

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**TUESDAY, 15 NOVEMBER 1898**

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## LEGISLATIVE ASSEMBLY.

TUESDAY, 15 NOVEMBER, 1898.

The SPEAKER took the chair at half-past 3 o'clock.

## BRANDS ACT AMENDMENT BILL.

On the motion of the PREMIER, in the absence of the Secretary for Agriculture, leave was given to introduce a Bill to further amend the Brands Act of 1872.

## MINING BILL.

## RESUMPTION OF COMMITTEE.

Question stated—To add to clause 24 the amendment moved by the Secretary for Mines, namely :—

Provided always that the area shall not exceed twelve acres until the expiration of seven years from the date of the original proclamation constituting the goldfield, nor twenty-five acres until the expiration of fourteen years from the date of the said proclamation.

To which Mr. Browne had moved that the following words be added :—

Provided also that not more than twenty-five acres shall be granted, except where the depth of the ground, difficulty of working, or the expense of erecting mining machinery is likely to be great.

Mr. SIM : After the protracted discussion which had taken place hon. members on his side were prepared to accept a reasonable compromise, which would be hailed as the beginning of better things. He desired to emphasise the fact that the Government had not thought fit to accept a reasonable compromise. He was not a partisan—

The CHAIRMAN : I would now ask the hon. member to seriously discuss the business before the Committee. I would remind him that the Minister has had no opportunity of making a statement since I submitted the question to the Committee.

Mr. BROWNE had no intention of discussing the question at any length. He had proposed the amendment, believing it to be to the best interests of the mining community. They had already passed a clause allowing fifty-acre leases all over Queensland. He had done his best to put in safeguards, and he was not going to say another word on the amendment, but would simply leave it to the Minister. If he declined it, the responsibility would fall upon him. He believed that the indiscriminate granting of fifty-acre leases would be one of the very worst things that had ever happened to Queensland. He thanked the members of his party who had so loyally given way to himself and two or three other hon. members, and allowed them to discuss the question. Considering that the greatest harm would be done by that clause, from this out he intended by all constitutional means to oppose the Bill, and to do his best to throw it out.

Mr. SIM was going to support the hon. member for Croydon, not only as a personal friend, but as one who believed every word the hon. member said in that Committee to be true. Why were they present to discuss one of the most important questions that could be put before any Parliament in Australasia?

The CHAIRMAN : If the hon. member will allow me, I will tell him. The question before the Committee is to add the proposed words to the proposed amendment.

The SECRETARY FOR MINES had as great a desire as the hon. member for Croydon to make this a good Mining Bill, and to surround the fifty-acre provision with all possible safeguards. Had the hon. member allowed the amendment he proposed the previous evening to

go they might have come to reasonable terms, and have finished that clause. He thought it would be better if they provided that the conditions under which increased areas might be granted should be prescribed by regulations, which could be altered at any time if they were found unsuitable. He had no wish to see people taking up fifty acres on the cap of a reef on a newly discovered goldfield, but only on country which it was difficult and expensive to work. If the matter were dealt with by regulations, and it was found that those regulations were not in accordance with the wishes of the majority of the mining community, he would be prepared to alter them. The Mines Commission said that twenty-five acres on Gympie were more valuable than the same area on Charters Towers, and he did not think that on fields like the Hodgkinson, the Palmer, and the Etheridge twenty-five acres were as valuable as twenty-five acres on Charters Towers. If they looked up the records it would be seen that, acre per acre, the ground on Charters Towers was more valuable than the ground on any goldfield in the colony. He hoped that his suggestion for dealing with the matter would be accepted, for if they quarrelled over every item in the Bill they would never get the measure through. If the hon. member for Croydon would withdraw his amendment, he (Mr. Philp) would withdraw his, and allow the mining members on both sides of the House to draft regulations on the subject.

Mr. KIDSTON did not know what the hon. member for Croydon intended to do, but it seemed to him that they had the bones of any regulations in the two amendments now before the Committee, and if the Minister accepted those amendments they would not only operate as a safeguard, but would also form a kind of set of regulations under which claims up to fifty acres could be granted by the Minister. The Minister said he did not wish to be guilty of indiscriminately granting leases of fifty acres on rich easily-worked ground. The hon. gentleman knew very well that if he did such a thing it would produce a great outcry against the administration of his department. There had been no claim for an extension of the area to fifty acres that was not based on the idea that the larger area should only be granted in cases where the depth of the ground, or the difficulty of working it, or the cost of machinery, necessitated the granting of a larger area in order to permit the ground to be worked properly. There had been no other claim.

The SECRETARY FOR MINES: Oh, yes; the regulations would go much further than that.

Mr. KIDSTON: Did he understand the Minister to say that there were other reasons for granting fifty acres.

The SECRETARY FOR MINES: Yes.

Mr. KIDSTON had not heard what those other conditions were. The general condition of difficulty of working covered a very large area—wet ground, hard ground, and a variety of other conditions. The cost of machinery also covered a large area of ground. But in any case, if the Minister had any idea of other conditions that would justify the granting of fifty acres, the proper way was to add those conditions to the amendment. The members of the Royal Commission signing the majority report did not advocate the granting of fifty-acre leases indiscriminately, and the Minister himself admitted that he did not desire such a power, recognising that it would not be to the advantage of the colony. So true was that that the moment the Committee had decided to permit the granting of leases of fifty acres the hon. gentleman himself proposed an amendment to safeguard the provision in the matter of time. But as the number of years provided for in the hon. gentleman's safeguard had already been

exceeded in respect of all the important fields in the colony, it was a manifest absurdity to suggest that in respect of those fields his amendment would give any protection against the granting of fifty-acre leases at all. The Minister had just suggested that they might by regulation settle the particular fields upon which they would give or restrict the giving of fifty-acre leases, but he must know quite well that particular fields had no bearing upon the matter at all. It was quite true that twenty-five acres might be more valuable on one field than on another, but in granting an extended area as proposed the idea seemed to be that the circumstances of the particular area to be worked should themselves have a determining influence upon the decision of the Minister as to what would be a fair area to grant under such circumstances. Then the conditions on different fields varied, but further than that the conditions on different portions of the same field varied, and a hard-and-fast rule laid down in respect of any field would be found to hamper the Minister unnecessarily in the administration of the Act. The amendment suggested by the hon. member for Croydon did not propose to do that, but really provided for the conditions upon which the granting of fifty-acre leases—even in the opinion of hon. members opposite—should depend. Hon. members would see that the reference to the extension of area in the report of the majority of the Royal Commission was, even in phraseology, almost identical with the wording of the amendment proposed by the hon. member for Croydon. If one hon. member on the other side who knew anything about the subject would get up and advocate the indiscriminate granting of fifty-acre leases, he could see some sense in opposing the amendment, but it was not denied that the conditions named were fair conditions.

Mr. STUMM: They are not sufficient, but you won't give us a chance of explaining.

Mr. KIDSTON: The conditions in the amendment were substantially the conditions recommended in the report of the Mines Commission, and no valid objection could be raised to the amendment. If there were other conditions that should be put in that was no reason for opposing this, and it would be better for the chances of the Bill becoming law if the Minister would accept the amendment. He would now sit down and give hon. members on the other side an opportunity of explaining as much as they desired.

Mr. HAMILTON: If hon. members who knew nothing about mining, and did not represent mining constituencies, would leave the question to be discussed by a few members on each side who represented mining constituencies, and knew something about mining, there might be some finality. The position was this: Last night the amendment of the hon. member for Croydon to reduce the area from fifty to twenty-five acres was defeated. Then an amendment was proposed by the Minister for Mines, and the hon. member for Croydon wished to add his amendment. There was a feeling that no more should be done at that time, and the stonewalling began because hon. members thought they had sat long enough and wanted to adjourn. He might mention that the Minister for Mines had intended last night, after passing the subsection they were dealing with, to propose an amendment on the amendment of the hon. member for Croydon, which he (Mr. Hamilton) thought would have satisfied all parties. But the Minister decided on following the constitutional practice of having his own amendment dealt with before agreeing to any arrangement as to what would follow. To have done otherwise would have been beneath the dignity of any Minister. He only mentioned

the matter now because the hon. member for Croydon had stated that he would be guided by constitutional practice and accept the position which the Opposition refused to accept last night.

Mr. BROWNE: With regard to the offer of the Minister to withdraw his amendment if he (Mr. Browne) would withdraw his, and leave it to the mining members to frame regulations, he could not fall in with that, one reason being that it was very hard to decide who were mining members. Last night when his amendment to reduce the fifty acres to twenty-five acres had been defeated the senior member for Charters Towers and the hon. member for Bundaberg pointed out that the conditions could not be dealt with in a heated House, and suggested that they should adjourn and leave the conditions to be framed by mining members. But that was refused straight away, and so far as he was concerned he had done as much as he could. He had submitted an amendment which he considered the best way out of the difficulty, and although it might be said that it did not provide for certain things, it had been on the statute-book of the colony since 1874, with regard to claims.

Mr. STUMM: No; it is not the same.

Mr. BROWNE: If hon. members opposite would devote their brain power to drafting an amendment which would meet their views, it would be a great deal better for them than sitting behind Ministers and interjecting. He had said that he was not wedded to the words of his amendment, and if the Minister could suggest any improvement he would be glad to accept it. But this was being made a party question, and although he believed that the Minister thought this a good Bill, for his part he thought it a very bad one, and would fight it as long as he could. So far as he was concerned, he would not withdraw his amendment or agree to any more compromises.

Mr. BOLES hoped that the course suggested by the hon. member for Croydon would not have to be followed; but still he thought the amendment was a very reasonable one. The Secretary for Mines said the amendment did not provide for everything; but if the hon. member would make a suggestion, he had no doubt the hon. member for Croydon would accept it. He did not regard the time limit as of any value; but he did think that where the ground was difficult it would not be wrong to grant an extension of area. In such cases investors were entitled to some consideration. Where the ground was not difficult, twenty-five acres was quite sufficient, if not too much; but as he was anxious that the measure should become law, he hoped some compromise would be arrived at.

