applications. If a man could prove indisputably that he went on to the ground first and put up his notice, are you of opinion that the law should sustain him in his holding notwithstanding any defect in his application? — I do not agree with that altogether. The present law would not answer such a case. If a man can prove that he put a notice up first, unless there is something very wrong indeed, he is not likely to lose his

Mining
13

ground. If you left the door
open many ~~cases~~ men without the same
right could claim the same thing.
I believe in a certain amount of
strictness in the appreciations must
be exercised. If a man proves
is the first appreciant, he is almost
sure to get the ground, unless there
is something to show against
his evidence by which it is upset. It
forfeiture or fine now and I
am inclined to leave it as it is. To
alter it would be to fix the mere
imposition of a fine in many cases
where forfeiture is demanded
486 ~~374~~ Do you think a system
of permanent surveys would be better
than the present system?. I do not, because

Mining
14

a man desiring to take up an old block of land may only want certain parts of it. Better leave it as it is now so that a man can have 20 or 40 acres if he does not want the whole of the 80 acres

487 ~~375~~ Do you think permanent surveys would be of any use if mineral licences were granted under which? — By permanent surveys you mean that the applicant would be required to take up the whole of block as surveyed or leave it. I think the present system is best

486 ~~376~~ Do you favor mineral land being worked without lease? — On the miners right principle? Yes, I

Monday
15

am in favor of it, There are many places at Scamander and elsewhere that it would pay a man to work under a mineral licence where it would not pay under a lease.

By the Minister of Lands.

489 ~~377~~ Are you aware that the law already provides for the issue of mineral licences? Yes

By Mr Hawkes

490 378. Do you consider a quarter of an acre a fair amount to be held under these licences?- No, it should be two acres

491 379 You are aware that in the goscation of the other colonies a temporary restriction has been placed upon the granting of rights

or privileges under either Fred Fields acts of Mineral Lands acts to the Chinese. Do you think it would aid the development of mining in this country if the same temporary restriction were carried out here? — You would object to Chinese

382 That no mineral ~~rig~~ licence or miners rights should be issued to other than naturalised Chinese and that only for a certain period? Well, I am against Chinese, myself, and would restrict them altogether

By the Minister of Lands

384 You would not grant them any licence or privilege under the mining laws? — No, I would not.

Mining
17 By Mr Hawkes

494 ~~382~~. You are aware that there is a Clause which empowers the Minister of Lands for the time being to refuse any right or privilege under either Act? - No I am not aware of it.

495 ~~383~~ Do you think that if our regulations carried a clause to more distinctly define that class of cases to be tried by the Commissioner and that the Commissioners decisions in all such cases should be final, that it would be of any benefit in the more prompt settlement of disputes? - Do you mean that there should be no appeal in all cases

496 ~~384~~ No but that the cases should be restricted? - I do not think

Mining
15

that any harm can result from
giving the right of appeal in all cases

497 ~~385~~ Do you think that
needless litigation on gold fields
and at mining centres has ~~not~~
any detrimental effect upon
mining? — I am not aware
of it

By Mr Conway

498 ~~386~~ Do you think the £1 for
£1 in aid of deep sinking, returnable
out of profits would be practicable or
advantageous? — As I have said
before, I think the Government
should give the money without expecting
any return, except that which
might be looked for in the benefit to

Mining
19

to mining; but I think of the government
did grant the assistance it would
greatly benefit mining, and as
the public would get the benefit of
it the public should give the assistance
499 ~~387~~ I has been suggested
that a board should be appointed
to consist of the Commissioner
of the mining district with the
Inspector of Mines and others to
report upon this matter for the
guidance of the Minister from
time to time. Do you favor that? —
I think the different members of the
mining boards would be used. It
would be one of their functions to
take into consideration the distribution
of this money.

Mining
20
500 ~~388~~. Do you think a money reward and a smaller holding of ground should be given to a prospector who discoveries anything payable at a distance from any other Union discovery.— A money reward of, say about £100, and a smaller reward claim than they get at present?— I certainly believe you should give a money reward to prospectors

501 ~~389~~. You would still give them some quantity of land? — Yes

502 ~~390~~ Do you think the ~~pr~~ reward claims are too much at present? No; but an excess comes where there are three in the party and each takes up 15 acres — that is a mistake.

Mining
21

503 ~~391~~ Do you think that a more liberal and extensive assistance should be given to encourage the use of diamond drills for prospecting? - Most decidedly

504 ~~390~~ Are not greater benefits to be derived from that system of prospecting? I do not think there is anything in vogue so admirable for prospecting as the diamond drill

505 ~~391~~ Is it not your opinion that if we get the prospecting vote have applied for, and have got such a large petition in favor of the prospecting by diamond drills should be taken into consideration? Yes, before you

go to any further outlay prospecting should be done by diamond drills

506 ~~392~~ As the government has this plant it is better to have it used than keep it idle? – Yes

507 ~~393~~ – Do you think the officer in charge of the diamond drills should be employed more in prospecting than looking after the idle drills? – Most decidedly, it is more advantageous to keep the drills going

508 ~~394~~ With reference to minors rights, do you think any advantage would be gained by the department in the keeping of accounts of the rights were issued half yearly and expired on the 30 of June and 31 of December

instead of issuing them for 12 months from any day?— No, I think of a miner wants a right he should be allowed to take out one for 12 months on any day in the year

509 ~~395~~— You think the amount of capital employed in a mine should be returned out of profits before the ~~tax~~ dividend tax should take effect?— It should be taken off altogether if possible, but I am certain it should not be taken out of the capital returned

510 ~~396~~. By whom would you have the mining boards elected?— By the holders of miners rights

511 ~~397~~ How would you manage the distribution of a prospecting vote?

Mining
24

I should leave it to the Minister of Lands; but he ought to be advised by a board on the matter, and that is where the want of boards comes in. If you have no mining boards you much leave it to the Minister; but if you are going on for mining boards I think one of the functions the delegates from these mining boards should be to take into consideration the distribution of this vote. Luck

12
398 I presume you would place a great deal of reliance upon the recommendations of the Government Geologist? – Yes

13
399 By the Minister of Lands will you explain in what way the

public share in the success of mining enterprise specially, as distinct from the mode in which they share in the success of any other enterprise?— My own experience and that of others who have been interested in mining for the last 5 or 6 years, is that if it had not been for mining Tasmania would have been in a state of insolvency. If it had not been for mining there would have been no public works and there would not have been any progress in other directions

514 ~~400~~ There are a great many phrases get current, and I wanted to see on what particular ground this phrase rested. Can you say in what particular manner, other

law the general benefit, the assistance
of mining as distinct from any
other industry and benefit the
public? Because it is more
distributed, employs more labor,
and causes a greater increase of
population. For Mining has made
all classes. Mining means
population, and population means
prosperity. Without mining, there could
not have been any increase of population,
not only in California alone,
but in the whole of the colonies. The
story of the colonies proves it,
and the whole world remembers what took
place in California in 1849. Mining
is the stay of the world in my opinion.

mining

27

575 ~~404~~ To what extent has that been brought about by the assistance of Government? – It has been assisted every colony except Tasmania. In Victoria New Zealand New South Wales Queensland mining has been assisted

576 ~~402~~ Can you instance any special way in which a direct benefit has accrued to the state from the assistance of mining? – I do not know that I can except from year to year. The water scheme of New Zealand has been a large indirect benefit, and the general impression is that it has encouraged mining. In Victoria many a defeated prospect has been improved by Government aid into a paying mine.

Sept. 30 (

Duncan Barrett Scott

Chairman

Dear Richards Lefroy [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

[illegible]

Mummery
28

517 403 Have not even the deep lead results been mainly brought about by private enterprise? — In the first instance I believe they are but at present they are aided. My previous opinion, before Lansdell proved otherwise, was that after you got to a certain depth you did not get any gold

518 404 Did he get any assistance from government? Not that I am aware of

519 ~~405~~ You are perhaps acquainted with the views of those who advocate a special vote of £10,000 for prospecting purposes? — Yes

520 ~~406~~ Are you aware whether it is contemplated that any portion of such a vote should be

Mining
29

devoted to sending what are known
as prospecting parties out into the
bush to make fresh discoveries? —
No I am not aware whether they
do or not. I would not be in
favor of prospecting parties in
usual sense of the term because
government would be taken in the
same as private parties are, and
perhaps a little more so

By Mr Hawkes

Q 407 In respect to the extra
benefit derived by the community
generally by the development of mining,
do you consider any elastic development
of mining in any country would benefit
a community particularly by
the rapid absorbtion of all produce

Recd

raised for use. Do you think that has ~~been~~ had any beneficial effect upon the prosperity of the country? — I do not understand the question.

522 ~~408~~ A miner produces nothing but minerals, but does he not consume almost every article produced by the rest in every direction? Do you think that beneficial to a country? — Miners are large consumers. You have only look at Blackboy where the farmers were at one time almost ruining but when mining has going they did well.

523 ~~409~~ The question is only how the balance of the community would be benefitted? The farmers benefit by mining more than anybody else

because they are sure to get greater profits and have no risks. Steele and McKenzie used formerly to send our cattle all the way to Hobart, but when the ~~tone~~ tin mines were opened they did not need to send a beast to Hobart as they could all be consumed in the district

524 ~~410~~ Do you consider that by the development of mining in this Colony there has been a more general diffusion of wealth? — I have no doubt of it

525 ~~411~~ Do you think it would materially benefit mining if the direct tax put upon it by way of rent was reduced? — I have already said that I think the rent of gold leases should be reduced one half. With regard to other minerals, I see

Mining
32

no need of reduction

526 ~~412~~ Do you think that the value of mining to the State is to be found more in indirect than in direct revenue?—

In indirect revenue; but a direct revenue you are bound to have for the purpose of carrying out the law relating to mining and for the protection of the interests of those who are engaged in it

527 ~~413~~ Would you advocate that where prospecting protection orders are granted to any person that there should be a space between each one?—

I have stated that I would not allow one within two miles of another

Mr Bernard Shaw

By the Chairman.

Murray

33

What offices do you hold in connection with the Mining Department?—I was formerly Commissioner of Mines and subsequently Secretary of Mines.

~~475~~ In how many years?—I was Commissioner for about 7 years, and Secretary for 3 years.

By the Minister of Lands

476 During the time that you were Secretary of Mines was your attention called to any necessity for alterations in the laws or regulations after the last regulations were issued?—No

~~477~~ Do you think they gave general satisfaction?—I think so. My attention has frequently been drawn to letters in the newspapers or reports of speeches, but not officially.

Summary
34

~~418~~ 522 has your attention every officially called to any defect in the laws or regulations? I do not remember that it has

~~419~~ 523 What were the defects to which your attention was drawn in the manner in which you have ~~indicated~~ mentioned? — I do not consider any were defects. I have seen letters in newspapers and reports of speeches in which ~~the~~ certain matters have been urged as requiring certain provision in the law, when such provision actually existed. That has quite a common thing showing a want of attention on the part of those who wrote or spoke. It has also quite a common thing to find suggestions made in that way which would be

wholly unpracticable or, if adopted, would seriously impede the prospector or miner

534 ~~420~~ Referring specially to the regulations for prospectors as distinct from those actually made for mining, are you aware of any defects owing to the difficulty of proving priority of occupation? – No, no case came under my notice where there was a difficulty of proving priority of occupation. When I was Commissioner I had one or two disputed cases but there was no difficulty whatever about them as they resolved themselves into the simplest question imaginable when the statements of both ~~parties~~ sides were heard

535 ~~421~~ Are you aware of any prospectors being deterred from pursuing their avocation by any uncertainty ~~by~~ caused by the regulations? – Not since the present

regulations have been in force. Those regulations did away with a great many difficulties.

336 ~~422~~ Will you inform the Committee in what respect the present regulations differ from former ones? – The former regulations were necessarily very meagre because the Act did not authorise liberal regulations to be made. When the Act was amended the making of the present regulations became authorised and we were enabled to make regulations which it seemed to me met all requirements of prospectors. These regulations have only been in force a short time. The gold regulations were made on the 14th January 1884, another one on the 20 March 1884, and again on the 5th October 1885. The Mineral prospecting regulations were made on the 15th of March 1884 under the authority of the Mineral Lands

Morning
37

Act of the same year.

423. As to securing claims? — Under the Mineral Act there was practically no regulations before because the Act did not authorise them. A person had to peg out ground for a lease before he could prospect it

~~424~~ In your opinion the regulations are sufficient for all practical purposes? — I think so

~~425~~ Now, as to gold? There are prospecting regulations under the Act of 1870 for several years. When that Act was repealed the clause in the Act of 1880 authorising prospecting regulations to be made was struck out in Parliament and it was passed without that clause. When that Act was amended in 1883 by a short Act which amongst other matters authorised special prospecting regulations to be made. These regulations

men made accordingly and are now
to regulations in force which appear to
me to meet, as far as I am able to
judge, all the requirements.

529 ~~426~~ Are you speaking, Mr Shaw,
from your own views of the construction
of the regulations merely, or from a
practical acquaintance with the modes
in which they operate? From my personal
acquaintance with the mode in which
they operate - more as a miner, but as an
officer of the department mixing about
amongst the miners and hearing what
they had to say, listening to their complaints
and settling their disputes

540 ~~427~~ Have you heard any complaints
as to the too much amount charged for leases,
especially for gold? - Yes I have often met
with men who said they thought £1 an acre
~~too much~~
541 ~~428~~ What do you consider about
it? - I do not think it too much

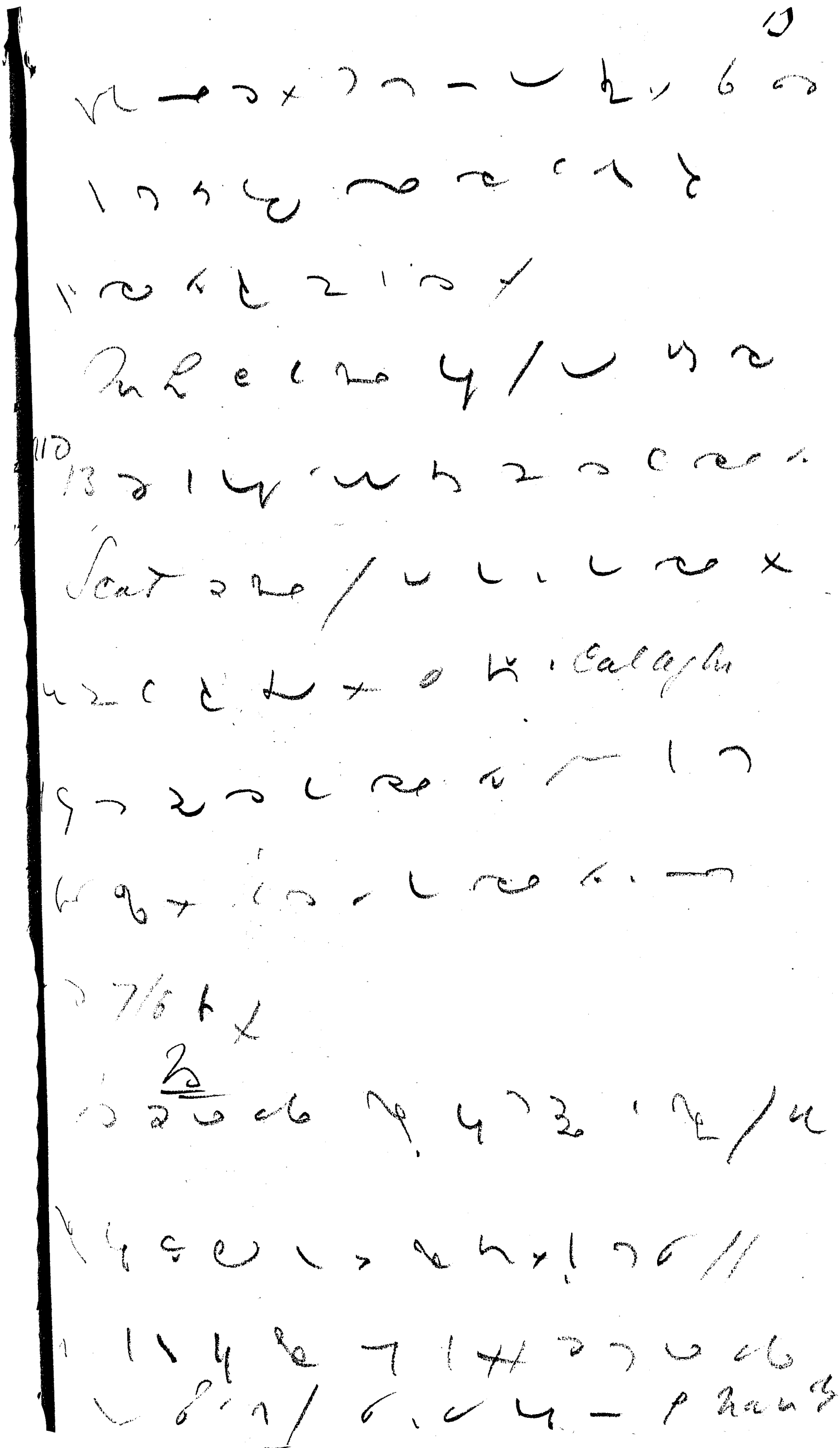
Mining
39

I think of a gold mine is not worth £1 an
acre it must be a very miserable one. It
does not seem to me too much of revenue
is to be derived at all from such a source,
as it is not more than a reasonable rent
to charge. Of course it is a more a matter
for financial consideration by the Government
than any one else