The SECRETARY FOR MINES: It seemed that unless the hon. member for Croydon had all his own way this was a bad Bill. He said that what he suggested had been the law for some years, but the amendment was not contained in the mining regulations at all. Regulation 36 said that where the expense of erecting mining machinery or works was likely to be great, or the poverty of the ground warranted it, or the ground had been previously worked and abandoned, extended claims might be granted. There was nothing about the poverty of the ground in the hon. member's amendment, nor was there anything about abandoned ground, the latter being a most important provision, as it affected three large fields—the Hodgkinson, Etheridge, and the Palmer. What might be a deep shaft on one field would be a shallow one on another. There was one shaft 1,600 feet deep on Gympie, and one 2,500 feet deep at Charters Towers, while at Croydon there was a shaft 500 feet deep, and on the Hodgkinson the deepest was about 350 feet. It would therefore be difficult to

define what was a deep shaft in the Bill, and it would be better to leave it to be decided by regulation.

Mr. BROWNE: That is where the advantage of mining boards would come in.

The SECRETARY FOR MINES: It could be provided by regulation that extensions of area should not be granted unless there was a shaft a certain depth on the original area, but he would have no objection to put it in the Bill if hon. members wished it. He thought it would meet the case if the words, "if the poverty of the ground warranted it, or the ground has been previously worked and abandoned" were added to the amendment. If the hon. member for Croydon added that to his amendment, he was quite prepared to accept it.

Mr. GLASSEY: It seemed that the hon. gentleman had made some new discovery.

The SECRETARY FOR MINES: It is no new discovery.

Mr. GLASSEY: At all events, it had not been previously mentioned. If it was not an afterthought, he did not understand the hon. gentleman's attitude. The two points raised by the Minister were important ones, and he saw no earthly reason why the hon. member for Croydon should not include them in his amendment, which was infinitely superior to that of the Minister. The Minister was quite wrong in thinking that some plan had been adopted to obstruct the Bill. No hon. member had done more to obstruct the Bill than the Minister himself. If the hon. gentleman had met hon. members on that side in a reasonable manner, they could have arrived at a reasonable compromise, and it was to be regretted that the few words which the Minister had quoted from the regulations had not been mentioned previously, as the long and dreary debate which had taken place would not have occurred, and greater progress would have been made. He did not know the intentions of the hon. member for Croydon with respect to the Minister's suggestion, but he was anxious that some arrangement should be come to which would be satisfactory to the mining community.

Mr. JACKSON thought the Minister was getting a little more reasonable. There was nothing in his first proposal that he should withdraw his amendment and the hon. member for Croydon should withdraw his, because they were really in favour of the Minister's amendment with the proviso of the hon. member for Croydon. As for the suggestion that the mining members on both sides should meet and frame regulations, there was nothing in that either, because the Minister could cancel the regulations so framed the day after he had adopted them. The hon. gentleman's present proposal was only a matter of detail, and it might be wise to include it in the amendment of the hon. member for Croydon. When ground had been abandoned, it was a fair thing to give an extended lease, just as they gave an extended claim at the present time. So far there had been no compromise. The Minister had carried the fifty-acre leases, but he had not shown himself prepared since then to meet hon. members on this side in any way. He might just as well have met them last night. Since they had made extended goldfields into old goldfields, so far as the granting of leases was concerned, leases of fifty acres could be granted on those extensions. Had he foreseen that, he would not have been so willing to make that provision apply to leases. He thought of the ordinary twenty-five-acre leases, but now that the fifty-acre leases would apply to the extended goldfields it was all the more necessary that they should safeguard it in the direction proposed by the hon. member for Croydon. Of course, as the Minister had pointed out, what

was deep sinking on the Palmer was not deep sinking on Charters Towers, but that would be left to the interpretation of the Minister, even if he accepted the amendment of the hon. member for Croydon. He would apply his common sense in every case, acting always on the recommendation of the warden. It was merely an oversight on the part of the hon. member for Croydon that he had omitted the proviso that it should be done on the recommendation of the warden, because the intention was to put that in. With the amendment suggested by the Minister and the proviso regarding the recommendation of the warden, it would be a fair compromise, and he suggested that hon. members on his side should accept it. He did not pledge himself to accept it just yet. He would like to hear some other hon. members express their opinion. If it was accepted, they might get on with the Bill. He did not agree with the hon. member for Croydon that the Bill was a bad one. There were some features in it that he disapproved of, but there were some very good points. He was not going to say that he would oppose the Bill, although he had said on the second reading that he would have preferred the Government to postpone it till next session. If the Minister was willing to meet them as they went along, and make reasonable concessions, he should prefer to see the Bill passed, and he would suggest to hon. members that they should consider that offer in a fair spirit, and see if they could not come to a compromise.

Mr. DUNSFORD thought that if the fifty-acre provision should apply anywhere it should apply to abandoned fields. The members who were opposed to the extension of the area had now to face the fact that the Committee had decided that it should be extended to fifty acres, and they proposed that certain conditions should be embodied in the clause. Possibly there were other conditions which they had not thought of, but which should be embodied in the clause, but they knew that, however perfect a Bill might be, something had to be left to regulations. Still for the sake of the mining and investing public, and with a view to place proper restrictions on the measure, they should get as much in the clause as they possibly could. Personally he was agreeable to accept the compromise offered by the Minister, and he hoped that other members on his side would take the same view of the matter, and that time would not be wasted unnecessarily in discussion.

Mr. JENKINSON thought the words proposed to be inserted by the Minister—"ground worked and abandoned"—would operate to the detriment of Gympie. When he took up the lease of the 1 North Oriental and Glanmire it had been worked and abandoned, and if the proposed amendment were adopted it would allow fifty acres to be granted there. Such a proviso might be suitable for fields like the Hodgkinson and the Palmer, of which he did not profess to know anything, but it would not be applicable to Gympie.

Mr. LISSNER: There is no additional ground there to take up.

Mr. JENKINSON: That was a moot point. As a matter of fact shafts had been sunk five miles out of Gympie. That might be called "ground worked and abandoned," and under the amendment fifty acres might be granted there, and he did not see any objection to that. But in the case to which he had referred the granting of fifty acres would be a detriment to the miners on Gympie. While he was quite prepared to meet the Minister in a compromising spirit, he deprecated a party vote being given on a question like this. Mining members should stand together, and endeavour to safeguard the mining industry, and not vote on party lines.

It had been said by members opposite that members on that side had done all the talking, and had not given an opportunity to members on the other side to speak on the clause. That was not a true statement of the case, for they had had ample opportunity to discuss the matter, if they so desired.

The CHAIRMAN: I would ask the hon. member not to go back to last night, and make a second-reading speech on the Bill, but to confine himself to the question before the Committee.

Mr. JENKINSON was simply replying to arguments used by members on the other side, and was very sorry he had been stopped. The Chairman allowed them to make insinuations against members on his side, and they should have an opportunity of replying to those insinuations.

The CHAIRMAN: The hon. member has made the statement that I allowed insinuations to be made against members on that side. I have not heard any insinuation made this afternoon. The hon. member will recognise that this is a new sitting, and that the business before the Committee is the amendment of the hon. member for Croydon.

Mr. JENKINSON was replying to a statement made by the hon. member for Cook, that members on that side had not given any opportunity to members on the other side to speak, and he said that that statement was not correct. Members on that side were doing their utmost to safeguard the interests of the mining industry, and the mining members on the other side should have assisted them to make the Bill as perfect as possible. With regard to the proposal made by the Minister, the hon. gentleman must plainly see that it would not cover the arguments that had been used. If the suggestion of the hon. member, Mr. Dunsford, to say "fields worked and abandoned," were accepted, it might meet the case.

The SECRETARY FOR MINES: There is no field in the colony that has been altogether abandoned.

Mr. JENKINSON had already admitted that he knew nothing of the conditions existing on the Hodgkinson and Palmer—the fields for which the hon. gentleman and the hon. member for Cook appeared to be fighting—but he would have no objection to have those two fields specially included in or excluded from the provision. His object was to safeguard the fields he did know something about. He objected to a question like this being left to regulations. He had before expressed his objection to government by regulation. An amendment in another Bill had been circulated among members to the effect that on a vote by either House of Parliament any regulation could be annulled. Regulations were therefore valueless as the Government always had a majority at their back either in that House or in another place. He was prepared to meet the Minister in a compromising spirit, but any alteration of the law upon which they decided should be set out in the body of the Bill itself.

Mr. STUMM: The hon. member had admitted that he did not know much of the fields in the North, and he might have added that he did not know much of Gympie either, though he had lived there for a good many years. If the words the Minister suggested were not accepted they could not, without an evasion of the spirit of the amendment of the hon. member for Croydon, grant an extended area at the Two-Mile or south of the river of Gympie, and those were extensive parts of the field which had been worked long before the hon. member for Wide Bay had come to Gympie. He also questioned very much whether, without the words the Minister had proposed, they would be able to grant extended leases on Kilkivan, because no one could truly say that deep sinking would be

necessary there. The hon. member for Croydon would admit that the words proposed by the Secretary for Mines covered additional reasons which the hon. member had not himself contemplated. The idea in his own mind last night when he suggested the passing of the Minister's proviso with the words providing for the recommendation by the warden, was that that addition and the amendment might have been settled before they adjourned, and that they could then have come fresh to-day to the consideration of the proviso suggested by the hon. member for Croydon. He mentioned that to show that too much stress need not be laid upon what had happened last night after the amendments proposed had got the Committee into sixes and sevens.

Mr. DAWSON: Before they agreed to the amendment hon. members should understand what it would mean to tack on to the present amendment the words from regulation 36.

The SECRETARY FOR MINES: Not the whole of it.

Mr. DAWSON: If they got in the word "abandoned" a difficulty would arise, because the regulation applied to claims and not to leases at all. If the provision were merely to apply to claims he would see no danger in it, but he did see danger in it when it was applied to mining leases. "Previously worked and abandoned" had already been settled in the wardens' courts to cover the mere scratching of the surface of a claim. Under the proposed provision the whole of the Hodgkinson, so far as was known at present, would come under the extended leases, the whole of the Palmer, a very large portion of the Etheridge, and the Woolgar—particularly the Woolgar.

Mr. LISSNER: You could not object to that fairly when they are abandoned and useless.

Mr. DAWSON: Not necessarily useless because they were abandoned. It would be a nice thing if a man went to the Woolgar and took up a fifty-acre lease, the major portion of which was along the cap of the reef. It had never been contended that the extended area should be given where the reef started from the surface, but section 36 with the words to which he had referred would include working on the cap of the reef. Now that the fifty acres had been carried it was absolutely imperative that some conditions should be included in the Bill, but this proposal was really dangerous.

The SECRETARY FOR MINES: The Woolgar has been abandoned ten years.

Mr. DAWSON: Why was that?

The SECRETARY FOR MINES: It is poor stuff and wants large machinery.

Mr. DAWSON: The reason was that when Croydon, Charters Towers, and Gympie came along people would look at nothing outside those three fields. It was well known that when once the eye of the investing public was turned on any particular field everything else was abandoned. The only deep lead in Queensland—that in the electorate of the hon. member for Kennedy—had been abandoned for twenty years, because rush after rush took place to other fields just as the gold was getting poorer on the Cape field.

Mr. LISSNER: The Woolgar was worked a long time after Charters Towers started.

Mr. DAWSON: People went there again when they thought there was not much in Charters Towers. There was a time when it was thought that Gympie had duffered out, and people who held shares on that field had their hearts in their boots.

Mr. STUMM: Gympie never duffered out.

Mr. DAWSON: It would be a remarkable thing if Gympie was the only field never suspected of having duffered out, when it was well known that every field had its ups and downs. At present men were working on the Woolgar

with hammer and crowbar, carting the quartz five miles to the mill, and making a good living.

The SECRETARY FOR MINES: They are easily satisfied.

Mr. DAWSON: They were making a better living than the men round the Palmer and the Coen. If men were making a living under those conditions what kind of a show was there for a company?

An HONOURABLE MEMBER: Wouldn't it be a good thing to get a company to start?

Mr. DAWSON: It would be good thing to get a company to start, but it would not be a good thing to give that company the Woolgar Gold Field to make a start.

The SECRETARY FOR MINES: Would fifty acres be too much there?

Mr. DAWSON: Forty acres would include the whole reef, and he was objecting to anyone holding such a large area. The hon. gentleman had shifted his contention. At first he wanted to impose the condition of difficulty of working, but now he raised the question of abandoned ground. The words he suggested would apply to the Imperial on Charters Towers, and the Silent Friend, which was now abandoned; anybody would be able to take up fifty acres there. Then the maximum on the Warrior would be twenty-five acres, but on the Washington, only a short distance away, the limit would be fifty acres.

The SECRETARY FOR MINES: The same on the Alexandra.

Mr. DAWSON: That was working now, and the Government were paying the holders a subsidy of £1 for £1 up to £200, to assist in sinking a shaft. He was pointing out that there might be great danger in inserting these words. There had been no difficulty up to the present, because it had been confined to claims and not extended to leases.

Mr. LISSNER: He could not see where the difference came in. He could get fifty acres on the Imperial by taking up two twenty-five-acre leases in spite of everything, and therefore the whole argument fell to the ground.

Mr. BROWNE: There was a great deal in the contention of the hon. member for Charters Towers and the hon. member for Wide Bay, but he did not think the matter was as serious as they thought. He felt almost compelled to accept the suggestion of the Minister, because his contention was that they should have the same conditions for leases as for claims. Every hon. member knew that if ground had been abandoned, a new party taking it up had to retimber it, and fill up the old workings, which increased the difficulty and expense. If they left it without conditions any man could put in an application for fifty acres, and the warden could grant it at once. But if they passed the clause with the additions the Minister was willing to add, the applicant would have to state his grounds for applying for the increased area; the warden would have to make inquiries, and if he were not satisfied he could refuse to recommend it. He thought the Minister should tell them definitely what he proposed to add.

The SECRETARY FOR MINES: He proposed to add the words "or the poverty of the ground warrants it, or the ground has been previously worked and abandoned."

Mr. DAWSON: The Minister should tell them how he intended to define "ground previously worked and abandoned," because it was possible that there might be great injustice. For instance, the Imperial, which was working now, had been previously worked and abandoned, but because it was being worked at the moment the Bill passed, the maximum area would be twenty-five acres. Did the hon. gentleman mean that every piece of ground that had been

abandoned by the original proprietors was to be considered as abandoned ground, and that subsequent parties could take up fifty acres? If that was the case, there was not a solitary mine in Australia, let alone Queensland, that would be free from the fifty acres. Even the famous Day Dawn P.C.—one of the greatest mines in Queensland—had been abandoned more than once. Without a definition of the word “abandoned,” they might as well have clause 24 as it originally stood, without any conditions as to granting fifty acres. He might take up a prospecting claim and leave it for three days, and it might be taken up by some one else, and, although he would only have been entitled to twenty-five acres, the other man could get fifty acres. It was not necessary to give the warden written notice that ground was abandoned—that was one of the great evils of the present system. The man who wanted the ground had to find the fellow who had held it previously, and prove to the satisfaction of the warden that it had been abandoned, although it might not have been worked for years. It was absolutely necessary for the safety of the mining public that the word “abandoned” should be defined in the regulations.

**THE SECRETARY FOR MINES:** He had quoted from the regulations. It had never been defined by any warden that he knew of, but every case was decided on its merits. If the ground had merely been scratched he would not consider that it had been *bona fide* worked at all. Plenty of mines on the Hodgkinson, the Palmer, and the Etheridge, and possibly the Woolgar, would come under that. As for the Woolgar, he did not know of any mining going on there. Little more than the caps of the reefs had been worked. The stone was very poor, although there were large quantities of it, and no one was likely to go to the Woolgar so long as they could go to Charters Towers or Gympie, and it would be a good thing to grant fifty acres if they could induce people to go there.

**MR. JACKSON** thought there was something in the contention of the hon. member for Charters Towers. On such fields as the Etheridge and the Palmer large areas could be monopolised, even where it was not the intention to put down deep shafts or spend large sums in erecting mining machinery. Suppose a rush took place to the Etheridge, the holders of leases would be able to shut out the working miners and insist on them paying tribute money, as had been done on Ravenswood. Although he did not object to the insertion of the proposed words, the provision might be modified by putting a comma after the word “worked,” so as to separate it from “abandoned,” and then inserting the words “for a period of five years” after “abandoned.” It would then read, “ground has been previously worked, and abandoned for a period of five years.” He admitted that it would not be a great deal of a check, but it would be a little check.

**MR. NEWELL** did not think the insertion of the words “for a period of five years” would be advantageous. Men might take up a lease, and, after getting a crushing, leave it. Other men might then come along and work it, but they would be prevented from doing that by the suggested amendment, as they could not come in until the lease had been abandoned for five years.

**MR. STEWART:** As he believed that the senior member for Charters Towers wished to debate the question further, he would occupy a minute or two until the hon. member returned to the Chamber. The Minister had told them that it would be for the warden to say whether a claim had been previously worked or not. That might be true, but far too much lati-

tude was allowed to wardens; too much power placed in the hands of the Minister; too much left to regulations, and too little provided by legislation. In dealing with the resources of the colony they ought to lay down specific rules, and it was extremely desirable that they should have some intelligible definition of the words “previously worked.” The senior member for Charters Towers had given them an example of an operation which he considered would come under the term “previously worked,” and so far as he could see the hon. member’s contention was correct. The use of those words might lead to a great deal of evasion of the law, and allow designing persons by collusion to secure a larger area of ground than the law intended they should get. It was not desirable that they should willingly leave loopholes in an Act of Parliament, and he was inclined to think that the amendment of the hon. member for Croydon would be much more effective if the words “previously worked” were omitted. The senior member for Charters Towers also objected to the words “or the poverty of the ground warrants it,” his reason being that no person could tell whether ground was poor or rich. He (Mr. Stewart) had heard that when the first attempts were made to find Mount Morgan the prospectors failed; they were some eight or ten feet out, and they abandoned the whole thing as being worthless. Other persons came along afterwards, struck the right spot, and discovered Mount Morgan. That showed that because gold had not been found in a particular spot the ground was not necessarily poor. However, as the senior member for Charters Towers was now present he would leave him to deal with the matter.

**MR. JACKSON** asked if he would be in order now in moving that there be added after the word “abandoned” the words “for twelve months or more,” or whether he should move the amendment later on?

**THE CHAIRMAN:** The hon. member will be quite in order in moving that amendment after the present amendment is passed.

**MR. DAWSON** had pointed out a danger which existed under the amendment as it stood at present. The hon. member for Kennedy had suggested a further amendment which would meet that danger, and the Minister should say whether he was prepared to accept that suggestion. He was not quite sure what the Minister wanted.

**THE SECRETARY FOR MINES:** I do not know what hon. members opposite want.

**MR. DAWSON:** They had pointed out as clearly and concisely as they possibly could what it was they wanted, but the hon. gentleman had entirely changed his position since the House met this afternoon and raised a new issue. If the amendment went in as it stood, without any qualification or promise of a definition by regulation, it would simply mean that no conditions at all would attach to the granting of fifty acres; the warden, or the Minister over his head, could grant a lease of fifty acres on any goldfield whether it had been open three years or thirty years. There should be some safeguard provided with respect to what was abandoned ground. If a man took up a claim, worked it for half a day and then threw it up, would that be ground “previously worked and abandoned,” and therefore liable to a holding of fifty acres by the next applicant for it?