~~429~~ As to water rights: the Committee
are before them some evidence from which it
would appear that there is an opinion held by
some of those engaged in mining operations
that the survey of a water race should be
dispensed with, or, at all events, should
not be left to the parties applying for the race.
Can you inform the Committee of the
opinion you have regarding that? — It
depends upon the nature of the tenure of
the water race. Under the Goldfields Regulation
Act a water race can be held under a
miners right. That is generally looked
upon as an insecure tenure, but in
that case a survey is not compulsory, and
a miner should estimate its value himself.

It is looked upon as a temporary holding which he may throw up at any time. But if he works it holds under a grant for 10 years renewable, practically an indefinite period he is required to pay a Survey fee and a Survey made. Under the Mineral Lands act. the Only way a water right can be held is for 21 years renewable, practically, indefinitely. In that case Survey is compulsory. It seems to me to issue a grant for a water right without having a Survey made under a mere absurd thing. If you make a grant practically for an indefinite period without having a Survey you will find yourself under a very great difficulty indeed. It is altogether necessary that a Survey should be made

430 - Do you think the absence of a



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[illegible] Callaghan

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[illegible]

[illegible]

[illegible]

[illegible]

Minnery
41

Survey would lead to litigation and disputes? – Undoubtedly

544 ~~431~~ Have any special cases occurred to your knowledge in which litigation and disputes have arisen from imperfect survey? – Yes very serious disputes, indeed, in one or two instance have occurred to my knowledge – the Brothers Home No 1 and the Breescis companies

545 ~~432~~ Are the committee to understand that you would not seek a remedy for these disputes which arose through imperfect surveys by sweeping away surveys for water races altogether? – It would be no remedy but would ~~lead~~ add to the confusion and disputes. You must bear in mind that it is a grant for 21 years renewable for 14 years again and again as often as you choose.

it is transferable; and it would be a most dangerous thing to issue a grant for a water race without having it clearly shown where the race was to run

546 ~~433~~. Are you aware of instances in which races held under miners rights have been transferred from the original holders to others? Yes, in more than one instance

547 ~~434~~ Whose who buy the race under such circumstances run the risk run the risk of the right being cancelled? — Yes

548 ~~435~~. Is it then your experience that parties in that position have sought to place themselves in a more secure position and applied for leases of water rights formerly held under miners rights? — I think I do, but I cannot say that I know

as to whether they shall have a secure tenure or not?
It is entirely a question for the holders

580 437 When it is more a question for the parties themselves, as to whether they shall have a secure tenure or not? — It is entirely a question for the holders

any had been actually issued before I left the Mines Department. It is a comparatively new thing. The regulation authorising the leasing of water rights under the Gold Fields Regulation Act did not come into operation till 1883. Other rights had been issued in the shape of grants or leases for years past

549 436 As far as the Department is concerned, do you think it would make any difference to the department if claims were held under a miners right instead of under lease?— It would add to the work of the Commissioners because claims held under a miners right would be liable to be jumped and that would keep the Commissioners at work

550 437 Then it is more a question for the parties themselves as to whether they shall have a secure tenure or not?— It is entirely a question for the holders

Mining
44

551 ~~438~~ To get a secure tenure a grant should be obtained?
Yes, and it is most dangerous to issue a grant when a survey has not been made

By Mr Hawkes

552 ~~439~~ Do you think the regulations which regulate mining in the colony are quite as applicable to one portion of the colony as to another? – We have different regulations for the West Coast

553 ~~440~~ Do you think it is necessary in all mining regulations that they should be framed with regard to particular requirements of various districts? – Yes and there is provision for that under the Act

554 ~~441~~ Do you think the present regulations have kept that object in view? I think so – so far as we could ascertain the different features of the different localities – and it seems to me the regulations provide

should not be put into force in some parts of the Colony because circumstances do not make them practicable; and there are others ~~which~~ which are resorted to in some parts and not in others. For instance extended areas in the Alluvial Gold mining regulations apply to Lesle and Beaconsfield and the Commissioner has power to use these regulations where he considers it advisable

555 ~~442~~ Do you think the establishment of a Central Mining Board as a board of advice to the Secretary of Mines would be of any general benefit to mining? – Yes, I have no doubt it would be a benefit, if suitable men could be found to devote their time to the purpose

556 ~~443~~ Do you think that the gratuitous opinions which have been from time to time tendered to the Mines Department could be better given by a Mining Board? – I might – probably it would. [illegible]

Mining
46

to pay very great attention to any suggestions made to me by miners, and in a ~~very~~ great many instances the suggestions made were adopted by me in the shape of recommendations to the Minister and were subsequently embodied by the Minister into legislation. At the same time many of the most absurd things were suggested to me — things which it would be totally impracticable to carry out

55/ 444 When you think there could be no objection to a properly constituted mining board acting as a central board of advice only? — No objection; but there would be a difficulty in the way of getting the proper class of men to devote their time to it

~~445~~ Section 33 of the regulations

Money
47

under the Mineral Lands act
Plates no limit to the time within
which compensation can be claimed
for improvements by the original
lessee, and there are one or two
instances in which a Commissioner
has found it imperative to come to
a decision in favor of the previous
lessee although he has left it for
three years. Ought there not to be
a limit? — Yes, undoubtedly, that
is a bar. The act might be altered
there by putting a limit to the time.
559 ~~[illegible]~~ What, in your opinion
is a fair time to allow a former
lessee within which to claim
compensation? — I should say a
very short time indeed. Whatever
time is allowed is practically
a hindrance to the land being taken

up by anyone else. There ought to be no claim after one month

560 ~~447~~ But a man may not take it up for a certain time? There should be a limit to the time

561 ~~448~~ If the value of the surface improvements was determined within a certain period after the forfeiture of the lease and then if anyone applied for it he would have to pay that amount? — should be limited to a very short time — Shore said within a month

562 ~~449~~ Do you think it would be beneficial to mining generally that the law should be so arranged and so administered that any man who could prove priority of occupation of any piece of ground should not lose to claim but should be liable to a fine — that is ~~that~~ priority of

of occupation should in all cases carry a title to the land, and any infringement of the regulations, like a defective application should be subjected to a fine only? — I do not think you could make a hard and fast law to operate in that way. Priority of occupation gives a man a title to the land now, provided that occupation is a valid one, and no informality in his application can deprive him of it. The only way in which he can be deprived of it is by his neglecting to secure a proper lawful occupation of the land. If he has any lawful occupation no informality can deprive him of it.

563 ~~480~~ Has it ever come under your observation as Commissioner

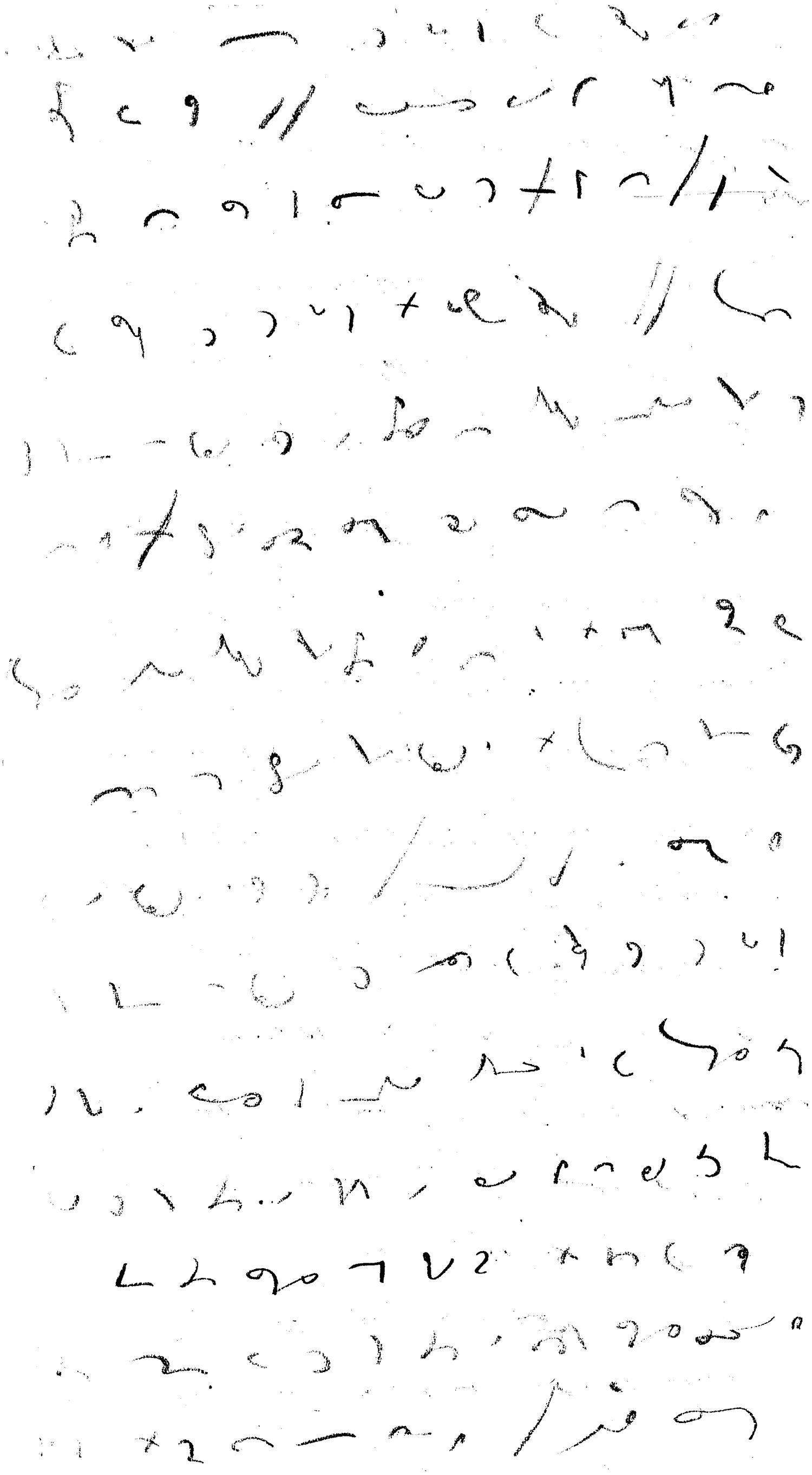
Mining
50

that applicants have lost a claim through not conforming to the regulations though they had priority of occupation? — Yes, where a man has failed to comply with the regulation in taking possession of the land

[illegible]

[illegible] 457 So far as the application was concerned? Not in that altogether, because an application must always be taken into consideration with the way in which he has taken up the claim and marked it. For instance, if a man posts a notice on the north East corner of the ground and his application states it is in the centre. That would be a fatal objection and he would be deprived of his lease. It is quite right too, because he would be putting his [illegible]

posted notice in one place and describing it in another, and he could claim the right to extend over the whole area and select the best piece out of it to the detriment of other prospectors. It must be clear in this respect otherwise injustice would be done to others 565 ~~452~~. Has it come under your observation that there is a class of men about the mines who do nothing in practical mining but prowl about the Commissioners Courts for the purpose of finding a technical objection in the rights of others? No, certainly not prowling about the Commissioners Courts; but there are men who prowl about the country and look after the posting of notices and that sort



Mining
52

of thing. They could not gain anything by prowling about the commissioners courts. There are a number of these men in all mining communities who follow in the heels of prospectors and look out for any defects in the notice or marking off of a claim

566 ~~453~~ Are you aware that bona fide prospectors have failed to go out on account of this regulation?— If he does not secure his land it is his own fault. The manner of doing so is simple enough, and if he exercises ordinary care it will secure him

567 ~~484~~ Is there anything in the regulations to prevent a man putting up a post dated notice? Only

Mining
5-3

that such a thing is a misdemeanor that would render him liable to a severe penalty

568 ~~455~~ Has any case come under your ~~obser~~ observation? No, I have heard such a thing said but there has nothing to show whether it was true or not

569 ~~456~~ In any case such a circumstance would be very difficult to discover? Very difficult, indeed, I should think; still it is one of those offences which if proved the perpetrator would be liable to severe punishment as a misdemeanant

570 ~~457~~ Do you think permanent surveys would be any benefit if coupled with permission to occupy smaller areas under ordinary licences?—

Mining
5-4

Permanent surveys would be an immense advantage to the Department but would prove a very serious obstacle to the miners, inasmuch as a man could not take up the exact piece of land he wanted. Permanent surveys would materially interfere with the operations of the prospector and miner

571 ~~4 of~~ Do you think it would interfere with them if a second tenure was created allowing a portion of land to be held under a miners right? — Yes because a man would like a more secure tenure. He might desire to get a lease of ~~the~~ a claim which was not in the exact shape of the survey but might include portions

Murray
55

of three or four formerly surveyed
blocks. What is a very common
thing; I have seen numerous instances
where abandoned ground has been
taken up over portions of three or
four former leases

572 ~~459~~ Do you think the advantages
of permanent surveys are not in
excess of the drawbacks? I do not
think there is any advantage to
the miner; but the department would
be saved a great deal of trouble

573 ~~460~~ Do you think the present
mineral charts are of any value to
miners? — Yes the charts, I believe,
are accurate though there may, of course,
be mistakes

574 ~~461~~ Do you think the present
system of allowing surveys to be
taken up under different forms sets

Morning
5-6

up a disintegration of the mineral charts? - No, not if the mineral charts are kept up and revised surveys marked on them

575 ~~462~~ I believe it is a fact that mineral charts have to be issued every two or three years? - Only one of each district has been issued and they are not all out yet

576 ~~463~~ Does not the present system of surveys immediately destroy their value as soon as they are made? - It does not destroy their value; but as soon as fresh surveys are made they require alteration

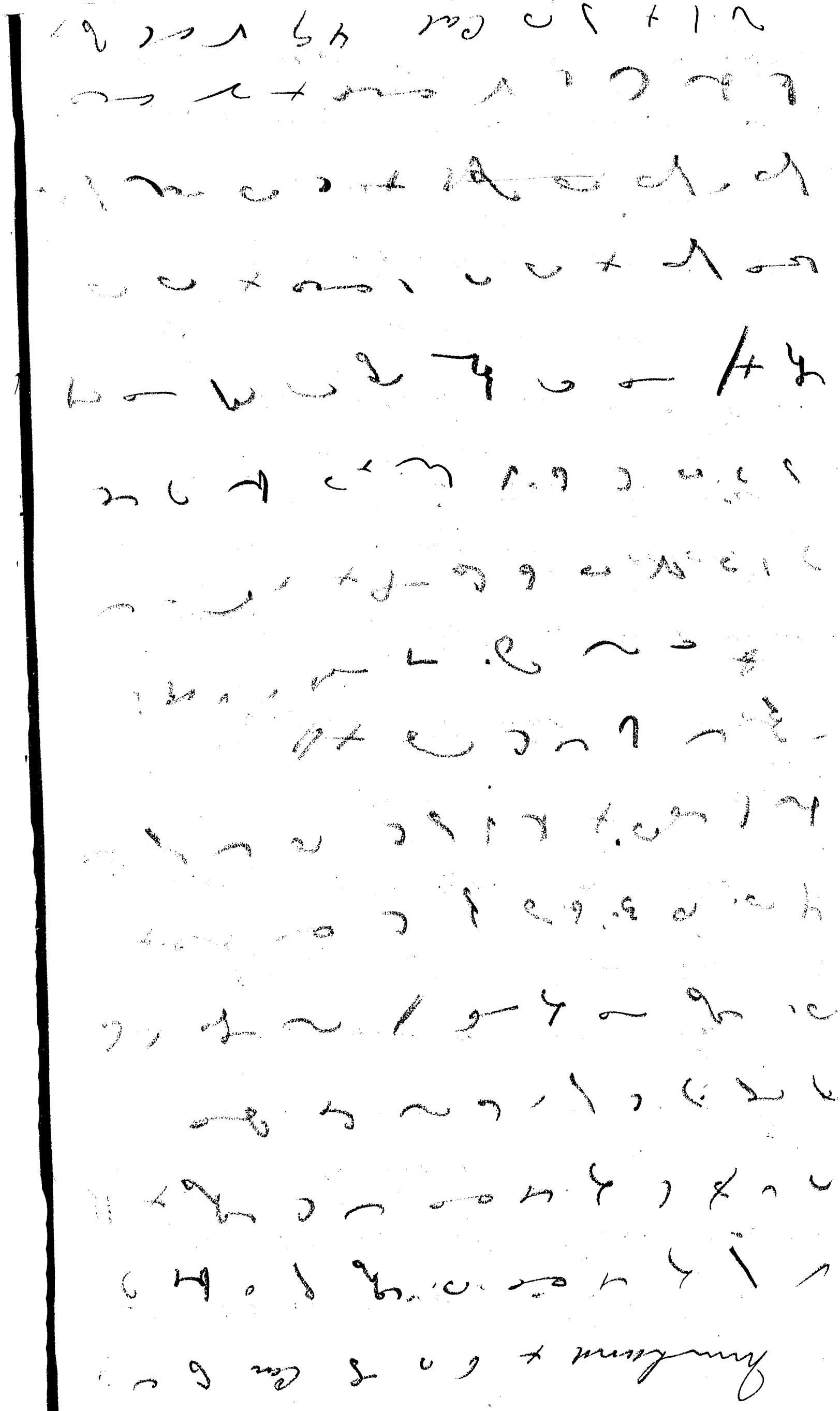
577 ~~464~~ Are you in favor of issuing mineral licences? - Not on worked out ground, but on new

Murray
57

yields, decidedly so, I always
has all through but Parliament
would not agree to it

578 ~~465~~ Are you in favor of
their being issued all over the
colony? No, I do not think they
would work well in the districts where
the shallow deposits are worked
out. The day for that has gone
by 579 ~~466~~ What do you think about
the area for a mineral licence?
Do you think a quarter of an acre
of ground is sufficient? No I do not
think it is but more is allowed

580 ~~467~~ Is it not a quarter of
an acre at present? No that is a
popular error. Where area is the
acre and there is nothing stated in



Minney
58

the Act or Elsewhere about a
quarter of an acre

581 ~~468~~ Why should not a miners
right for ten operate throughout the
whole colony? – Because the shallow
alluvial deposits, which are the
only deposits that it would pay to
work under a miners right have
been worked out – at least it is
supposed so

582 ~~469~~ Do you think that,
under the Mineral Lands Act, a
miners right applicable to the whole
of the colony would have an effect
in inducing prospecting on account
of a man being able to always
carry his tenure with him? – It
would not simply because a
prospector under the Mineral Lands

Murray
59

Act can take up a prospecting area wherever he likes. If he has only allowed a miners right it would be imposing a restriction which he does not suffer at present

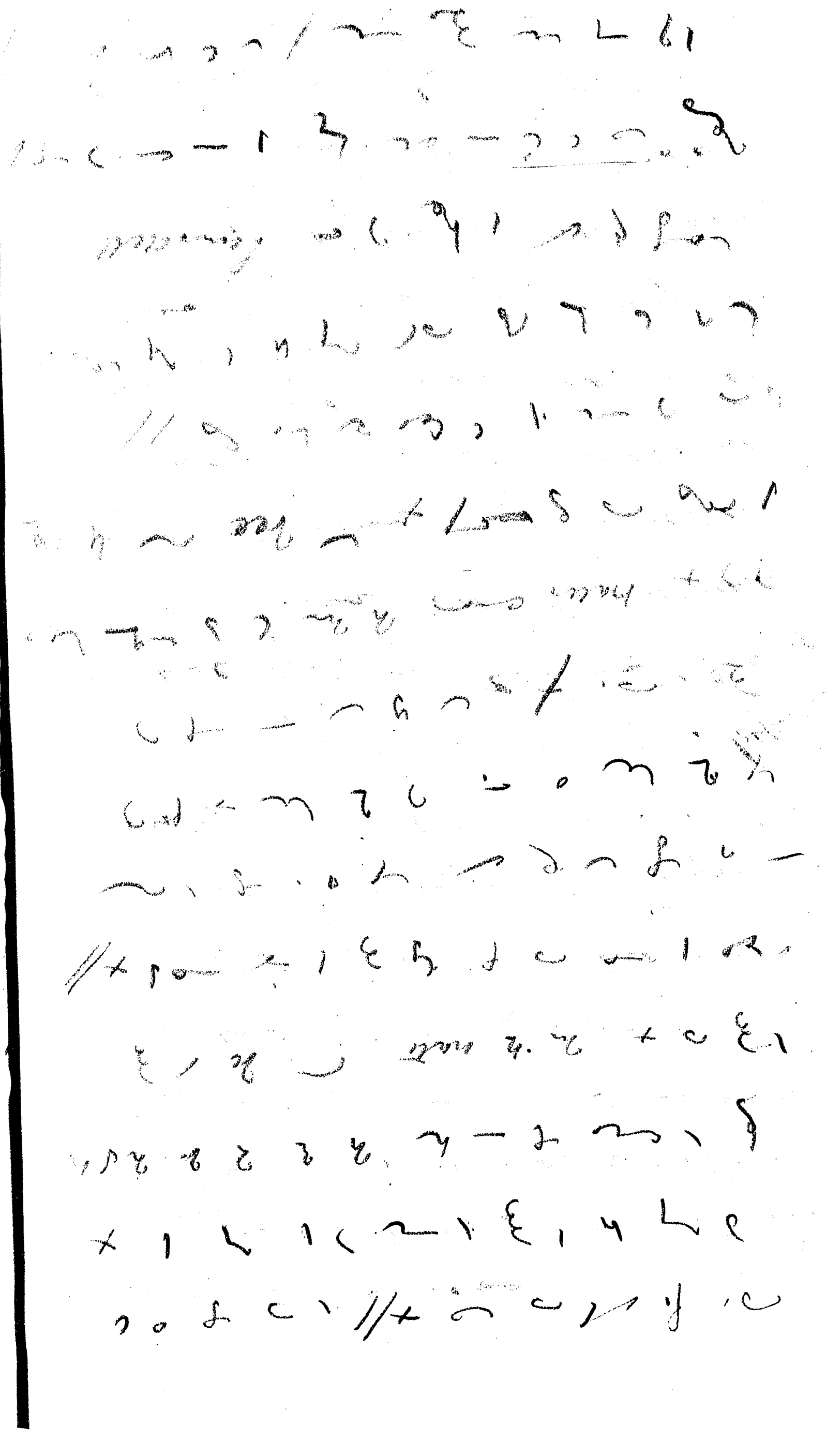
583 ~~470~~ Are you aware that in all the colonies certain limited restrictions have been placed upon the Chinese as regards rights and privileges under either Mineral Lands acts or Gold fields acts? — I believe that is so from what I read in the newspapers; but I have not made myself acquainted with the practical operation of any of the laws in other colonies with reference to the granting of licences

Memo

60

and so on to Chinese

5824 ~~47~~ Do you think it would be a benefit to the progress of this colony in any way if some limited exception could be taken as to the terms upon which Chinese should have rights or privileges? — I have not considered it sufficiently to enable me to give an opinion. Regarding the Chinese in this colony I have found them generally law abiding and industrious; but I believe it to a fact which is not disputed that where the Chinese become very numerous and are in a majority they are most objectionable class of people dangerous to the peace of the community. In this colony they have never been sufficiently strong



Mining
61

in any one part to make their presence, as far as I know objectionable in that respect.

585 ~~472~~. Do you think in the event of any legislation being required as affecting the Chinese that it would be best to limit their holding for a period or actually refuse? – If it is desirable to legislate in that way I should say that to absolutely refuse is the only way, because if you gave them such rights for any time they would be there

586 ~~473~~ Do you think legislation of that nature far more preferable than a poll tax? – I should not like to suggest legislation to exclude the Chinese from the colony. If you refuse to give them permission to mine that would in effect exclude them;

there might be an odd Chinaman here and there but not any number together.

587 ~~474~~ Can you make any suggestions as to the alteration of the present laws where the decision of the Commissioner should be deemed final? – There is no matter in which the decision of the Commissioner is absolutely final.

588 ~~475~~ Do you consider it would be beneficial for mining generally of prompt and final decision could be given by the Commissioner in merely all cases that come before his court? – No, certainly not; I would not leave a final decision to any Commissioner in existence. I do not think that final decisions in any mining dispute ought to be left to any Commissioner. There should be an appeal as now to the Supreme Court; but that is practically out of the reach of a great number of mining men

Minutes 563

63 476 Do you think it would be any benefit to the mining community if all the mining legislation were consolidated? - That is a very delicate question to answer. My experience is this: if a bill is introduced into Parliament you do not know in what shape it will appear when it comes out. I would recommend not to try for the consolidation of the Acts. Consolidate the regulations, most decidedly because the Government Council can do that, but you do not know where the other course would stop. I found my statement in this respect on the fact that the Goldfields & Mineral Lands Acts have had several amendments. When we from amendments to the Goldfields Act, the original draft contained many of the details in those Amending Acts. They were drawn out in Parliament and Parliament never seem had to undo some of the work, and restore some of the clauses it had thrown out. Next session there was a little more and shortly after a little more still of the rest of the original draft. If you attempt to consolidate Acts you do not know in what way they will come out of it

477. Have your observations of the way in which surveys have been effected on our Mineral

lands? – I cannot express any opinion as to whether they are properly effected. It is a matter for a professional man. But there has been frequent delay in many surveys, and I think that delay is inseperable from the system of contract surveys now in existence

591 ~~476~~ Do you think contract surveys should be abolished and a proper salary paid to surveyors while the survey fees should be paid into the Treasury – would that be any benefit? – It would be a benefit to the mining community in getting their surveys more expeditiously effected. But the question is one of expense and that is a matter I have not to deal with

592 ~~479~~ Has it come under your knowledge that the present surveyors farm out their contracts to lads? – No, they are sub let to authorised surveyors

593 ~~480~~ Relative to water rights what is your opinion of the charge of 1s 3d for a contour survey after a race is cut? It

is entirely a professional matter and I could not give an opinion. It is a matter the Surveyor General should deal with. The charge was fixed in the regulations after reference to the Survey branch of the department.

Davis 594 ~~481~~ That survey which is effected is effected at the expense of the applicant for certain legal considerations?— At the expense of the applicant in order that he may be furnished with a right deed.

595 ~~482~~ It is of no value for the purpose of calling the race?— No, but of very great value for determining the position of the race in case of disputes. It is precisely in the same position as the surveys of the boundaries of a section of land in order that they may be clearly defined in the grant deed

596 ~~483~~ Have you heard any complaints with reference to this charge since you have been Commissioner of Mines from miners generally?— No not from miners generally. I have had instances of grumbling. It is not necessarily a charge in addition to the expense of laying out a race, because where a race is laid out by a competent surveyor his survey is accepted by the department for the purposes of the grant

Mining

596 ~~464~~ Do you think that should not be intimated in some way because there is not one miner in a hundred who knows it? – They ought to know it; it has been the case for years and has been availed of many & many times. I think they do know it if they take the trouble to think

598 ~~465~~ There is nothing in the regulations to set that forth? – I think there is – regulation No 19 provides for it.

By Mr Conway

599 ~~466~~ – Do you think the £1 for £1 loan or deep sinking returnable out of profits would give a stimulus to mining and create a fund to assist mining? – It would give a stimulus to mining, no doubt

600 ~~467~~ Do you not think a board consisting of one or two practical men from each mining district with the Commissioner and government geologist as members would be of assistance in recommending the minister as to applications in connection with the mining rate for prospecting purposes? – I have no doubt such a board would be of very great assistance

Money
67

601 ~~488~~ Do you not think that a money reward should be given and a smaller portion of ground on a sliding scale, according to distance from former discoveries, to prospectors making funds? – It is so now except that no money is given. A claim is given under a sliding scale

602 ~~489~~ Do you not think a money reward and a smaller piece of ground would be more acceptable? – It might be more acceptable, but I do not think it would be wise

603 ~~490~~ Do you not think that by giving such large grants of land it causes a monopoly and puts other people applying for ground too far from the centre of operations in prospecting ground? No, the prospecting grants are not large; the largest area is 20 acres

604 ~~491~~ If three men apply they can get 15 acres each – 45 acres? – If there is a discovery made, they have

as good a right, if not a better right than others

605 ~~492~~ Do you think better encouragement should be given to prospectors ~~up a~~ to make use of the diamond drill?— Yes, I think the assistance of prospecting might almost all to be done by diamond drill; so very much more can be done for the money. Of course, that would not apply to searching for indications of minerals in new country which is another kind of prospecting altogether. In speaking of the diamond drills I refer to prospecting at a depth

606 ~~493~~ You can prospect at any angle with them?— Yes one of the drills can be set at any angle

607 ~~494~~ Could you frame a system to assist mining companies to proceed when they are unable to do so without assistance?— That is a question that could not be answered verbally or at a moments notice.