**THE SECRETARY FOR MINES:** Certainly not. No warden would say so.

**MR. DAWSON:** Wardens did say so. They knew that a good deal of dodgery went on on mining fields as well as in connection with pastoral matters. The hon. member for Kennedy suggested that the ground must have been abandoned for twelve months before it could be

termed abandoned ground within the meaning of the clause. He thought that the time should be longer than twelve months, but he would not object to that time, because if the ground was abandoned for twelve months it would be some proof that no one was inclined to work it on account of its poverty, and there would be some warrant for an extended lease in such a case. If the amendment passed as it stood there would be nothing to show that the poverty of the ground warranted a lease of fifty acres, except the sweet will of the warden or Minister, and cases were not unknown in Queensland where wardens and even Ministers had had a direct interest in a particular piece of ground on a goldfield. One case in which the Secretary for Mines had a direct interest in a piece of ground on Charters Towers ended in the Under Secretary for Mines getting the sack, and the right man was not sacked. He urged hon. members to induce the Secretary for Mines to accept the amendment suggested by the hon. member for Kennedy.

The SECRETARY FOR MINES pointed out that the regulation from which the words he suggested were taken was the same as that from which the hon. member for Croydon was quoting in his amendment, and it had been in force for twenty-five years without any objection arising under it. No warden would recognise that ground was "worked and abandoned" if a pick had been in it the day before. Then as to the poverty of a mine, that could only be told by the crushings from it. Hon. members had been asking for safeguards for the last twenty-four hours, and he had repeatedly given way. The hon. member for Croydon was satisfied with the amendment he had suggested, but he found now that some other hon. members were not satisfied.

AN HONOURABLE MEMBER: You don't object to safeguards?

The SECRETARY FOR MINES: No, but where was the thing to finish? Five minutes should have been sufficient to settle the whole thing, but hon. members were repeating again and again what had been said before. Were the mining members willing to go on with the Bill? If they were, he was willing to meet them in every possible way, but he had not been fairly met himself. The words he suggested had been in the regulations for the last twenty-five years, and could any hon. member of the Committee say that any hardship had occurred under them?

MR. DAWSON: It could not possibly under the present law, because it only applies to claims, and when a man wanted more ground he applied for a lease.

The SECRETARY FOR MINES: Had the hon. member ever heard of a claim abandoned one day and taken up the next? He had never heard of it.

MR. DAWSON: If you had lived on a goldfield you would.

The PREMIER: They were getting embarrassed and confused with the number of amendments before them, and, without attempting to interfere with the legitimate discussion of the amendments, he suggested that it would be wise to proceed step by step. They affirmed last night, at about half-past 10, that the fifty-acre limit should be maintained. His hon. colleague intended then to submit to the Committee certain conditions which would surround the granting of the fifty acres, that amendment to be attached to the 24th clause, and to deal with further amendments subsequently; but the Committee got into a state of excitement, and had made no progress since then. Would it not be better to deal with the amendment of the Secretary for Mines by itself, conditioning the fifty acres, and then deal with what the hon. member for Croydon had proposed and the Secretary for Mines had consented to accept? At

present they had the 24th clause retaining the fifty acres then the amendment by the Secretary for Mines, then the amendment in which the hon. member for Croydon and the Secretary for Mines concurred, and the hon. member for Kennedy wanted to add a further amendment. Was that not enough to confuse hon. members? He would suggest, with the view of proceeding with business, that they should take the amendments *seriatim*. If hon. members were resolved that the Bill should not be proceeded with they had the ball at their feet, because things could not be got into a nicer state of embarrassment than they were in at present; but if there was a desire to consider the amendments intelligently he would suggest that the proposals should be taken one by one.

MR. DAWSON failed to see where the embarrassment came in. No mining member was in any way confused about the matter. He complimented the Premier on his extraordinary coolness, seeing that he at a quarter past 10 last night had made the suggestion just made by the hon. member about taking the amendments one by one. Immediately the hon. member for Croydon moved his amendment last night he (Mr. Dawson) asked the Chairman's ruling whether it was in order, and whether it would not be better to take them one at a time, and the Chairman decided that the hon. member for Croydon was in order. He also made the suggestion afterwards that they should be taken one at a time, but it was not listened to. After the fifty-acre question had been decided he suggested that they should leave the conditions till hon. members had time to collect themselves, and that the mining members should consider amongst themselves the best conditions to govern the extended area, but no suggestion he made was accepted. Now they had gone so far and been so long dealing with all the amendments in one discussion, he did not see that anything was to be gained by starting again and having four discussions—on the original amendment, the hon. member for Croydon's amendment, the additional amendment proposed by the Minister for Mines, and the amendment suggested by the hon. member for Kennedy. All that was necessary was that the Minister, in whom the mining members had confidence—

The SECRETARY FOR MINES: They don't show it.

MR. DAWSON: They did. He did not suppose there ever was a Minister for Mines so much complimented by those opposed to him, not only in that Chamber but also outside on the public platform; and if the hon. gentleman did not deserve praise he might bet his boots he would not get it from them. They had nothing to say about his unfair administration of the Mines Department, and they did not anticipate that they ever would, but they must bear in mind that the hon. gentleman would not be there always. What they wanted from the Secretary for Mines was some guarantee that the intention of the amendment should not be defeated by a few additional words. The hon. gentleman proposed to add words that would undo what the hon. member for Croydon had done.

The SECRETARY FOR RAILWAYS: The hon. member for Croydon is satisfied.

MR. DAWSON: The hon. member for Croydon was not the whole Committee, and if he had not moved his amendment the Secretary for Mines would not have moved the addition. The hon. member for Croydon provided for extended areas in consequence of the difficulties in mining, but the Secretary for Mines wished to provide for them on other grounds, and therefore he ought to provide some definition of the words "worked and abandoned." The hon. member



for Kennedy suggested that abandoned ground should be ground that had been abandoned for twelve months, but the Secretary for Mines would not say whether he was prepared to accept that definition or not. According to the proposal of the Secretary for Mines, it would be sufficient if there were a record in the office that the ground had been once pegged out. The Secretary for Mines had said that a similar provision to what he suggested had been in the regulations relating to claims for a number of years, and no abuses had taken place, and therefore there was no reason to anticipate any abuses if the principle were extended to leases. But they must remember that the most a warden could give any man on a claim was 200 feet along the line of reef, and it was a very different thing when they were dealing with another tenure, and were asking power to give a man fifty acres. They were only asking a fair thing when they asked that the term "worked and abandoned" should be defined.

Mr. BROWNE: Personally he was willing to accept the suggestion, but he did not want to force his opinions upon hon. members on his own side. He would suggest that a definition of the words suggested to be added should be inserted in the interpretation clause instead of in the clause before them, and he would like a promise from the Secretary for Mines that that would be done. There had been a good deal of difference of opinion amongst wardens as to what was abandoned ground, and therefore there should be a definition of the term which would apply to leases as well as to claims. He thought it would be sufficient to provide that worked and abandoned ground should be ground that had been abandoned for six months.

The SECRETARY FOR MINES: If you will add the words "for six months" I shall accept it.

Mr. BROWNE said he would be only too happy to do so, and would move that amendment.

Amendment agreed to; and amendment, as amended, put and passed.

Clause, as amended, put and passed.

Mr. DUNSFORD, in moving the insertion of the following new clause to follow clause 24—

In every goldmining lease a portion of the surface of the area not exceeding one-half shall be reserved for residence purposes, but in no case shall the portion of the surface not so reserved be less than six acres—

said the owner of a goldmining lease would have six acres at the least on which to erect his machinery and other necessary works; while, when the area exceeded twelve acres, he would have half the surface rights, the other half being reserved for residence purposes. That would be no hardship to the owners of leases, because he knew of no case in which they required more than five or six acres, and, under his proposal, if the area of the lease was fifty acres, they would hold twenty-five acres of the surface. They were bound in justice to safeguard the interests of the local authorities, because if the surfaces of large leases were allowed to lie vacant, as they sometimes did, the local authorities would suffer though the loss of rates. At present the owners of leases sublet or sold the surface rights for residence areas. He had known of £40 being paid for a quarter-acre lot. It had never been intended that leaseholders should sell or lease, and if any revenue was to be obtained for the surface rights the State or the local authorities should get it. Owing to leases changing hands, the right of residence had been taken away from the man in possession, and sold over his head to somebody else. They did not want that practice to continue.

Mr. SMYTH: Subsection 3 of clause 25 deals with that.

Mr. DUNSFORD: As a matter of fact leaseholders did sublet. That condition was never placed in a lease, because then men would be unable to let on tribute. That subsection did not meet the case at all. He had heard of a case on the Etheridge where, when there had been a strike on, the owners of the lease, in their capacity as landlords, ordered the men on strike out of their homes, so that they not only lost their work but their homes. Warden Mowbray said that it was illegal to sell or permit anyone to reside on the lease except those working in the mine, but that had not been the administration, because they had sold to anyone who came along. They ought to make it clear that in future half the lease would be reserved for residence purposes, because it was not right in a tropical climate to expect men to walk long distances to and from their work. They should have the right to reside on or near the lease where they worked, and it should not be in the power of the leaseholder to remove them. He hoped the Minister would accept the new clause. At first he intended to move that a larger area than half should be reserved, but, in initiating the scheme, perhaps it was better to let the leaseholder have half of the lease for his own purposes. He moved the insertion of the new clause.

The SECRETARY FOR MINES did not object to the amendment, but thought it might be expressed a little better when they were recasting the Bill. It was never intended that men taking up areas for goldmining should be able to sell allotments on their leases, and he thought if one-half of the surface was reserved for the works necessary to carry on their operations, and that half was not less than six acres, that would be quite sufficient.

New clause put and passed.

On clause 25, as follows:—

Every goldmining lease shall contain the following covenants on the part of the lessee, his executors, administrators, and assigns, that is to say—

- (1) A covenant to pay the rent at the prescribed times;
- (2) A covenant to use the land continuously and *bona fide* for the purposes for which it is demised, and in accordance with the regulations;
- (3) A covenant not to assign, underlet, or part with the possession of the land demised, or any part thereof, without the previous consent in writing of the Minister;
- (4) Such other covenants not inconsistent with this Act as may be prescribed.