Mining
69

~~495~~ I think you have stated that all miners rights should be issued all to date from one day and ~~all~~ to expire on one day? — I think they should all expire at the end of the year whenever they have been granted. If they were to run for twelve months from any day of issue you would find a great many miners would have their claims jumped because they would forget that the miners right held by them had expired. At one time in this colony the miners right ran for 12 months from the day of issue, and I was then Commissioner of Gold Fields. Several cases came before me where claims were jumped because miners rights had expired and had not been renewed. A very strong feeling seemed to gain ground throughout the colony amongst the miners that the law should be altered, and at their solicitation I brought the matter under the notice of the Government. The result was an Act was passed compelling miners rights to expire on the 31st December

Minnie
70

It was done upon the solicitation of a large number of miners, and now I see they are agitating to have it put back again. Whichever way you have it you will always find a number of men who want it otherwise

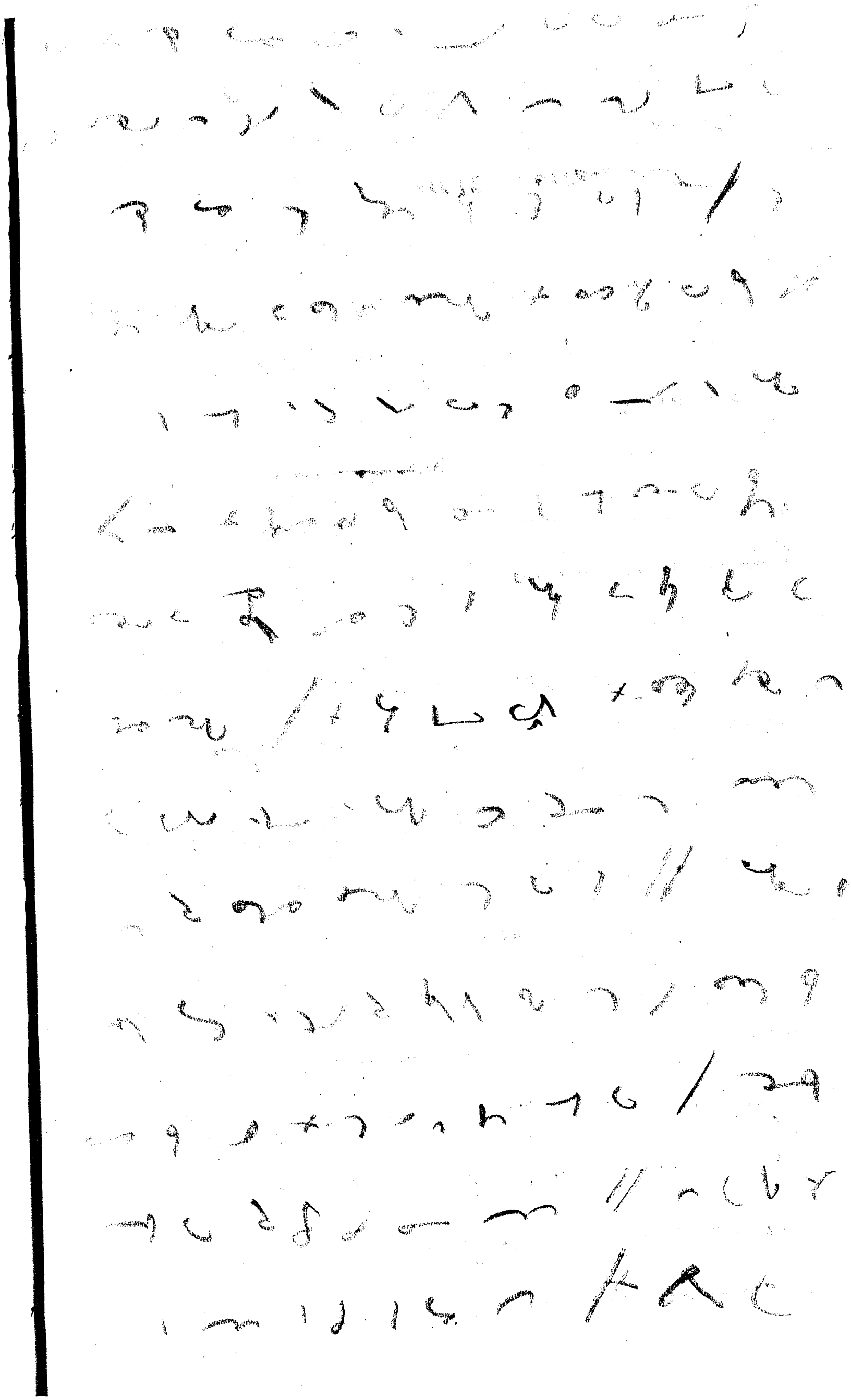
609 ~~496~~ During my passage through my own districts it has been suggested that it would be practicable to issue them for six months only closing at the end of June and the end of December? It is quite practicable; but it would require an Act of Parliament to do it, as it could not be done in the regulations

610 ~~497~~ Making it 5s for the year and 2s 6d from the 30th June? — It could not be done without an amending Act of Parliament

611 ~~498~~ Would it be objectionable? — Not if it was thought to be worth while. I do not think the majority of the miners care very much about it. Some of them I know do; but I do not think the majority of them care much about it or desire the

change and half a crown seems to be a very small thing to introduce an act for. It can be done and there is no objection in principle to it whatever. In fact at one time it was the law. The act authorised the Governor in Council to fix the fees and it was tried at 10s for the year 5s from the 1st July and 2s 6d from the 1st of October. I should very strongly advise and urge upon the committee not to attempt to make the miners rights run for 12 months from any day of issue or much as you may wish to assist ~~[illegible]~~ miners in that respect you will find that numerous cases of hardship will ensue and claims will be jumped, because miners will then allow their rights to run out by forgetting the day they were taken out

612 ~~659~~ Do you not think the miner contributes more, by the consumption of dutiable articles to the revenue ~~of the country~~ than any



other class in the colony?- No I do not think so. I think the laboring classes in this colony all eat and drink as much as they want.

613 ~~501~~ Have you given any answer to the question of the alteration of the dividend tax?- That is not exactly a matter I have anything to do with. It's not a mining question

614 ~~501~~ In the event of mining boards being created how do you recommend the delegates to the Central Board should be elected?- By claim holders either under lease or miners right. I would not allow a man to have a vote because he held a miners right, but he would have to hold a claim either under lease or miners right, so as to keep a meeting from being packed of some big company rolled up all their men to vote on a question of that kind

615 ~~502~~ What control would you recommend over the vote for prospecting purposes?- It should be recommended

by a board that has been spoken of consisting of the Secretary of Mines, the Commissioner, Geologist, and the delegates or representatives. After being recommended by this board it should be approved by the Minister

616 ~~503~~ You are in favor of applications ~~[illegible]~~ for grants being received outside of the district where the land is situated? — Decidedly so, otherwise you would create an obstacle to mining. A man would be hampered a great deal if he were not allowed to put his application in wherever it was convenient to him.

617 ~~504~~ Do you favor a central office in Launceston? — Well there is a central office in Launceston

618 ~~505~~ But a central office where all mining business could be transacted? — Yes, I do; my opinion upon that point is already in print. I think the mining

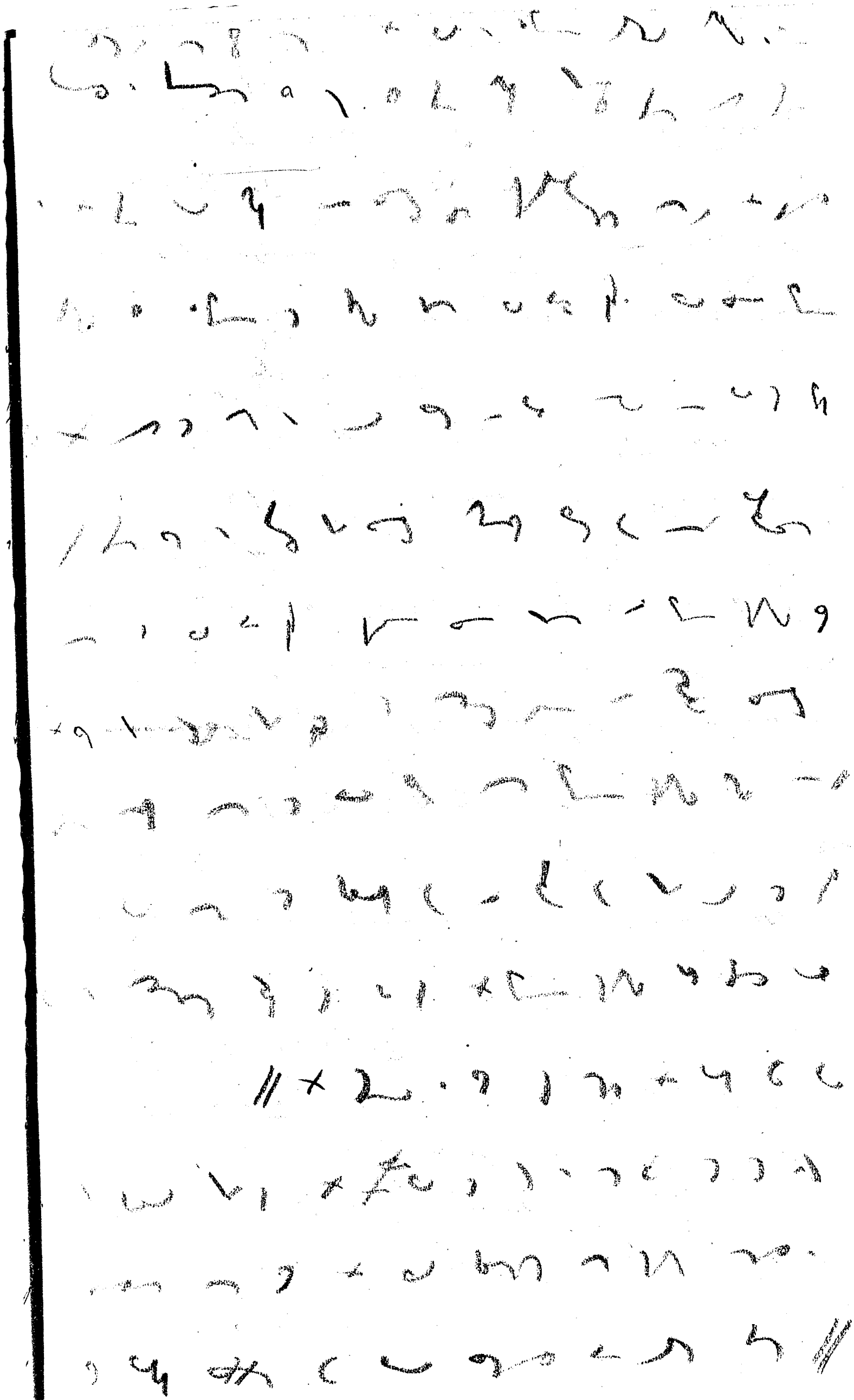
[illegible]

Summary
74a
community should be allowed to do all their business there. Of course, that does not imply that the head office should be there. If the head office should be the Ministers office

and 619 ~~[illegible]~~ You think the Commissioners and delegates composing the board should have the power to recommend and advise on the distribution of the prospecting vote? — I think it would be an advantage to have a board of that kind to advise.

620 ~~[illegible]~~ Do you consider the ~~argument~~ workmen on leases should be compelled to hold miners rights? — I certainly think they should not

621 ~~[illegible]~~ Could not a cheaper method of appeal from the decision of the Commissioners, other than the Supreme Court be adopted, and can you suggest any method? — Yes, I can. It is a subject to which I have given a very great deal of consideration. I am of opinion that there should always be some means of appealing against



mining
74 B

the decision of the Commissioner, because he sits alone and adjudicates upon claims which may amount to thousands of pounds. I, myself, have adjudicated in a case where the property in dispute was worth many thousands of pounds, and in other cases where it was stated to be, or supposed to be, worth thousands and thousands of pounds. The Commissioner is the judge of both law and fact, and unless there is an appeal against his decision you will have no check upon him whatever. What would be too much power to place in the hands of any man, I do not care who he may be. The present law regulating appeals is practically out of the reach of a very great many of the mining community. The Commissioners decision can only be appealed against to the Supreme

Money
75

Court which sits in Hobart, involving the usual expensive practice in such cases of employing counsel on both sides and the full machinery of the Supreme Court. I would suggest an intermediate court of appeal consisting of the Secretary of Mines, as chairman, and all the Commissioners sitting in one court, which would somewhat resemble the Court of General Quarters Sessions, and that they shou set wherever and whenever they thought it desirable and then review the decisions of the Commissioners which might be brought before them upon appeal

622 ~~579~~. Would you limit a quorum?—

Yes, of course; not less than three to form a quorum. I believe that such a court as that would be highly satisfactory in its operation. It would [illegible]

be nothing the reach of anyone interested in a mining dispute, would not be costly, and I think it would tend more than anything else to establish a uniform practice amongst the Commissioners. I would not abolish the subsequent appeal to the Supreme Court — that goes without saying because the Supreme Court has a right to hear appeals in almost any decision. It would be a court for the establishment of which many precedents could be given. It exists in the Magisterial Jurisdiction where cases adjudicated upon by a Justice of the Peace can be taken on to the whole court of General Sessions composed of all the Justices resident in the district. It would be somewhat analagous to that court. I may add that it might be found advisable to give the Governor-in-Council power to place on such a

bench someone who is not Secretary of Mines or Commissioner of Mines. There might be a judicial officer whose services might be used on that Court of Appeal — such as Mr Commissioner Whitefoord or any officer who succeeds him. Or it might be found advisable to place the police magistrate on, perhaps, It would be as well power should be given to the Governor-in-Council to place upon the bench any one or two individuals of that kind.

623 ~~[illegible]~~ What would you recommend as a suitable notice, and how should this court of Appeal be called together? — It should be called together by the Chairman by notice in the Gazette as such other notice as might be deemed necessary. You see, in a matter of that kind not much

notice would be required because appeals would be entered. As soon as the Court had fixed upon the time and place of holding the Court then notice should be given to the appellant and respondent. Notice would be given in the papers that would be quite sufficient to the outside public

624 ~~Sh~~ What time would you limit between the notice of appeal and the holding of the Court on the same? — The best way to manage that would be that the Court should set at least once a quarter or as many times as it thought fit. The advantage of holding this Court wherever and whenever the members thought fit is that it would accord with a general principle. There is one principle which pervades the whole of the mining legislation, and that is to take the Court to the miner instead of bringing him to the Court. The Commissioner goes to where the case is to be tried. If the Court of appeal ~~found~~ found that there were half a dozen appeals entered ~~at~~ in the North East district at Ringarooma it would probably go up there and hold the Court. If at Launceston it would hold the Court there. If in the West Coast the Court might be held as near to

mining
75
the places as they could get and by that means it would be made a convenience to the mining community.

By Mr Hankes

625 ~~502~~ In your experience as Commissioner have you found miners a litigious class of people? - No, certainly not a litigious class of people. There are a great many disputes amongst them, of course, but certainly not more than amongst other people

626 ~~513~~ Do you think there would be any benefit to the mining community if in all cases, except such as involved the right to property held under the Gold Fields Act or Mineral Lands Act, the decision of the Commissioner was made final? - I cannot call to mind any decision of a Commissioner where property was not involved

627 ~~514~~. He sits as a Justice of the Peace? - That is another thing. He is the same individual but not the same officer

Summary

Do you not think it would be convenient if all these matters were finally dealt with by the Commissioners? — It would be a departure from the practice of the Justices of the Peace

628 But in Trial of Pleas under the Mineral Lands Act and the Fields Act? In ordinary Pleas the appeal would be, not to the Supreme Court, but to the General Sessions. I think not recommend the abolition of the right of appeal in any case. If you cut away that protection, a very great deal of injustice could be done. Magistrates are liable to err, and there should be that check upon them that their decisions should be subject to review by a higher Court

629 Do you think it to the interest of the mining community that miners engaged in prospecting for minerals should have to post a notice up at the nearest post

Murray
81

office when they make a claim, as they do now with gold? — It would undoubtedly be to the interest of the community generally that this notice should be posted; but it would entail a considerable amount of trouble on the occupant.

630 ~~517~~. Should not the convenience of the public be considered as to the particular ~~in this matter~~ office where an application should be received as well as the convenience of the individual? — It does not cause any inconvenience to the public. Priority of occupation has nothing to do with it. Priority of marking out is the thing

631 ~~518~~ Do you not consider that a man having to put his application in at the local office would be a convenience to the public as to who occupied that land? — No, because neither he nor the public can know whether his application will secure the land. It may have been marked off and applied for, but

one one else may be upon em. Reliable information
is given to the public as soon as possible after the
application comes in not until handing when it may have been
received. ✗ It is sent to the Volant Office and on to ~~them~~
any intimation is sent to the registrar of the locality
where the claim is situated and he enters it in his
books. What is the earliest reliable information
that can possibly be supplied

633 ~~54~~ Do you think it need be any concern
to miners of the local officer should hear the
substance of the communication outside the office?—
No doubt, but the books are there for them to see.
Should the register keep up with the greatest rush
at ✗ Marina, and numbers of miners
would come for information which they could
have got at there

634 ~~55~~ You consider it to be a great
convenience to the mining public that miners rights
should all terminate on a certain date?— No
I do not know that it need be a great convenience
to the office. I rather think that we should extract
a large amount of work at the close of the year, ~~that~~
which is better for the office if they were distributed
over the year

By the Chairman

521 Are you aware that in the other colonies miners rights are almost invariably issued for 12 months from the day of issue? - No, it is not the same in any of the other colonies - at least when last I looked into the regulations of the other colonies. In the majority of cases they expire at the end of the year

522 In regard to the rents for auriferous land, ~~or Tin~~ do you think the rents are too high? No I do not think it is

523 Don't you think the mining interest contributes largely in other ways to the revenue? - Of course, they do, as much as other people, perhaps a good deal more than some classes

524 The members of the proposed Council board - do you think they ought to be paid for their services? That is a question I cannot answer at once. So far as the principle is concerned I am strongly opposed to it - to payment of the members of a board of that kind. But I question if you could get men to come unless you paid them - at least I do not think you could

Murray
24

a really good practical man unless they were
paid By Mr Hawkes
525 Are you aware that the Govt
bullies & Government does pay their Inspectors?
Yes, I do not know it
By the Chairman
526 Are there any further suggestions you
can give the committee? — No, I do not think
so. I should just like to add as bearing upon
what I have already said that a very great deal
of what is being written and said about the
regulations is based upon utter ignorance
of what the existing law is. A very great
deal of what is read in the newspapers as
suggestions for amendment actually exists
at the present moment.

Gustav Thureau
By the Chairman
527 You are Inspector of Mines? Yes
528 You are, I believe, also a mining geologist? Yes,
as a matter of fact I was appointed Inspector
of Mines in order to fill the position of Mining

for long as well, viz 1880

529. You have been frequently called upon by the Minister of Lands Works & Mines to go and report upon various mining districts as a mining Geologist? Yes

530. You have credentials of your qualification as a mining Geologist? Yes I was educated at the Royal School of Mines & Geology, Fellow of the Geological Society of London, and possess Credentials stating I am competent in every respect

531. I think you were not long ago asked to report upon the Geology of Tasmania for the Tasmanian School of Mines? Yes by a Committee of the Council of the School of Mines, Tasmania

532. Have you been connected with mines for many years?— I do not know any thing else I was brought up to mining in the district of the Hartz Mountains, and so far as I can remember, since 1845— I have never followed any thing else

533. Do you think it would be more suitable and convenient to the mining Community of the Central

Office Launceston — not the head office, but a
central office? — Yes, I think so.

5-313 Do you think that applications for leases
under the Goldfields Act or Mineral Act should be sent
to the commissioner of the district where the land
applied for is situated? Yes

5-314. Do you consider the rent of auriferous
land too high? I think so

5-315 What would you reduce it to? — I would
make it the same as the mineral lands, 5s an acre

5-316 Do you think miners rights should
be issued for 12 months from any day of
issue? Yes

5-317 Do you think miners working for
wages should be compelled to take out miners
rights? I think so

5-318 Is that done in the other colonies so
far as your experience goes? — Yes, I think
so

5-319 Why should they be compelled to do so? — It
is simply under the old rule that miners
occupying crown lands ought to pay.

5-320 But suppose they do not occupy crown
land but lodge in private lodging houses or live on

freehold properties? In that case they ought not.

65 ~~64~~ You are aware that a notice has to be posted at the nearest post office when a section is taken up under the Goldfields Act — do you think the same thing ought to apply to mineral sections? — I think it should apply in all cases.

66 ~~65~~ Do you think it desirable that prospecting votes should be given? — Yes.

67 ~~66~~ Under what supervision would you recommend this money expended? — I have had a large amount of experience in Victoria in regards prospecting votes, and have jotted down a few remarks upon that point. In the first instance I have prospectors for wages; afterwards they were paid half wages and the results; and in the third instance the local bodies had a hand in the votes and employed whom they liked. Altogether the results were disappointing and I would recommend the Committee to adopt a different system from my experience. For instance if the vote for prospecting is continued by the House I would suggest a sum sort of board to control the expenditure; but seeing that the mining boards in Victoria failed to

to a great accident, this board ought to have the
control of the coal at Joffers. If a prospector
went out prospecting in a certain part of the
colony he should be provided with a book
in which he would enter all expenses
and every month or two months would have
to produce vouchers to this board. By
this means the money would be expended
under proper control

6545 How would this board be composed? — One
or two officers belonging to the department,
and gentlemen interested in mining to be
nominated by the Government

5545 Are you in favor of mining boards? — Yes
to a certain extent. I believe they should not
be elected permanent members, but elected for
a short period by the holders of miners rights

5546 How would those boards and any members
of the Central Board out of the functions of what
would be, as you say, to advise the Government
as to the expenditure of the Prospecting
Vote? — Yes this Central Board would be
composed of the delegates from the local boards
the members for the districts, the Commissioners

Summary
89
and the Secretary of Mines

By Mr Hawkes

What is your opinion with regard to the West Coast Generally, as to its value for minerals? I think it is very highly valuable.
548 Do you think the mines of the West Coast will be more on the direction of lode mining than alluvial? — Both
549 What do you think likely to predominate? — I think the lode will
550 Prove from your knowledge of the West Coast are you of opinion that there will be any discovery made with regard to various minerals taking into consideration geological formation? — Yes
551 What do you think taking into consideration the geological formation is most likely to be found there? — Gold and a tin
552 Point you think there is sufficient evidence of its value as a mineral country to warrant the Government in putting a series of tracks through the West Coast, quite irrespective of any particular discovery? —

January 9
90

I think so; in fact I am sure that every encouragement should be given by the Government to cut tracks

66 X 8 ~~5-5-3~~ Do you not think sufficient discovery has been made to induce the Government to cut tracks in any direction without reference to any particular discovery? - Yes I think so

66 ~~8-5-4~~ As Inspector of Mines do you think it absolutely necessary that that regulation which requires a complete suspension of working when an accident has happened in a mine? - In some cases it would be necessary. I have been Inspector of Mines for nearly six years had never had occasion to enforce it but once.

66 ~~8-5-5~~ What is the object of that

[illegible]

5/6 + [illegible] ~~[illegible]~~ Burgess

[illegible] to replace [illegible]

[illegible] [illegible] [illegible]

[illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible]

[illegible]

Mining
91

regulation for suspending work? — The object is if an accident happens the Inspector may examine into the cause of the accident before anything is disturbed subsequent to the accident. I may mention that during my administration of the act there was only one accident in which I found it necessary to examine under those circumstances — at Campania

~~5-56~~ How have you found as Inspector of Mines that your orders regarding the working of mines have been carried out by the various companies? — I find the mining managers generally comply with my orders

~~5-57~~ You have had a great deal of experience in practical mining? — Yes.

Mining
92 & 93 w Mernot

~~558.~~ Quest you to give your opinion in regard to the value of the suggestions of a Central Board composed of delegates from the different mining centres to advise the Minister in regard to the requirements of mining so far as the regulations are concerned. Do you think a board of that description would be of any value or not? — I think as a board of advice — taking it in that way — it would be of great value

~~559~~ And in assisting the government to determine the expenditure of any votes for prospecting? — It would aid the Government in forming an idea of how that money should be expended

~~560~~ Where did you get your experience of mining? I was brought up to it at the School of Mines,

Mining
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Germany and have followed mining
ever since. I landed in Adelaide
in 1849 and have been mining manager,
and lecturer on Geology ~~ever since~~
and practical mining at the School of
Mines, Sandhurst. I am a Fellow of
the Geological Society of London
and a member of various scientific
societies. In fact I may say that
I do not know anything but
mining
~~[illegible] 05-64~~ I wish you to give your
opinion to the Committee, taking
your varied experience to assist
you, as to whether or not the
general tendency in all countries,
~~has not~~ as far as mining laws and
regulations are concerned, has been
to have these laws framed under
the guidance of men engaged in

Mining
95-

practical mining? - I think so

679 ~~562~~. I wish you to give a clear opinion on that point whether the arrangement of the land has or is not been generally entrusted to men engaged in the industry and having a practical knowledge of it? - Yes speaking generally. So far as my colonial experience goes the tendency is in that direction

679 ~~563~~ Do you think it is necessary or unnecessary that land contiguous to the mines should be locked up by the Crown? - I would recommend that some officer should be sent to see if the land was valuable for any other purpose but mining.

678 ~~564~~ You consider it necessary before any land is alienated contiguous to the mines it should be examined

Morning
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by an expert as to its characteristics from a mineral point of view? Yes.

By Mr Conway

679 ~~5-65~~ Do you not consider a more liberal and extensive assistance ought to be given to encourage the use of the diamond drills for prospecting? Yes, of course, there is no other method of proving the future of a deposit

680 ~~5-66~~. Would it not be cheaper to prove deep ground from, say 400 feet level, by the diamond drill than by sinking? — Yes, much cheaper

681 ~~5-67~~ Do you not think that would be a practicable way of assisting companies who are down to a certain depth — 200, 300, or 400 feet? I think so.

682 ~~5-68~~. Do you think it would be practicable to give £1 for £1 loans

Murray
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to companies? Yes but I think any assistance in that way ought to be returned out of dividends

Dave 68 ~~5-69~~ Would it not require substantial security? Yes I think

So 685 ~~5-70~~ Do you not think a board consisting of one or two practical men from each districts with the Commissioners and the Inspector of Mines would be useful to recommend to Ministers the disposal of any money voted for prospecting purposes? I think so

By the Chairman

6 ~~5-71~~ Do you think any court could be formed to hear appeals from the decisions of individual Commissioners without taking them to the Supreme Court? A cheaper means of appeal might be

found but I am not prepared to say how.

By Mr Fenton

68 W 572 Do you know the country between Mt Bischoff & Mt Lyell?. No I went ~~from~~ along the Long Plains that is the only part of that country I know

By Mr Hawkes

68 P 573 In a geological point of view is it a factor otherwise that generally the best metaliferous formations are found in the edge of the metaliferous and non-metaliferous country? Yes

69 ~~574~~ That is a circumstance not generally known to miners? No.

By the Chairman

690 ~~575~~ Do you consider it desirable that the ~~f~~ mining laws should be consolidated?- Yes, I consider the

mining laws should be kept in force for three years and then reviewed

690a ~~576~~. At present ~~a~~ prospectors can take out any number of prospecting areas adjoining each other? - That is wrong altogether, there should be only one prospecting area and no other allowed within 5 miles by the nearest way of communication. At Mt Lyell the nearest deposits are at King River which is 8 miles away by the track and 5 miles in a direct line.

By Mr Hawkes

691 ~~577~~ Do you think that any person who proves absolute priority of occupation - through any defects in his description of a piece of ground or in his application - should be

deprived of his right? - I think not, because it is sometimes almost impossible to give a right description

692 ~~578~~. A person may in his application state that his peg is in the centre of his ground, and it may turn out to be on the western boundary of it. Do you think an error of that description should deprive a man of his right and title? - No I think not

693 ~~579~~ Is it not a fact that there is no centre or real boundary of a claim until survey has been effected? I think so

694 ~~580~~ Suppose a person marked out too much ground, do you think it would be preferable or otherwise

Murray
101

that the man who occupied the ground next adjoining him should be allowed to move his pegs upwards instead of allowing a small piece of racant land between the claims? Yes

695 ~~584~~ Is there anything further you wish to say?. Mr. Chairman, I wish to bring before your notice a matter I have moved in for some time — a means of attracting a mining population to Tasmania. If the other colonies only knew that we were producing such large quantities of gold it would attract a large mining population. I have suggested to the government for years past that we ought to follow

the Govt of Queensland, that
that any man acting as a shipper
or merchant exporting gold shall
register the amount and the Govt
should keep a record of the amount
of gold exported by rendering a
man liable to prosecution if he
did not register. They have such
a law in Queensland. At present
we do not get the credit for our
product, as it leaves secretly
and so to avoid the returns of the
other colonies. I would go so far
as this: persons leaving the colony
should be asked if they have any
gold, and if they say not and gold
is found afterwards in their possession
it should be confiscated. But to the

plan adopted in Queenscliffe
here they recently seized 1700
ounces in the possession of some
Chinamen. The Customs officer
making the inquiry does not
want the names of the parties
but simply the weight of the
gold for the record. At Lyell
during the last 12 months I have
it on good authority that there
were 90 or 100 miners and that
they ~~obtained~~ paid away close upon 1000 ozs
of gold, and that close upon
three times that amount went
away with the miners

Francis Belstead examined
By the Chairman
You are Secretary of Mines? Yes

583 You have framed some fresh regulations? — No, — am in process of codifying the present rules

584 You are not consolidating the Mining Acts? — No, not interfering with those in any way

585 Do you think it desirable that the Acts should be consolidated? Yes decidedly, but I do not think it is desirable they should be amended to any very great extent

586 Do you think it desirable that the country should be divided into Mining districts and that those districts should elect members to go on a Central Mining Board? — Yes I do

587 That to be advised and

assist the Secretary? Yes I do.

702 ~~588~~. And how would you have the members of that board elected? — I would first divide the country into mining districts — say three ~~the~~ I would allow each district to elect ~~bands~~ members, and have two members nominated by the Crown, one of whom should be the Secretary of mines. I would have there elected members elected by persons holding mining leases or mining claims.

703 ~~589~~ You object to those holding miners rights alone? Yes as the law at present stands. I may state that as the law at present stands, all employees in mines are supposed to have miners rights.