And every such goldmining lease shall contain a condition that for a first and second breach of any of the covenants therein contained the lessee shall pay such fine or penalty as the Minister in his discretion may appoint, and for the forfeiture of the lease on non-payment of any such penalty or on the commission of any further breach of any of the said covenants.

The SECRETARY FOR MINES moved that the following new subclause be inserted after subclause 2, namely:—

- (3) A covenant to work the land demised by not less than one man for every four acres, and in no case by less than three men, unless exemption or partial exemption is granted in such manner as may be prescribed.

He knew that some members opposite thought this was a great innovation. Hitherto the labour conditions had been dealt with by regulations, but it would be more satisfactory to have them inserted in the Bill. The condition at present in force was that one man should be employed to one acre, but that was very rarely observed, except where leases were on gold. He had a table prepared a little time ago showing the number of men employed on leases on the different goldfields, and from that he found that the average was one man to five acres all over Queensland. Where a man with a twenty-five-acre lease applied for partial exemption he invariably got it, but he was penalised under the present

system as he had to pay £3 3s. exemption fee every six months, which was £6 6s. a year. He thought that one man to four acres was a better condition than the existing one, and though he did not suppose it would do away with applications for exemptions altogether, yet it would do away with the necessity for granting so much exemption as had hitherto been granted. In Western Australia the labour conditions were prescribed by regulation. By the last regulation of that colony, dated the 14th of May, 1897, it was fixed at one man to six acres. In the other colonies the labour conditions were in the hands of the Minister. In Victoria they stated the number of men to be employed when the lease was applied for. He thought that it was much better that they should have a uniform rule throughout the colony, as that would enable the Minister to refuse a good deal of the exemption that he was now asked to grant. Of course, it would not do away with exemption altogether, because when people took up a lease they had very often to arrange to get capital, and they could not very well employ the required number of men while they were putting down a shaft. When people had spent a good deal of money on a lease without getting any return it would be very hard if they could not get exemption. The owners of the Day Dawn School Reserve Mine on Charters Towers spent about £40,000 looking for gold, and were unsuccessful, and they had been exempt for six years.

Mr. DAWSON: No one would object to them getting exemption, as they did an honest piece of work.

The SECRETARY FOR MINES: He believed that as a rule miners were honest. He thought the clause was one that might fairly be debated, and he hoped they would come to a division on it. He knew that some members opposite did not agree with his proposal, but they could "agree to differ," and he thought, after carefully considering the matter, that one man to four acres was the lowest they should insert in the Bill.

Mr. BROWNE: Following on the lines he had laid down, he should have to move an amendment on the proposed new subclause. He admitted that there was a diversity of opinion on the subject, and that a great deal of evidence given before the Mines Commission was in favour of more liberal conditions being granted; but no one could contend that the bulk of the evidence went to the extreme of one man to four acres, which practically meant that for every four men now employed only one man would be employed in the future. No one in that Committee, and especially no hon. member who had worked on a mine himself, would be in favour of crushing anyone down, but at the same time they did not want claims to get into the hands of men who wanted to keep the ground to themselves as cheaply as possible until someone came along whom they could blackmail. Though he intended to move the omission of the words "four acres" with a view of inserting "one acre," he was not absolutely wedded to the wording of his amendment. He did not expect that everything he proposed was going to be carried just as he proposed it, and there were some members even on his own side who were prepared to be more liberal than to require one man to each acre. But he pointed out that unfortunately on account of the way that the question would have to be put—that the words proposed to be omitted stand part of the proposed amendment—the debate would have to take place on his proposal to insert the words "one acre," and if the proposal to omit the words "four acres" was lost on division, members who would prefer to move that the labour con-

ditions should be one man to two or to three acres would not have an opportunity of doing so. Under the circumstances he hoped that if suggestions of that kind were made the Minister would listen to them, and let the Committee know whether he was prepared to accept them. Any man who had lived for some time on a goldfield could devote some time to a description of the way in which labour conditions were evaded, and to the way in which exemptions were granted. He was not going into that further than to say that experience should make them extremely dubious about making the labour conditions any more liberal than they were at present. He moved the omission of the words "four acres" with a view of inserting "one acre."

The SECRETARY FOR MINES would give the Committee the information in detail of the number of men employed all over the colony on leases not upon gold. At the Coen there was 1 lease of 4 acres, and nobody was working there at all; at Clermont, 1 lease of 5 acres, nobody working; Cloncurry, 1 lease of 5 acres, 3 men working; Eidsvold, 9 leases, 101 acres, 70 men working; Herberton, 4 leases, 67 acres, nobody working; Gladstone, 2 leases, 20 acres, 1 man working; Gympie, 124 leases, 2,497 acres, and 522 men working, or 1 man to something over 4 acres; Mount Morgan, 6 leases, 70 acres, and 37 men working; Normanby, no leases; the Palmer, 10 leases, 68 acres, and 3 men working, or 1 man to over 22 acres; Starcke, no leases; Warwick, 1 lease of 25 acres, under exemption; Ravenswood, 25 leases, 230 acres, and 12 men working, or 1 man to 19 acres; Thornborough (Hodgkinson), 3 leases, 39 acres, and 23 men working; Charters Towers, 36 leases, 1,016 acres, and 112 men working; Croydon, 19 leases, 230 acres, 41 men working; Mackay, 2 leases, nobody working; and at Rockhampton, Tenningering, there were no leases. What he was proposing was to enact what was really the practice at the present time. In fact, he was really making the conditions a little harder than as they were at present enforced.

Mr. BROWNE: Yes; but exemptions will be granted again under this.

The SECRETARY FOR MINES: No, they would not be granted again in the same way. A great number of mines were working half-handed and third-handed, but they were being worked all the time. One mine where they had a lease of twenty-five acres might be worked with twenty-five men, because those who owned it might have the capital, while another might have only three men working. But if the warden was satisfied that the owners of the second lease were acting in a *bonâ fide* manner—doing their best to develop their property—he would invariably recommend exemption, or partial exemption. But every time they wanted exemption they had to go to the warden's office and pay £3 3s. every six months, and that was pretty hard. Under the new conditions proposed—one man to four acres—they would make an effort to keep the mine going under the conditions, and would not come for exemption at all. The *bonâ fide* mining speculator or investor wanted to work his lease if he possibly could, and there were plenty of men who when they could not work their leases any longer gave them up, and did not attempt to shepherd their mines. There was a class of men in every community who would take up a lease and try to go outside and float. Sometimes that was necessary, for people in the other colonies, as a rule, did not take up claims themselves, but took shares offering in companies; and though the company promoter had been held up to scorn in that House, he was often useful to the industry. Plenty of sharebrokers in

Brisbane, Sydney, and Charters Towers, who had floated mines had put a lot of their own money in mines.

An HONOURABLE MEMBER: They have taken a good deal out of them.

The SECRETARY FOR MINES: And they had lost a good deal, too. It wanted a very sharp mining broker at this end of the colony to compete with some of the gentlemen connected with mines in other parts of the colony. It was not only the miners, but all classes of people in the colony who had a little spare money put it into mines. They did not all get it back again, but it was a much more wholesome occupation than putting money on a horse, because it did some good by giving employment and helping to push on the colony. He would oppose this amendment, and if anybody proposed two or three acres he would oppose that as well. Four acres was the least he would accept.

Mr. DUNSFORD: The Minister's admission that even with the present condition of one man to the acre the average was one man to five acres showed that the administration was so lax that the labour conditions were not complied with at all. These conditions were placed in the regulations, not merely that men should be employed, but in order that *bonâ fide* work might be done which would lead to the increase of the general welfare and the building up of the mining industry. If the State was only dealing with men who would come along and do their best for themselves and at the same time for the State by improved prospecting work, it would be quite safe to say to them, "Go ahead and do the best you can," but they had to deal with company promoters; men who took up land without the slightest idea of working it, merely as a means of getting money out of the pockets of investors. Those people were making desperate efforts to secure large areas under such conditions that if they floated the mines they made their profits, and if they did not float they were not called upon to spend a penny. The demand for large areas and easy labour conditions did not come from the *bonâ fide* investor, because he knew he could only get profits out of a mining property by the active labour he put into it. That was not the case with the middleman—the man of whom he and other hon. members complained. The sacrifice was made, not in the interests of the State, or of the mining investor, but solely in the interests of the company promoter; and they were not justified in offering these easy labour conditions. Every acre of land parted with by the State carried with it the duty to put that land to the best possible use.

The SECRETARY FOR RAILWAYS: And to pay for it.

Mr. DUNSFORD: Of course that was a consideration that came in too. In the case of agricultural and pastoral land it should be cultivated and stocked; in the case of mineral land it should be worked. Once the State parted with land, especially in large areas, to individuals called promoters, who were able to lock it up without employing any labour upon it, the *bonâ fide* investor or working miner was prevented from doing anything with that land.

The SECRETARY FOR RAILWAYS: The State can never part with its land.

Mr. DUNSFORD: The State could part with land under such conditions that to all intents and purposes it might as well be shifted out of Queensland and sunk in the ocean for all the good it was to the community. That had been done in many cases, especially in freehold, and it was what some people wanted done in regard to mining land. Of course they could not shift it, but they could allow people to lock it up, allow it to lie idle, and prevent other people from using the land.

The SECRETARY FOR RAILWAYS: Somebody must own it. The people are the State.

Mr. DUNSFORD: The question before them now was that one man should be employed for every acre of land held, and he thought that was quite reasonable, because, under special circumstances, total or partial exemption could be obtained. The hon. member for Gympie said he was putting down a shaft upon which seventeen men were employed, and if it took that number to sink a shaft, it was no good talking about working a twenty-acre lease with five men. In his opinion, it would take at least twelve men to sink a shaft—three in each shift, and three on the surface; but even if the Secretary for Mines would not agree to one man to one acre he might agree to something else, say one man to two acres. It was not proposed to do away with the system of granting exemptions where special conditions prevailed, and it would be better to retain that than to make a hard-and-fast rule.