Mining
106

I do not think these persons should be entitled to vote for the election of members of the mining boards. Judge 704 ~~590~~ Do you think these persons should be compelled to take out miners rights? - No I think they should be exempt; but that is the law at present and we are bound to enforce it. As a matter of course many of them would take out miners rights, because under miners rights they hold residence areas and a place to live upon; but those who simply receive a daily wage and lodge at hotels or elsewhere, I do not think they ought to be compelled to take out

Mining
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Miners rights

705 ~~591~~ In regard to the prospecting rate, should that rate be passed, how would you recommend it being expended — for what objects and under what supervision? — I would recommend its being expended in deep sinking upon the £1 for £1 principle and in assisting all prospecting parties ~~in~~ either for quartz or for alluvial irrespective altogether of the depth. For instance some party may be going on prospecting and may want to bottom a hole of 100 ft; I would assist them

706 ~~592~~ Of course, you would recommend using the diamond drill? — Yes as a matter of course,

707 ~~593~~ Under whose supervision? —

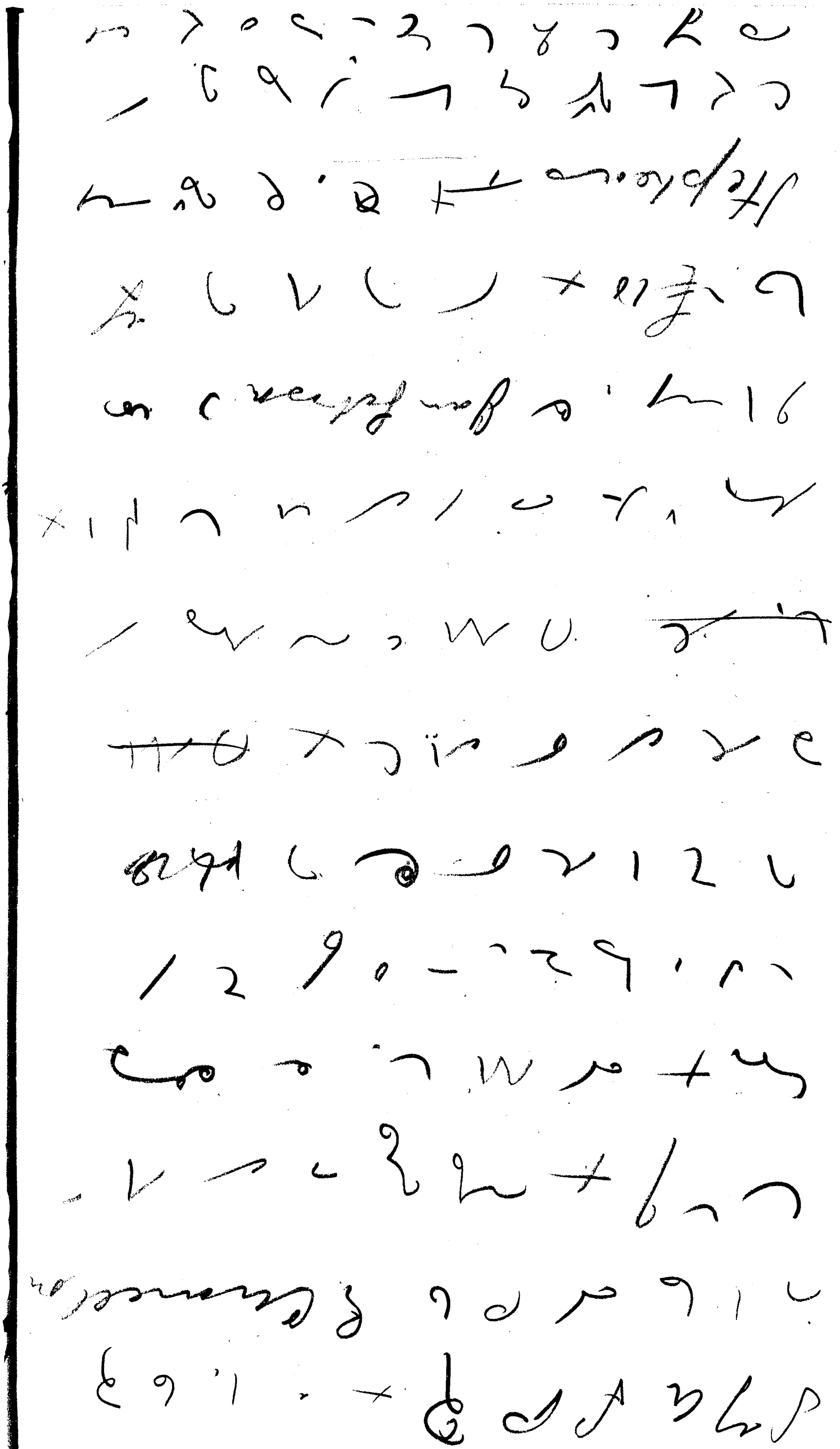
Murray
108

The Board I have already alluded to. The Mining Board should receive applications and decide them, subject to the approval of the Minister always

708 Do you think the rent of auriferous land — £1 per acre — too much? No. I have not heard any complaints of it

709 And I presume you think the same not regard to other minerals? — I do not think if they heard a complaint of them, and do not think the rents too much

710 Do you think that applications should only go to the Commissioner of the district wherein the land applied for is situate, or that



Mining
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they should remain as ~~it is~~ they are? —

I should say, remain as they are, for facilities should be given to the mining community to lodge their applications at the most convenient place to themselves as it is at present

711 ~~5-97~~ Under the present regulations are you not aware that it is very hard for those in the district to learn whether a particular section is taken up or not? — No, I do not think it is inasmuch as the person proposing to take up a section of land can at any time come upon the section and see the notice and if he makes an application at the Mines Office

Mining
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at Hobart he can always ascertain instantly if there has been an application lodged, and if there is an application lodged it is known and recorded at the particular local office on the following day. I do not think there is any difficulty in the present system

~~598~~ 712 Are the registrars at the different districts supplied with a chart now on which to mark all the sections taken up? — Yes, all surveyed sections?

~~599~~ 713 And not all those applied for? — No, we cannot, of course, chart them until they are surveyed and we know where

The heading for Parliament will be

Parliament of Tasmania

and of the Council is sitting it will come

first

Legislative Council

Tuesday June 4th

The President took the Chair at 4 o'clock

Present: The Hons. P O'Boyle, Alex

McGregor, Wm Moore, John Lord, A Dodery

and Jas Jackson.

Assembly

The Speaker took the Chair at 4 o'clock

Minnery
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they are for many a description given is so vague that you could not locate the ground

714 Soo Do you think it is desirable that notices should be posted at the nearest post office in regard to tin and other minerals as it now carried out with regard to gold? — No I do not think so

715 ~~Sol~~ And in regard to sections (whether prospecting areas or others) when an applicant has marked off too much, do you not think the next applicant should have the right to move his pegs up? — No, I do not, for the reason that I consider that an applicant absolutely indicates the ground he requires by the pegs he puts into the ground and

Mining
112

that he should be kept to it. But though I do not think he has a preferential right in such a case, if no one objects and the applicant wishes it there is no reason why he should not be moved up.

716 ~~502~~ Persons sometimes accompany surveyors and if they find there is a spare piece they apply for it at once? — I do not see how it is to be avoided and to deal fairly with all around. If you are to make any law, such as your question indicates you seem to be in favor of, you would encourage persons to mark off in excess for the purpose of favoring their friends. Pegs should be taken

11

More ~) acid juice Bedelles

[illegible] If [illegible] juice,

[illegible] be [illegible] + Compaction [illegible]

[illegible] Compare Albols

[illegible] have [illegible] ~

[illegible]

emanation

[illegible] + [illegible] theory

[illegible]

[illegible]

[illegible]

Do [illegible] distilled acid

[illegible] dermal juice +

Norman [illegible] affect different people

[illegible]

[illegible] dolicos [illegible]

Minnery
113

as the real indication of what a man applies for

717 ~~503~~ Regarding the prospecting areas, at present parties are allowed to take them up adjoining each other — do you think that is desirable? — I see no reason why it is not

718 ~~504~~ You do not think there should be a fixed distance ~~between~~ ~~the~~ before another area should be taken up? — No, I see no reason for it

719 ~~505~~ In regard to the Central Office, do you think it would be more suitable and convenient for the mining community generally if there was a central office in Launceston — not ~~a~~ the head office, but

12

[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible]

[illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

[illegible] [

Mining
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a central office? – Possibly I do not really understand you. I think there is a central office there already

Y20 ~~506~~ All the principal business to be done at this office, and every information should be obtained there? – You could not do that unless the head office was in Launceston. Every available information is forwarded to Launceston, and it is in every sense of the word a central office, but the head of the ~~with the exception~~ department is not there in attendance.

By Mr Hawkes

Y21 ~~507~~ You state that you see no reason why the prospecting areas should not join one another, can you give any reason why? – If prospecting areas did not join one another would ~~lay~~ allow a certain extent of country

13

[illegible]

[illegible]

Abbot [illegible]

[illegible]

[illegible]

[

Merring
115

that possibly it is desirable to prospect to remain unprospected. I do not see any reason why there should not be a line of prospecting areas right through the country if it is desirable to have it prospected

722 ~~508~~ Do you think the present law which permits them has a tendency or not to occupy ~~the~~ large areas of the country by a ~~Country~~ very limited number of men? — Not if discretely administered by a staff of Commissioners

723 ~~509~~ Do you think there should not be a limit to the distance — say not less than half a mile between each area? — No, I do not, distinctly. You know I suppose that the granting of prospecting areas is within the

Mincing
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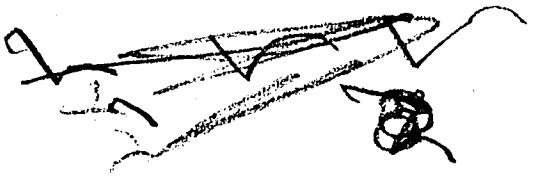
discretion of the various Commissioners both as to area extent and time. I would not have that discretion limited. I think that discretion should be left to the Commissioner. If he uses it fairly there is no fear of the country suffering by the law as it at present stands

724 ~~510~~ You have stated that you are not in favor after ground is surveyed of the surveys being closed up — to use a local term? — I am not in favor of its being compulsory.

725 ~~511~~ You say you are in favor of assisting to sink a shaft of 100 feet. Are you in favor of prospecting parties being given a roving commission to go where they like and how they like? —



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Yes, in my answer I embraced them; but you say where they like and how they like. I think they should indicate what their object is, when they start, what area of country they intend to prospect, and what they are prospecting for. The mining board which has the allotment of the rote should have the outline of what was going to be done

726 ~~512~~ You say you are in favor of a man putting in his application where he likes on the ground that it is a convenience to the mining community? - Yes

727 ~~513~~ Is it not more a convenience to the individual than the community generally? - No, a community is made up of individuals

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~~514~~ In the particular circumstances of that application does not the law consult the convenience of the individual rather than the convenience of the community by giving it a fair and prompt knowledge of all who make application for rights under the various mining acts? – I do not see how you are to separate the two? If you study the convenience of the individual you study thereby the convenience of the community
729 ~~515~~ Why does the law compel a person who applies for rights or priveleges under the Goldfields Act to post a notice locally of their application? – For the

Mining
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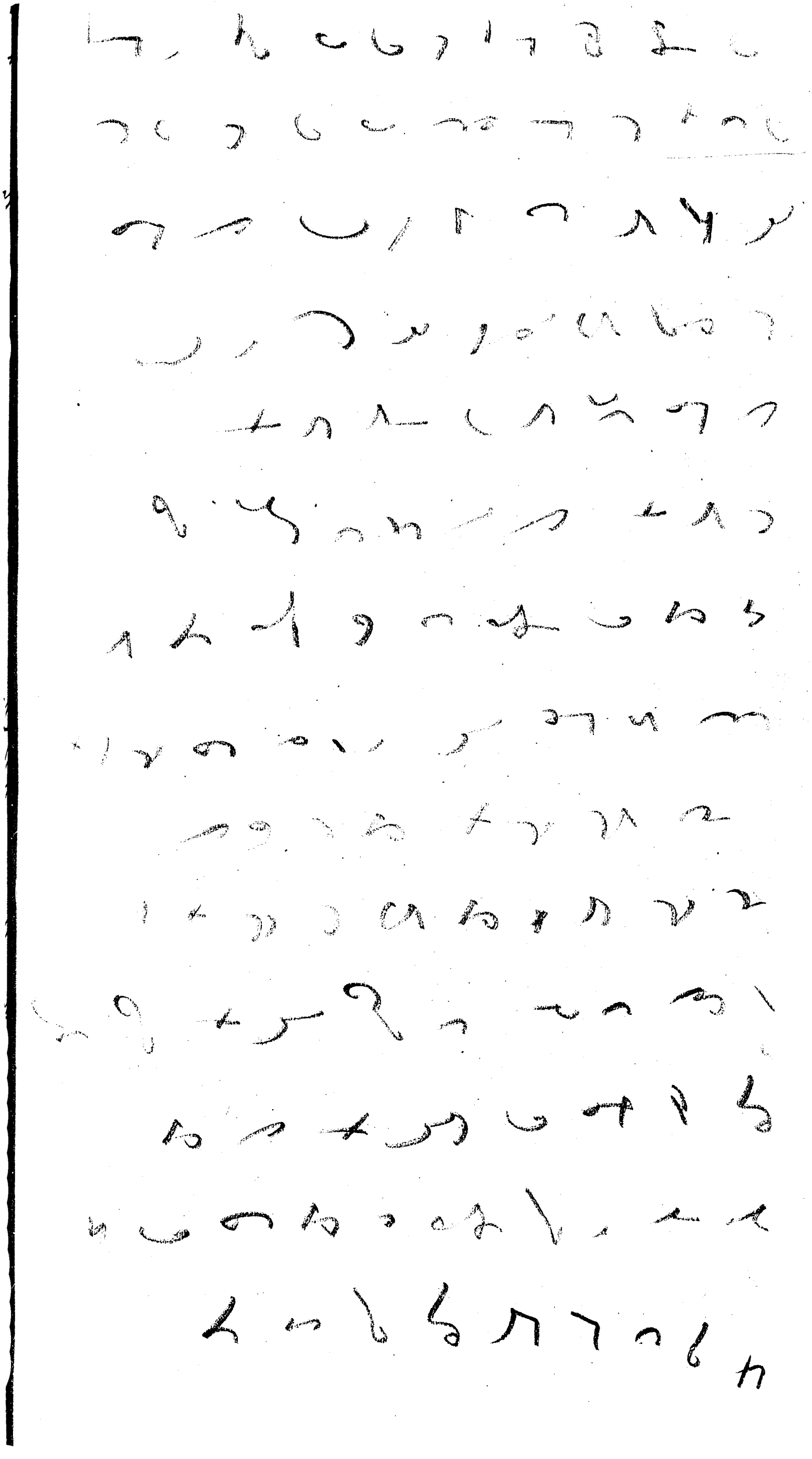
information of the general public.

730 ~~516~~ If it is for the information of the general public so far as the Goldfields Act is concerned, do you not think the same rule should obtain with regard to applications under the Mineral Lands Act?— It should if the law were a good one; but I do not think it is a good regulation to require an applicant to post a notice of his application under the Goldfields Act— I would do away with it.

731 ~~517~~ Do you think a prompt acquisition of information with regard to either Act a good and valuable feature to those engaged in mining?— Yes, and I consider



Minority
120

that under the Mineral Lands Act
you have that prompt knowledge
inasmuch as the notice is on
the ground and is open to any
man who chooses to go on to the
ground to see it

32 ~~5-18~~ Have you any experience
of the Character of the bush on the
North East Coast? - Not much

33 ~~5-19~~ You are not aware that
there be almost impossible to
find a notice owing to the general
Character of the bush? - I have a fair
knowledge of the bush of Tasmania
throughout most parts, and am not
aware of any bush of ~~that~~ such a nature

34 ~~5-20~~ Do you think that it
is possible for a man to hunt for

Mining
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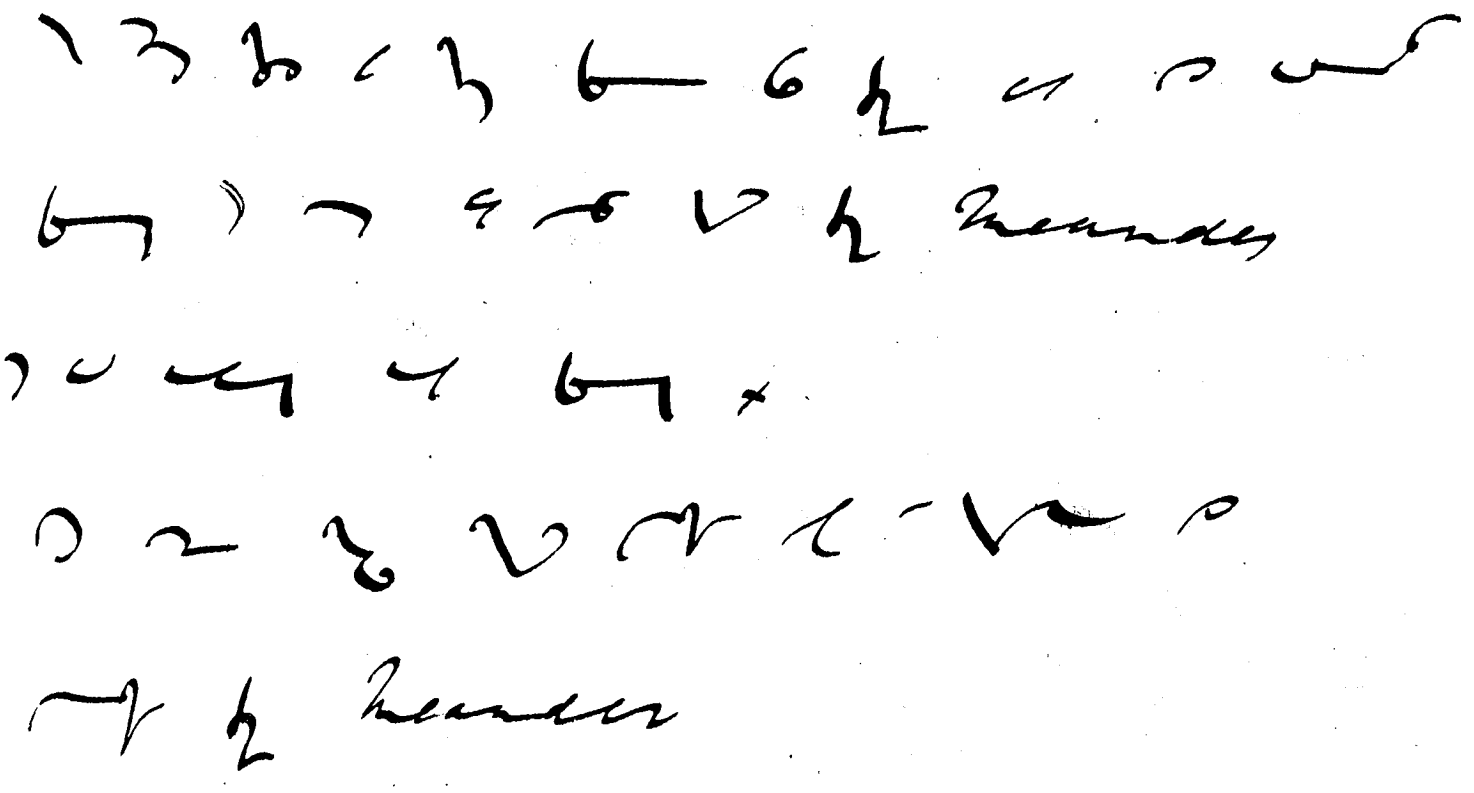
a week in a 40 acre section and not find the notice? In some places, yes 735 ~~521~~ What is your opinion of the charts at present issued to the mining offices with regard to the knowledge and whereabouts of any ~~particular~~ required mineral land? I think they are very valuable as they stand; but they admit of improvement which is in daily process of going on

736 ~~522~~ Do you think the present system of surveys, allowing the ground to be resurveyed in different directions, is any detriment to the charts? To a certain extent it is; but mining charts in the very nature of things should alter every

Schedule 2



Minny
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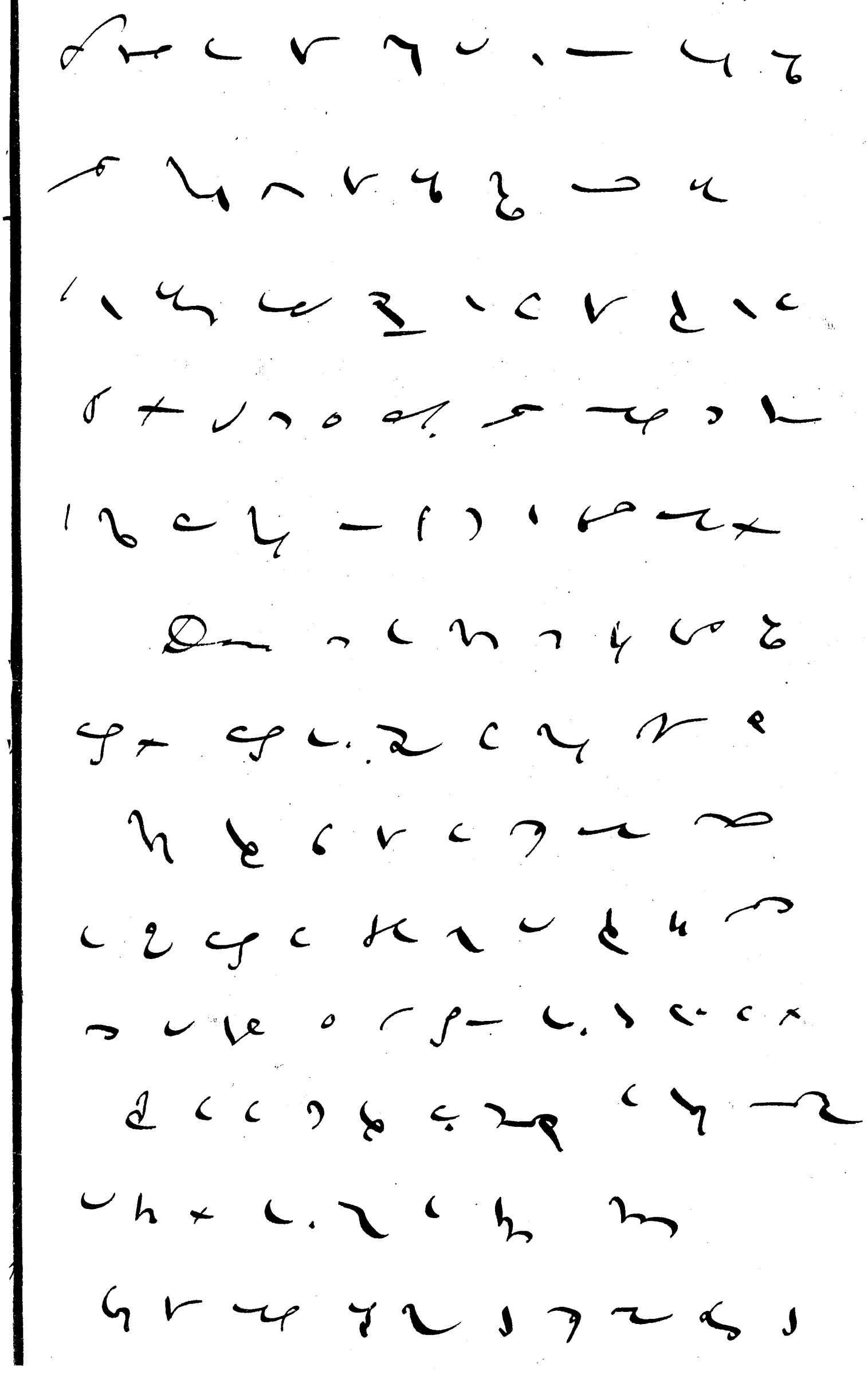
and every hour

737 ~~523~~ Is not that alteration caused by the want of a system of what is called permanent surveys? — Not entirely

738 ~~524~~ Do you think permanent surveys would do away with that alteration? It would do away with it to a certain extent. But I do not agree with permanent surveys at all

739 ~~525~~ Do you think it would be of any value to the mining Community that a plotted chart of all applications should be exhibited outside the registrars office? — If it were possible to attain it, it would; but it is not possible without survey



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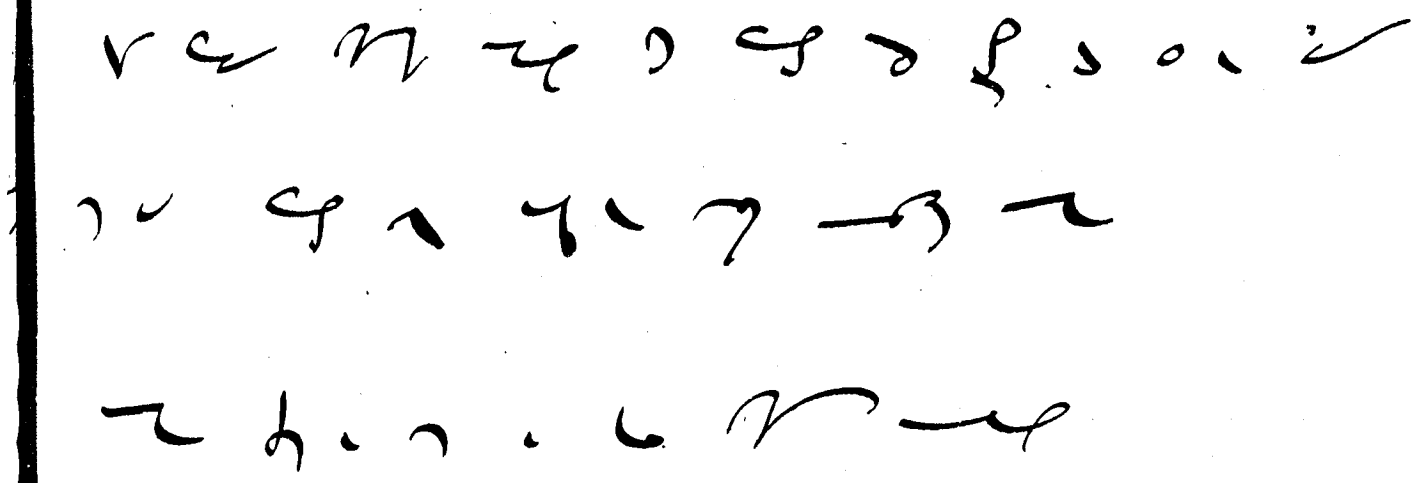
inasmuch, as you are quite aware, that applicants in their written applications are so very vague

740 ~~526~~ Do you think the present system of contract surveys is a desirable one? - No I think it leads to very considerable delay and it only came to be supported as a measure of economy

741 ~~527~~ Do you think there is anything gained from an economical point of view in the present survey system when the inconvenience to the mining community is balanced against it? - Setting one against the other; as I understand your question. As a mining man I most decidedly say all things ~~[illegible]~~

E.9



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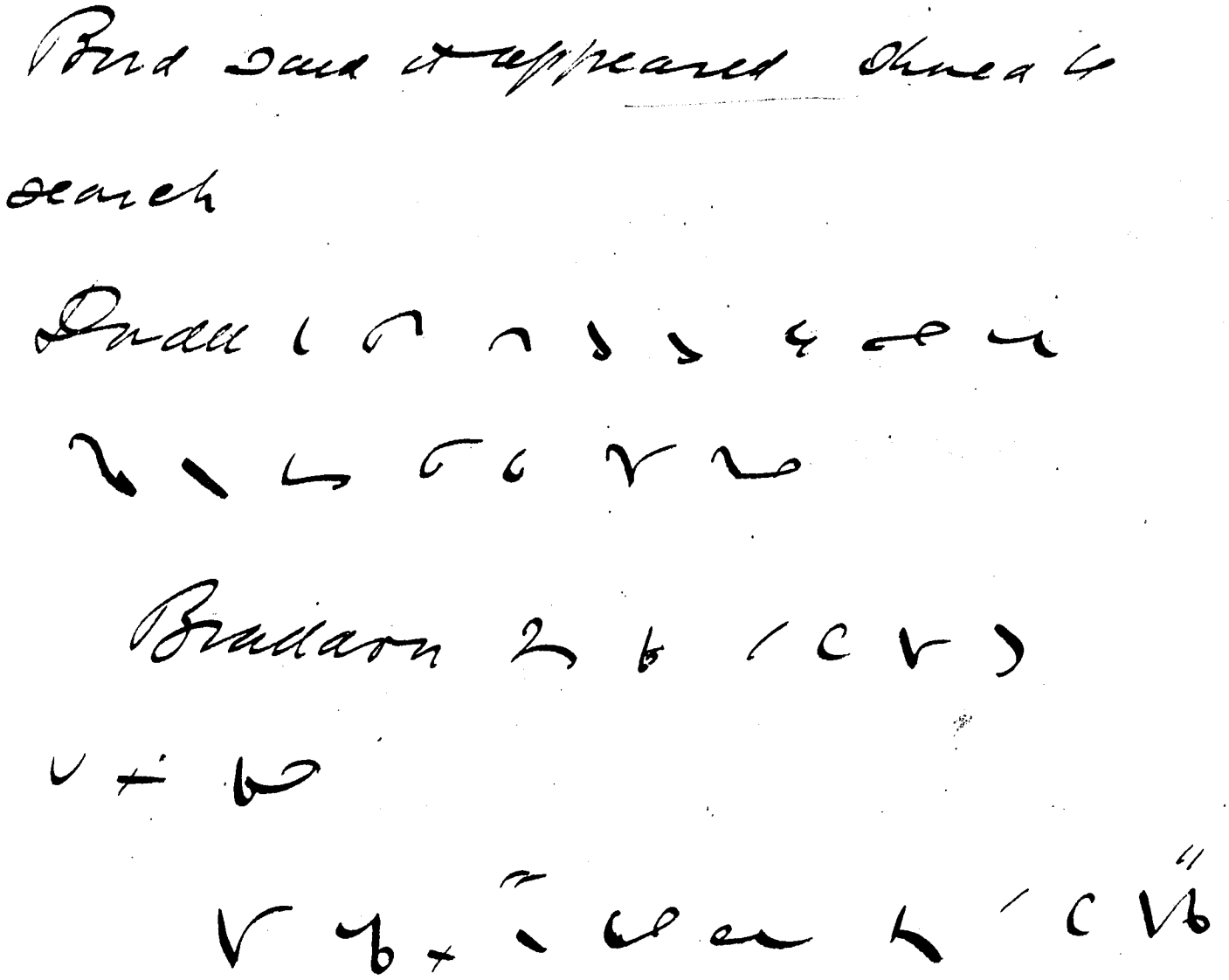
should be done to assist the mining industry; ~~but~~ but, as you are aware, it would involve a considerable cost

~~528~~ 528 would the alteration from contract surveys to official surveys involve any cost if the system of permanent surveys were introduced? — I do not know that it would; but I should like to say again that I am altogether opposed, and I believe the mining community would be opposed, to permanent surveys for mining purposes because I think they are impracticable