Mr. SMYTH: It was proposed by this amendment to go back to the principle of employing one man to every acre, which was objected to by every investor in Australia and in England. The hon. member said that exemptions might be easily obtained, but there was one word in the clause which was the sticking point—and that was the word "may." If the hon. member who had just spoken ever became Secretary for Mines, people who were not of the right "colour" would have no chance of getting exemption from labour conditions from him, and the ground would be forfeited. No doubt the system had been abused in the past, and they had heard some very indignant remarks from the hon. member for Wide Bay about an awful case that had occurred in Gympie, where the regulations were dodged for two years by the rascally shareholders.

Mr. JENKINSON: I never used such a word.

Mr. SMYTH: The hon. member insinuated it. He was chairman of the directors in the mine the hon. member referred to, and certainly they did dodge the regulations. They were in a fix through an English company having arranged to take over the property, and then failed to do it, and they had to get exemption. That was the shocking case referred to by the hon. member for Wide Bay. But he would take another case in which the regulations had been evaded. Lease No. 896, area ten acres, obtained six months' exemption on 14th February, 1896, and put on three men instead of ten. On the 12th September in the same year they applied for another—1073—twenty acres, which they obtained, and the next month they applied for exemption, which was granted, and they worked the mine with four men. On 30th April, 1897, they applied for another six months' exemption, which was cancelled in two months, and exemption granted for a further six months. They had about two years' exemption. On 9th February, 1898, they took up lease 1109, known as No. 1 North Oriental and Glanmire, twenty-five acres, obtained partial exemption to work with eight men on 12th April, and had had partial exemption ever since. The hon. member for Wide Bay acted as a sort of Pooch-bah, being manager, secretary, treasurer, collector, and holding various other offices. If any man in Gympie had evaded the regulations it was that hon. member, and not the member for Gympie. And yet the hon. member, who was the greatest sinner himself, complained about others breaking the regulations! His (Mr. Smyth's) company were pointed out as very bad examples by the good young man from Wide Bay, while he held himself up as an example for everyone to follow. All he could say was that the exemptions obtained by himself were

quite as legitimate and straightforward as those obtained by the hon. member and his friends. He believed in the proposal to allow one man to four acres, because it would avoid the necessity for obtaining exemptions. Practical miners desired to get their shaft down as quickly as possible, as it was economy to keep the shaft going all the time. Certainly if one man to four acres was allowed it would be better than in some of the other colonies, for in Western Australia it was proposed to allow one man to six acres. The regulations in reference to one man to one acre could not possibly be carried out, as he had shown that it was impossible to put more than four men in the bottom of an ordinary shaft. It was a mistake to suppose that the right of applying for exemption would serve the purpose as well as reduced labour conditions, for one reason, if for no other, and that was that exemptions were a great tax on the mining community, £3 3s. having to be paid on each occasion. The hon. member for Wide Bay evidently did believe in exemptions more than in sinking shafts, for in two years he had not been able to sink a shaft deep enough to bury a dog in. It reminded him of the days of the Lachlan and Lambing Flat, when they used to sink eighteen inches or two feet, sit on the edge of the hole, dangle their legs to the bottom while they played draughts. He thought he had said enough for the present, but he could cut and come again if necessary.

Mr. JENKINSON: With the Chairman's permission he intended to reply to some of the misrepresentations of the senior member for Gympie, and hoped he would be allowed the same license as that hon. member.

The CHAIRMAN: It will be quite time enough for the hon. member to say that when I call him to order.

Mr. JENKINSON believed the amendment was one that would commend itself to most mining members. Even if they omitted the word "four," they were not committed to the insertion of the word "one." With regard to the exemptions which had been referred to by the hon. member for Gympie, he would point out that many which were granted were not taken advantage of, and the hon. member being away in New Zealand at the time was not aware of the facts. The hon. member was really not the authority he professed to be; his mining knowledge was somewhat out of date. The No. 1 North Oriental and Glanmire was abandoned ground. Nine acres had been worked and thrown up, and when reapplied for was virtually abandoned ground. The shaft to which the hon. member alluded was somewhat deeper than the Committee had been led to believe, as he could easily prove if the hon. member would allow him to take him by the scruff of the neck and drop him down. He would guarantee that after that experience he would not again mislead the Committee by saying it was only eighteen inches deep. They sank two shafts on this particular lease, the first not having suited his idea as to where it should be. The second shaft was sunk fully eighty feet. Had he not taken up that ground the probability was that it would be lying vacant, and the land taken up all round it would also be idle ground. The people of Gympie knew that, and they were quite willing to give his colleagues and himself credit for the prospecting they had done. They did not take advantage of the total exemption granted by the warden. On the very day that was granted they were fortunate enough to strike the reef, and in a few weeks they had more than the number of men employed that they were entitled to. They had already started to sink a three-chambered shaft, had purchased one of the finest plants on

Gympie, and their last pay-sheet contained the names of thirty-five men to whom they were paying wages. The clause submitted by the Minister did not do away with exemptions, in spite of the opinion of his Under Secretary that if the increased acreage or reduced labour conditions were granted, both partial and total exemption should be done away with. Personally, he thought that less than one man to four acres would be sufficient to suit the foreign capitalist or the speculator who desired to take up fifty acres, and believing that no hardship would be done by reducing that, especially if the exemption provisions were allowed to remain, he should vote for the amendment proposed by the hon. member for Croydon.

Mr. DAWSON: He would point out that neither the Minister, in moving his new clause, nor the hon. member for Gympie, who supported him, had given one single reason why the labour conditions should be reduced from one man to one acre to one man to four acres. When they were amending a law that had been in operation for so many years the very least they might expect was that one or two good reasons should be shown why the alteration was necessary. If it had not been a strictly party question the common sense of hon. members would compel the Minister and those who supported him to give those reasons. It was a most unfortunate thing that at that time of the year they were dealing with the most important industry in the colony next to the pastoral industry on strictly party lines right through the Bill. If it were not for that unfortunate circumstance, the common sense of hon. members would force the Minister to give his reasons for altering the law, which had caused no hardship for over thirty years. He challenged the hon. member for Gympie, who was the oldest mining member of the Committee, with the exception of the hon. member for Croydon, to bring forward a single case of hardship that had occurred in the administration of the present law. If hon. members supporting the Government proposal could not adduce a single case of hardship, what was the reason for the change?

The SECRETARY FOR PUBLIC INSTRUCTION: They did not carry out the law.

Mr. DAWSON: The law had been carried out.

The SECRETARY FOR PUBLIC INSTRUCTION: They suspended the law.

Mr. DAWSON: The hon. gentleman was confusing exemptions with suspensions. There was a wide difference between the two. It was not a suspension of the law. If a man took up a twenty-five-acre lease, he was obliged to employ twenty-five men, but he might find that on a twenty-five-acre lease he could not employ more than eight men in sinking his shaft, and he would apply to the warden for a partial exemption. There had not been a single case of refusal.

The SECRETARY FOR PUBLIC INSTRUCTION: He gets entire exemption sometimes.

Mr. DAWSON: He was entitled to entire exemption when he had fulfilled certain conditions. If there had been no case of hardship, what necessity was there for altering the law? He supposed the hon. member for Gympie knew more about the actual working of a warden's court, and had forgotten more in five minutes than the Secretary for Public Instruction had ever known about the subject, and he challenged the hon. member to mention a single case of hardship.

The SECRETARY FOR PUBLIC INSTRUCTION: You can stonewall the measure yourself.

Mr. DAWSON: On the other hand the law, which if strictly carried out was fair and just,

had been administered in such a way that it had not been fair and just. Exemptions had been far too liberal altogether.

Mr. McMASTER: We want to legalise that.

Mr. DAWSON: What hon. members on the other side were asking for was to increase the powers of those who had already abused the powers they now possessed. At present the Minister had power to release a lessee from the strict fulfilment of the condition of employing one man to the acre. Ministers in the past had abused that power, and if they enlarged their powers to one man to four acres, the powers of abuse would be increased four times. The hon. member for Gympie, in his simplicity and innocence, had confessed that notwithstanding the fact that the law required that he should man his ground with one man to the acre, he had dodged the regulation, and evaded everything. If he could do that with a regulation requiring one man to be employed to every acre, what kind of a caper would he cut when he was only required to employ one man to every four acres? It would mean that they would employ only one man to every twenty acres, and such a system would not tend to make the goldfields of the colony prosperous. He would be ashamed, as a justice of the peace and a legislator, to say that he had broken the law for the sake of getting the "beans" into his own pocket. He believed that the hon. member for Gympie did a little mining at one time, and that about ten years ago he might properly be classed as a miner, but he agreed with the hon. member for Wide Bay that the hon. member was not up to date in his mining knowledge. The most successful mining the hon. member had ever done, of late years at any rate, was mining three feet above ground, and that was the only mining he would attempt in the future. As a matter of fact, the hon. member for Gympie had carried a high hand as an authority on mining in that Chamber for years, and had come to the conclusion that only himself and the hon. member for Croydon knew anything about mining. The hon. member even despised his own colleague, and had the audacity to say that the hon. member for Wide Bay knew nothing about the subject. He (Mr. Dawson) had forgotten more mining than the hon. member knew, and taking it as a science from A to Z he would lose the hon. member before he got to K. In order to get some idea of the dangerous character of the proposal of the Minister, hon. members had only to consider what transpired under the present law. The Minister had admitted that even under the present law there was one mine on Charters Towers which had been exempt for six years. No one was demanding that the shareholders in that mine should forfeit their lease, for the exemption was thoroughly deserved, and he merely referred to the matter to show that the present law was so liberal, and was administered in such a fair and just way, that when men deserved exemption they got it, and that there was therefore no necessity to change the labour conditions. He should mention another case. When the Mines Commission was at a place called Finnigan's, there was one mine there named the Queenslander. It was a payable mine; they were working a well-defined reef, getting about 3 oz. to the ton, paying a small dividend over working expenses, and supporting five public-houses. Another company came along and took up No. 1 on that payable line of reef, and the administration of the Mines Department was so liberal that they were not obliged to employ a single man or put a pick in the ground for two years. At the time the Commission were there the fourth exemption of six months was up, and, so far as he knew, from that day to the present the department had not obliged the owners to put a single pick in the

ground, so that they would now have had exemption for three years. If that was done as the law at present stood, what might they expect when they enlarged the power of the Minister four times?

Mr. McMASTER: Then why do you praise the Minister?

Mr. DAWSON: He praised the Minister because he was deserving of praise—because up to date he had acted as an honest man should act in the administration of his department. On whatever side of the House mining members sat they had only one word for the present Secretary for Mines, and that was that he was a good and capable man, who tried to do his level best, as an honest man should. The reason why they objected to giving the Minister power was quite another thing, because they had no guarantee that the one Minister with the one temperament and the one desire to be honest should always occupy the office. The Minister might be thrown out to-morrow, or he might get a dose of Valley spuds and die, but the mining law would go on; and they had to be careful to so frame the law that whatever desire a Minister might have to maladminister it he should not have too much power to enable him to do so. If they could always depend upon having good, honest, and capable administrators they would not require much law at all. The first person who would deal with that matter was the warden, and though his decision might be overridden by the Minister, he objected to give any man born four times as much power as the Secretary for Mines had under the present law. The hon. member for Gympie had been eloquent on that subject the other night when he referred to the Secretary for Mines—and he hoped the industry and the colony would never be afflicted with such a Minister again—who had gone round to the mineowners to show them how the law might be evaded, and had then backed up the lawbreakers as head of the Mines Department. What would not a man like that be able to do under the present proposal? The Minister in proposing that extraordinary liberal provision had not even said that he would by way of regulation provide that there should not be exemption or partial exemption granted for a certain period, and mining members would not be true to the interests of the great industry they had the honour to represent in that House if they did not protect and safeguard it as far as possible, regardless of the consequences to the party which they might happen to follow for the time.

Mr. GLASSEY asked whether in the event of the clause as proposed becoming law, mineowners at present obliged to employ a certain number of men would be at liberty to dispense with three out of every four men they were at present obliged to employ?

An HONOURABLE MEMBER: They have the right now.

Mr. GLASSEY: They had if they could show sufficient justification for exemption.

Mr. LEAHY: Do you want to know how many they will have to keep on in case of a strike?

Mr. GLASSEY: He was asking a question to get authoritative information from the hon. gentleman in charge of the Bill. He had listened carefully to the debate, and so far they had had nothing from the other side but a list from the Secretary for Mines of a number of leases and the number of men employed upon them. He was not anxious to see a number of men thrown on the labour market upon plausible pleas which upon proper investigation would break down.

The SECRETARY FOR MINES: There were two classes of mines in the colony—mines getting gold and mines prospecting for gold. In the case of mines winning gold there was no need

to limit the number of men employed at all, because in almost every case they employed a great many more men than the present law required—that was, many more than one man to the acre. In the case of mines where they were looking for gold exemptions were sometimes granted while they were making calls.

Mr. McDONALD: What about those that are shepherding?

The SECRETARY FOR MINES: A few were shepherding too.

Mr. McDONALD: That is the danger.

The SECRETARY FOR MINES: It was a danger, but the danger would be less if this clause passed. Why should they penalise a man—compel him to employ one man to one acre—if he could not profitably do so while prospecting for gold? He had already shown that with the present partial exemption there was an average of one man to five acres employed in mines not on gold; and he asked the Committee to say that one man to four acres should be employed? In Western Australia it was only necessary for the first twelve months to employ two men on a lease, no matter what was the area, and after that one man to six acres. When people who did not know the law and the practice here were asked to invest in Queensland mines, they said it was not good enough with one man to the acre whether the mine was on gold or not. He would be satisfied to invest money under present conditions, but there were plenty of people who would not. He was anxious to see more work done than at present, and he did not think there would be less employment on a single mine in the colony to-morrow if this provision became law. The men now prospecting would go on prospecting with the number of men they could afford to keep, and those who were on gold would put on as many men as they could to win the gold. When the clause was framed twenty-five years ago leases were a new thing, and the same outcry was then raised against leases as was now raised against the extension. But the system of leases had been the means of developing the mining industry in the colony, because under the system of claims it would have been impossible to have sunk deep shafts. In the case of all the deep shafts on Charters Towers they had more than twenty-five acres, having been able to get freeholds, and if they had not done so he did not think they would have been induced to spend the money necessary to sink deep shafts. The hon. member for Charters Towers said he was asking for four times the power he had now, but the fact was that he did not ask for any more power than he had at present. Everyone knew that exemption was necessary at times.

Mr. HARDAIRE: But this will enable people to get it when it is not necessary.

The SECRETARY FOR MINES: The invariable rule was that a man must first give notice, so that everybody would know the application would be made; and then, if there was good reason given before the warden why exemption should not be granted, the warden would refuse to recommend it. He admitted that there had been abuses, but not to the extent—

Mr. McDONALD: A good many on the Towers. In some cases a pick was never put into the ground for years.

The SECRETARY FOR MINES: He knew of only one case, and that was the one mentioned by the hon. member for Charters Towers himself. They must recollect that they wanted to attract capital owned by people who did not care where they sent their money, and if the conditions were not sufficiently liberal here, they would go to Western Australia—where

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they only required one man to six acres—or elsewhere. There were only 6,000 acres under mining lease in the whole of Queensland. He would like to see 160,000 acres under mining lease, and if this Bill were passed, more land would be taken up and more miners employed. It should be the business of every hon. member to try and see that more miners were employed. In every town in the colony young people were growing up, and when—in a few years—the cyanide treatment of the present stock of tailings was done, there would be a lot of men thrown out of employment; therefore they ought to do all they could to make provision for those young men obtaining employment. It was mainly to open up the abandoned fields of the colony that he had brought in this Bill—to increase the area and reduce the labour conditions, so that more employment would be given to miners. The power asked for would not be abused by any Minister who had any regard for the mining industry.

Mr. DAWSON was glad the Secretary for Mines had made the statement he had, but what he wanted was that the hon. gentleman would tell him what was his reason for wanting to alter the present law. He had never referred to that matter at all.

Mr. LEAHY: What is your objection to one man to four acres?

Mr. DAWSON: There was a certain law in existence, and it was the duty of those who wished to alter it to tell them the reason. He challenged any hon. member to show that there had ever been a single case of hardship under it. The Secretary for Mines had pointed out that if a lessee were on gold he would employ a larger number of men, and therefore the restriction would be unnecessary, but that was not always the case, although it might be sometimes. He might cite the case of the Lucknow mine in New South Wales. That mine was paying dividends, but the owners came to the conclusion that the best thing they could do was to reduce wages by 10 per cent. The men objected, but the owners closed down the mine, and the men had to submit. Such a reduction could not have been enforced if they had had less liberal labour conditions, but as it was, although the men had the sympathy of the Secretary for Mines there, the company was able to defeat the Mines Department and the men—simply because the labour conditions were so liberal. The best guarantee they could give to men who wished to invest in mines here, was to give them good land, and prevent them from being misled by those who wished to sell mines. That would create more confidence than giving large areas and easy labour conditions. All they wanted was to be treated fairly, for although they might create a temporary boom by giving large areas, and abolishing labour conditions, the colony would soon be in a worse state than at first. The best way to encourage the foreign speculator was to prevent him from being misled. The Secretary for Mines had no justification to quote the other colonies against Queensland unless he was able to show that in consequence of the larger areas there and the more liberal conditions goldmining was more prosperous than in Queensland, where there were more restrictions. If he could show that in Western Australia, with one man to six acres, goldmining was more prosperous than here, he would be justified in quoting that colony; but if not he had no justification whatever. He thought it a very bad thing for the miners in Western Australia that they were not compelled to employ a man for every acre: and he might point out that Mr. Vosper, the coming leader of the Opposition there, and an old Charters Towers man, was in favour of coming back to the Queensland regulations. He had started a crusade on

the question, and had swept the board completely. The hon. gentleman might have told them whether he intended, in the event of carrying his proposal, to introduce any regulations applying to labour conditions. He had already agreed to attach conditions to fifty-acre leases, but he did not indicate that he would not apply one man to four acres all over the colony.

The SECRETARY FOR MINES: It is much more difficult to make regulations applying to this case than to leases.

Mr. DAWSON: It might be, but he hoped the hon. gentleman did not consider it impossible.

The SECRETARY FOR MINES: This will apply in all cases. We cannot have two laws. I promise you I will make the regulations very much stiffer.

Mr. DAWSON: The present law of exemption was a very good one. A tenant was obliged to fulfil certain conditions, but it might be impossible for him to do so. He then made application for exemption to the warden, who judged according to the surrounding circumstances. That was a safeguard, and what was the reason for the proposed alteration in the law?

The SECRETARY FOR MINES: Because the same conditions exist in all the other colonies. In Western Australia, where the conditions are much more liberal, they are winning much more gold than we are.

Mr. DAWSON: Could the hon. gentleman show that goldminers were more prosperous in the other colonies than in Queensland? He ventured to say that the goldminers in Queensland were a much more prosperous class than in any of the other colonies. He thought the hon. gentleman ought to pause and consider his proposal carefully before pressing the question to a division.

Mr. STUMM: It was very difficult to say anything fresh on this question. The case had been very strongly put by the Minister, and had been replied to by a lot of special pleading on the other side. The senior member for Charters Towers—one of the most forcible speakers in the House, who generally used fewer words to express his ideas than most members—had had to speak twice at length on this question, and they could see the time he had taken. This alteration in the law was necessary for two reasons. It was necessary to bring Queensland into line with the other colonies; and it was necessary because practical experience had shown that the present law could not be observed. The member for Charters Towers asked to have a single case of hardship pointed out. Why was there no hardship? Simply because the law was systematically ignored. It could not be observed with the condition of one man to one acre. If it were enforced it would lead to a considerable number of miners being immediately thrown out of employment. They had 6,000 acres of land under mining lease, and two-thirds of it was actually under partial or total exemption. If the present law was attempted to be carried out, the mining industry would be seriously damaged. Then, the granting of exemptions was a special tax on the mine-owner.