~~529~~ 529 Why? — Simply because you could not give the mining community what it wants

~~530~~ 530 Are you aware that in the





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other colonies permanent surveys have been carried out with a second tenure by mineral licence to enable miners to take up areas within within permanent surveys without a survey? No I am not aware

745 ~~5-30~~ Do you think the objection to permanent surveys would be met by the law providing for the issue of mineral licences to occupy land within the limits of survey without a survey? — I do not. I do not think any mineral licence would give that security of tenure that the miner requires for large operations

746 ~~5-31~~ Are you in favor of a copy of the application for mineral lands being posted at the local ~~[illegible]~~

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registrars office for public inspection?- I do not think it is necessary. Under our present system it is at the local office the day after it is received at the head office, a copy of it being sent to the local office where it is open to the inspection of anyone

747 ~~532~~ - By application?- By asking for the sight of that which any man can see without fee or reward ~~533~~ Is there any objection

748 to posting it outside the office?- No, if you pay the registrars better than at present

749 ~~534~~ Do you think the local registrars are properly paid?- So far as their present duties go, I think they are

652.84

[illegible] Rain [illegible]

[illegible]

[illegible] Lopdag [illegible]

[illegible]

[illegible] Speech [illegible] Language

[illegible]

[illegible]

[illegible] Rain [illegible]

[illegible]

[illegible] Range

[illegible]

[illegible]

[illegible]

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5-35 Do you think mining would be benefitted he he had a larger pay and more duties? No I do not.
457 ~~5-36~~ When you think the posting of notices outside the office is not of sufficient value for the government to pay the registrars to do? - No, I do not, simply because anyone going to the office can see the applications, and he might just as well walk inside and see the book. It would be a multiplication of works.
452 ~~5-37~~ Do you think it is conducive to the interest of mining that they should have to make a general inspection of the books at the registrars for a copy of the

D C G Barnard

· acid ~~trocicodendric~~

Dauphine, May

[illegible] Jamaica

[illegible]

[illegible] Jamaica [illegible]

[illegible] Australia +

7 = 8 +

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application, rather that this application should be posted outside the office? — I think the inspection of the books is a more convenient mode for the miner. It seems to me to be a simple thing; a man might as well read ~~a~~ from the book as read the application

753 ~~538~~ Do you think the present area of ground held under a miners right for tin is sufficient? An acre — I have had doubts of that, I am not quite clear as to the effect in different parts; but my present view is in favor of extending the area

754 ~~539~~ Do you think the right to mine under that licence should be

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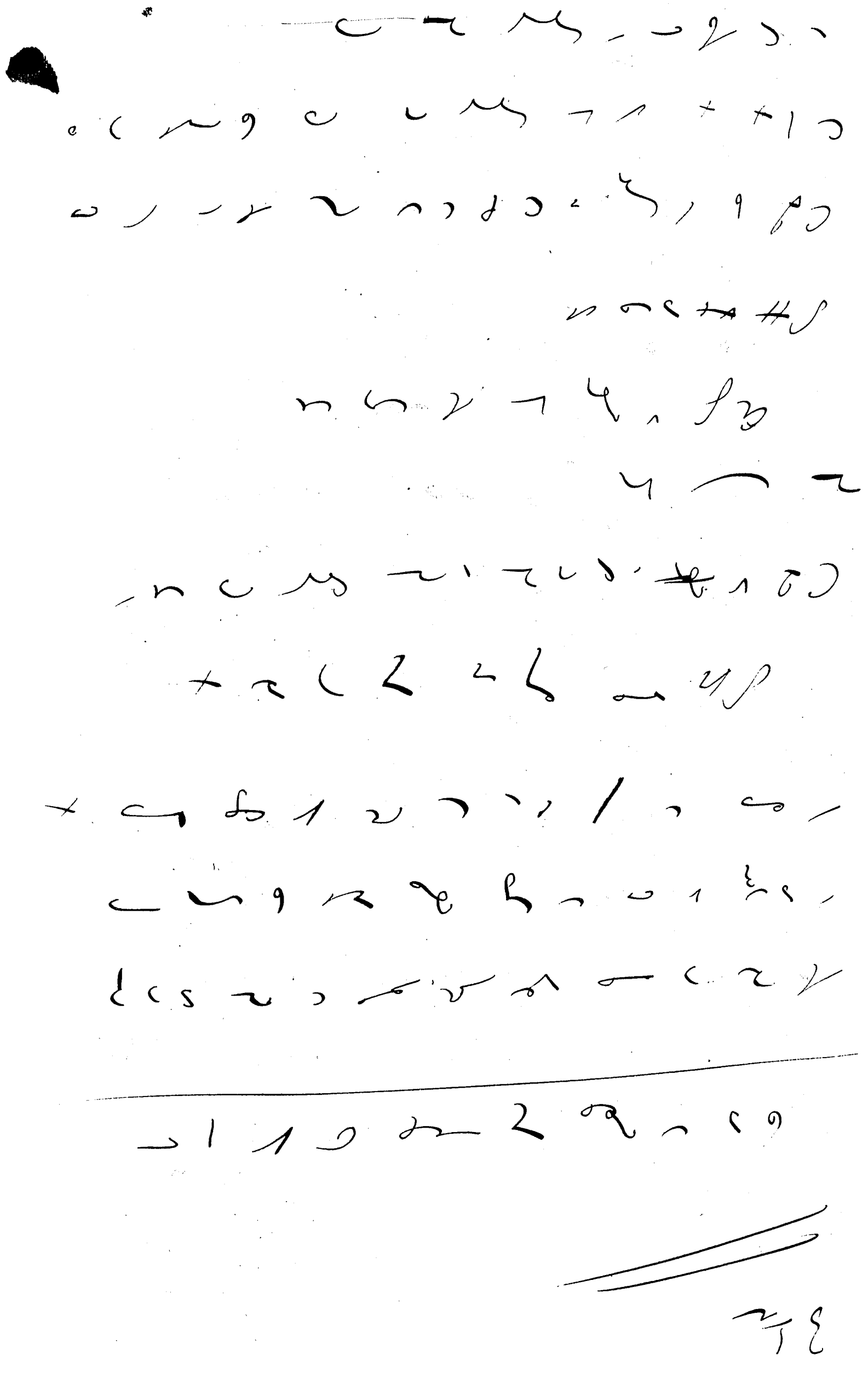
extended to the whole of the Island or not? —
Ans

By Mr Conway

~~540~~ 5 Do you think a more
liberal and extensive assistance
could not be given to encourage the
the use of the diamond drills for
prospecting than at present? — Yes,
certainly, I think.

~~541~~ 6 Can you explain a system
that would be of service to develop our
mineral resources by helping
mining companies to proceed? —
I think it would be a legitimate thing
for government to assist
companies on the £1 for £1
principle, and that to be returned
in the event of the mine subsequently
becoming a dividend paying mine.



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457 ~~542~~ That would establish a fund for further assistance? – Of course it would recoup the Government for its outlay and enable them to assist further

758 ~~543~~ In the present regulations there is an appeal from the Commissioner's decision to the Supreme Court. That is a very expensive method; could not a cheaper method of appeal without the Supreme Court be adopted? – I have always thought so. Yes, I think so. A sort of intermediate court of appeal for minors cases to be composed of a body of not less than three Commissioners somewhat analogous to the appeals from Petty Sessions, to the

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Court of General Sessions. The expense and so on of an appeal to the Supreme Court is practically a bar to many persons appealing who possibly might have legitimate grounds for ~~appealing~~ doing so.

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544 Are you aware that some of the surveyors never go on the surveys themselves, but keep a staff of papilles and others to do the surveying? – It is not within my personal knowledge, but I think it is very commonly done. The surveyor checks the work and is responsible. We never accept work that has been performed by an assistant excepting under the signature of the surveyor himself.

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~~545~~ 760 Has it ever come under your knowledge that any of these surveyors have offered to take up land for people on condition that fees are given to them? No, I have never heard of such a thing. It is so irregular that if it had come to my knowledge I should report it to the head of the department at once

761 546 You do not think such a thing could occur without coming to your knowledge? Of course it may do so: I cannot say what would take place between a surveyor and an individual out in the country

~~5-47~~ 4/62 In the event of an intermediate court of appeal being established what ~~who~~ would you recommend as a suitable notice to the parties and how should the court be called together?— Well, I think that the appellant should serve the opposite party with a notice, in the first instance, of his intention to appeal, and also lodge a similar notice with the secretary of Mines who should call the court together

4/63 ~~5-48~~ What time would you allow to elapse between the notice of appeal and holding the court for the same?— What would depend very much upon the ~~circumstances~~ constitution of the court. The court might be constituted of members who were far apart and it would take some days to communicate with them. It would also be composed of members who would have other engagements.

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They would have to arrange between themselves.

764 ~~549~~ Do you think a money reward would be an advantage to prospecting instead of the quantity of ground that is given — that is to reduce the quantity of ground and give discoverers a money reward subject to the approval of the board and the minister? — No, I do not see that it is necessary. I think the reward claims sufficient

765 ~~550~~ Will you refer to regulation 33 ~~of the~~ under the Mineral Lands Act, with regard to the time within which claims should be made for compensation by former lessees? I have that noted for amendment the desirableness of doing so having come under my notice. I think the claim should be made within six months after which the claim should lapse

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By the Minister of Lands

766 ~~554~~ How long have you been connected officially with the Mining Department, Mr Belstead? - About four years, 552 w/e first portion of that time in the North as Commissioner of Mines? - Yes, three years as Commissioner of Mines in the Northern and Southern districts and the balance of the time as Secretary of Mines

767 ~~553~~ During that time have you had complaints made to you officially as to any need for amendment of the law or regulations connected with Mining? - No official complaints. I might perhaps add that I have observed myself, and it has come under my knowledge in other ways, that there are various matters, of a comparatively trifling nature, in which the law and

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Regulations might be amended

768 ~~554~~ Have you officially observed complaints as to the necessity for amending the law relating to mineral lands or mining for gold? — Yes I have

769 ~~555~~ Can you inform the committee as to whether many of these complaints were such as might be reasonably met by provisions already contained in the regulations? — A very great number — in fact, a majority of the complaints proceeding from the public press, ~~and~~ meetings, and so on have been based ~~upon~~ on insufficient information on the part of those who made the complaints

770 ~~556~~ Can you give a few instances of it? — There was one at a meeting at Karatah when I noticed a

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candidate for one of the seats in the House was before the meeting and complaint was made to him that there was no provision for mining for tin under miners rights on the west Coast, while as a matter of fact there is that provision, and it has been availed of to a very considerable extent. There was another at Beaconsfield where from a question asked another candidate it was represented that miners were not allowed to cut wood on crown land under their miners rights for domestic purposes and mining, while the law does allow them to do so. As to the other cases, I cannot at present recall them

471 ~~557~~. As to regards the holders of miners rights not being allowed to cut wood on crown lands, are you aware whether any official—

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the bailiff of Crown lands or somebody else — made a mistake in attempting to prohibit miners from exercising their rights in this respect? — I think there was one case very lately. Someone was interfered with lately by mistake on the part of an official — Yes there was, at Lisle. The police constable there who acts as bailiff interfered improperly with a miner cutting wood, under the impression he was cutting illegally. As soon as it became known the matter was remedied

772 558. As to miners rights generally — are you aware of any complaints made by men employed on mines at Beacons field Lefroy, Karatah, as to being compelled to take out miners rights? — Yes, they do — That is the employer.

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473 ~~569~~ Will you inform the Committee whether you think it would be desirable to alter the regulation as to the issue of miners rights making them to date from the day of issue irrespective of any particular time of the year — that is to say not to be ~~from~~ for 12 months from one issued period of the year to another? — I do not think any alteration is necessary. I think it is very much to the interest of the miner that miners rights should expire at the period-ing, at the end of the year

By Mr Conway

474 ~~560~~ Do you not see any unfairness in charging 5-5 from the 1st January and the same amount for the 1st December to the end of the year? The amount is so small that it does not seem worth while to divide it; but of course, it might be done

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475 ~~561~~ Is it not the practice all over the colonies? – There is nothing in the other colonies so low as 6s. It is 10s and 20s.

476 ~~562~~ Do you think the revenue would be more if they were issued from the 1st of January and the 1st of July, at the full price in the former case and at half price for the latter half of the year? – It might be done if it were considered worth while to divide such an amount. I have never heard miners make a valid complaint as to the fact of paying 5s for the smaller portion of the year

By the Minister of Lands

477 ~~563~~ Not even for a few weeks? – No

478 ~~564~~ Have you heard any complaints as to the mode of pegging out sections under the Goldfields Act – as to the particular regulations relating to the

best coast where miners have not
kept ~~come~~ to the cardinal points? - No, I have
not - none whatever

479 ~~565~~ Have you had many
complaints made to you as to delay
in effecting surveys under the Goldfields
or Mineral Lands Act? - Yes very
great

480 ~~566~~ To what cause do you
attribute the delays that have occurred? -
To the system under which the surveys
are effected. They are contract surveys,
and, as a matter of course, unless
the surveyors can get a sufficient
amount of work to pay them to go
in a certain neighbourhood they
put off going there and do other
work more remunerative to them

481 ~~567~~ What remedy do you
suggest for that? - I would suggest
the employment of one or two travelling

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Surveyors paid for the purpose.

When the District Contract Surveyor
falls into arrear the other Officers
should be enabled to effect the
Surveys

782 ~~683~~ Have you had any
Complaints made to you as to the
necessity imposed upon applicants
for water rights to have their
races surveyed before a grant can
issue? - No, no official complaints
whatever

783 ~~684~~. Are you aware that
Complaints have been made by a
portion of the mining community
as to that matter? - I have seen reports
of it in the newspaper

784 ~~685~~ You have never been
asked to amend any regulation under
the existing system? - No, never;

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nor do I think an alteration would be in any degree advisable

Pratt 4/85 ~~5/7~~ Why not? — Inasmuch as these water races are very valuable works as a rule, and the crown gives ~~causes~~ a grant of them for 21 years which is renewable at will. It is practically a right for ever, so long as the parties choose, and that kind of thing could not be done without a definite survey and definite plans. There would be no security of tenure. No man would be satisfied with his tenure unless he had a proper survey

786 ~~5/7~~ Have you, in order to meet the requirements of the mining community as far as possible, prepared for approval certain regulations? — ~~I was~~ Whey were in ~~the~~ course of preparation, and I had them fairly well in hand when

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notice was given of this committee and anticipating the ~~probable aid~~ probability of a large amount of work being thrown over, I held my hand. I had then been engaged upon the work for some time

787 ~~573~~ Can you inform the committee whether new regulations will be framed by you for all matters brought under your notice? — They would have been finished before now had it not been for the sitting of this committee

By the Chairman

788 ~~574~~ Do you think, as long as the dividend tax is levied upon mining companies, that upon the expiration of leases there should be an increase of rent charge? — It does not follow as the law at present stands that there would be an increase

of rent; the rent may be the same

789 ~~575~~ Where is power to increase it to three times the amount?—

Yes, not greater than three times. I think the law can very safely be left as it is. I imagine that the holders of the Bischoff and Tasmania would not object to pay three times their present rent.

By Mr Fenton

790 ~~576~~ Do you think five miles a proper distance between a prospecting claim and a former discovery?—

I think so — for the maximum amount.

791 ~~577~~ Is it clear how that distance is to be measured? No it is not clear, and I think it ought to be. In any new regulations I should propose that it should be made clear