Mr. DAWSON: You can do away with the fee.

Mr. STUMM: But the hon. member did not advocate that.

Mr. DAWSON: I have been advocating it all along.

Mr. STUMM: To show how the present labour conditions told against mining, he would quote from two witnesses examined by the Mining Commission, who had been frequently

mentioned during the discussion. Mr. Frank Power, a witness entitled to every credence, said—

I think the labour conditions ought to be reduced, because a man to every acre is simply outrageous. I had a letter from England not long ago, at the time I was endeavouring to get a company together to prospect the Two-mile, and the objection was that twenty-five acres was too little, and that they could not possibly employ twenty-five men. The result was that the whole thing fell through.

Then they had the Gympie Mining Managers' Association, who said—

An alteration in the present regulation regarding labour conditions is desirable while sinking the main shaft and other prospecting work is in progress, and before gold is obtained. A fair representation in such case would be one man for every four acres, such representation to continue until payable gold is struck.

Experience had shown, on every goldfield in the colony, that when payable gold was struck there was no necessity to provide that men should be employed. The practice was to put on as many men as possible. Experience had also shown that the existing law could not be carried out.

Mr. DAWSON: Can you show a case where the law has been evaded?

Mr. STUMM: When out of 6,000 acres, 4,000 acres were under total or partial exemption, no other conclusion could be come to. Exemptions, as he had said, operated as a tax on the industry, and the labour conditions were preventing, not only British capital, but local capital from being invested in our mines. Surely those were strong enough reasons for the alteration!

Mr. HARDACRE: The Minister said there were two classes of mines in the colony—those that were winning gold and those that were not. With regard to those that were winning gold, the provision would be inoperative, because they would employ the full number of men whether it was provided in the regulations or not. With regard to the other class of mines, they could get exemption when it was necessary. What was proposed now was to give exemption legally whether it was necessary or not. But surely, if on showing substantial reason for exemption, they could get a reduction in the number of men employed, there was no necessity for altering the labour conditions! The complaint was that there were too many exemptions now, yet it was proposed to give exemptions wholesale by reducing the labour conditions to one man to four acres. The law was systematically evaded, it was said; and they were going to legalise that systematic evasion. In his opinion there were three classes of mines—those that were winning gold, those that were in progress of development, and those that were being shepherded. It was the last-named that would be most benefited by the proposition. The hon. member for Gympie quoted from the evidence of Mr. Power, to the effect that in the opinion of speculators an area of twenty-five acres was ridiculously small, and the labour conditions too great. That was a very significant statement. This clause was simply the complement of the fifty-acre provision. It was only possible to work the larger areas by relaxing the labour conditions. He had heard no substantial reasons for lightening the labour conditions.

Mr. HAMILTON: Mining investors wanted security of tenure. If they had greater security, a larger amount of money would be invested in Queensland mines. Their claims were liable to be forfeited at the sweet will of the Minister, and they considered that if they invested a certain sum of money in their claims, and thus showed their *bona fides*, that should entitle them to hold their claims. According to the clause as proposed, seven men would have to be employed on a twenty-five-acre lease, which meant an



annual expenditure of over £700 in wages. Persons taking up leases did not know that some faddist might not become Minister, who would object to exemptions, and they therefore wanted secure legal tenure of valuable leases. If they stuck to the antiquated provision of one man to the acre, that alone would debar capitalists from investing in our mines. It would mean on a twenty-five-acre lease the engagement of twenty-five men, which would be far more men than could be profitably employed in sinking a shaft. In one of the other colonies the rule was one man to six acres, in another one man to three acres, and in others one man to two acres. In Tasmania he thought they required an expenditure of £3 an acre per year on a claim.

Mr. JENKINSON: What about the exemption clauses?

Mr. HAMILTON: Exemptions were unlimited.

Mr. JENKINSON: Is that what you want?

Mr. HAMILTON: The hon. member must not try to put words into his mouth. He had already expressed his views with regard to exemptions. Surely the hon. member had sufficient comprehension to understand that it was possible for a Minister to come into power who would refuse to grant exemptions, and capitalists did not want to hold their tenure at the sweet will of the Minister. They wanted it laid down in the Bill that the expenditure of a certain sum of money on their leases secured their title.

Mr. JACKSON intended to support the amendment of the hon. member for Croydon. The hon. member for Cook had mixed up the question of security of tenure with the labour conditions. No hon. member on that side would contend that on a twenty-five-acre lease one man to the acre should be employed all the time, but they provided for that in the exemption clauses.

Mr. HAMILTON: That is at the sweet will of the Minister.

Mr. JACKSON: It was at the sweet will of the Minister, but exemptions were always granted. None of the witnesses examined before the Mining Commission asked for any such clause as the Minister proposed. All that they asked for was easier labour conditions when development work was being done; and if the Minister proposed that where development work was being done only one man to four acres should be employed, there would not be the least opposition to it. There had been three reasons given in support of the clause. In the first place, the Minister had argued that exemptions would not be needed; but he was sure that the hon. gentleman was not prepared to do away with exemptions. They would go on just as usual. Then they were told that easier labour conditions prevailed in Western Australia, as if there was much in that argument. It did not matter what labour conditions they put in an Act of Parliament. If there was very little gold in the country, it would not affect the output. They had easier labour conditions in New South Wales, but goldmining did not go ahead in that colony. He was not going to argue that goldmining leases did not affect the mining industry to a certain extent, but they had not the influence which some hon. members opposite seemed to think. Then the junior member for Gympie argued that the law was not being carried out. There was not much in that. The law was being carried out by means of the exemption clauses. The question of the extension of leases was an important question, but the one at present under discussion was quite as important. In fact, if there was one main principle running right through our mining laws it was that ground should be properly manned. The principle ran through all the regu-

lations, as, for instance, in regulations 3, 10, 37 and 56. If miners holding claims were subject to such hard conditions with regard to the employment of labour, hon. members had a right to insist that leaseholders—who had many advantages not enjoyed by miners—should also be subject to those conditions. Although the hon. member for Charters Towers had made very good points this evening in fighting against the clause, yet he put the case much more strongly in some respects in his rider to the report of the commission.

At twenty-six minutes to 10 o'clock,

Mr. DUNSFORD called attention to the state of the Committee.

Quorum formed.

Mr. JACKSON: In his rider the hon. member for Charters Towers said—

The real tangible complaint is that what mineowners get now as a favour they should have as a right—i.e., exemption from strict labour conditions until all preliminary work such as sinking the shaft, erecting machinery, etc., has been completed, and then, after that, the full labour conditions to apply. With that I agree. Although no hardship has been experienced in the past, it is advisable to give mineowners a knowledge of their rights and a feeling of security.

He endorsed that opinion entirely. The hon. member further said—

Except in one or two instances, witnesses did not, even in their wildest flights, suggest that the Minister should have power under all circumstances to allow a mine to be worked with one man to five acres. One man to two and one man to four acres while sinking, and one man to one and one man to two acres after the shaft is bottomed, has been suggested, and is the general opinion in mining centres. The Commission's recommendation is entirely at variance with the evidence, and I offer strong objection to it.

He believed that any impartial man going through the evidence would endorse the statement that the recommendation of the commission was entirely at variance with the evidence. He would suggest as a fair compromise to make it one man for every two acres, but the Minister had stated that he was not prepared to agree to any compromise. So far members on that side had got no compromise on any vital question. Some small concessions had certainly been made to them, as, for instance, the reduction in the charge for a miner's right, which the Government could very well afford to make, but on questions of principle they had had scarcely any real concession. However, he did not wish to discuss the matter any further.

Mr. FRASER: Hear, hear!

Mr. BROWNE: The hon. member for North Brisbane wants you to go on.

Mr. JACKSON had no desire to go on, but if hon. members opposite wanted an all night sitting he dared say there were members on his side who could carry on the discussion.

Mr. LEAHY: We won't funk at 7 o'clock in the morning if you do.

Mr. JACKSON: The hon. member might say that, but this morning was the third time they had funk'd, and they would do it again. However, he did not wish to pursue that subject. It had been argued that if they adopted easier labour conditions that would be a sort of advertisement for speculators outside the colony to spend their money in the country. But there was not much in that argument. People in the old country who were inclined to speculate in mining might conclude that Queensland claims must be very much richer than those in the other colonies if they would not grant larger areas, and insisted on one man being employed to every acre.

Mr. FRASER: Are you stonewalling?

Mr. JACKSON had never stonewalled in his life, and did not intend to stonewall. He had finished what he had to say, and was quite prepared to go to a division on the question. At



the same time he hoped the Government would consider his suggestion to accept an amendment making it one man for every two acres.

Mr. HAMILTON: The proposal made by hon. members opposite, if carried, would be one of the most calamitous things which could happen to the miners of Queensland. Hon. members must see that it was an absurdity to force men to employ more labour on a lease than could be profitably employed, and upon first taking it up it was utterly impossible to employ twenty-five men with advantage on a twenty-five-acre lease.

Mr. McDONALD: Do they ever have to do it?

Mr. HAMILTON: It was not a question of their ever having to do it. What they wanted was the right to say that if they employed a certain number of men that would give them their title secure to their lease. To show how injuriously the present condition of one man to each acre worked, he had only to quote one case referred to by Mr. Corrie, president of the Brisbane Chamber of Commerce. That gentleman said—

One large company which I had in hand in 1896 meant the expenditure of a little over a third of a million of money in Queensland, and practically the whole of that would have been for labour and machinery. Well, that undertaking was absolutely blocked as soon as the people ascertained the labour conditions of the colony.

Mr. STEWART: The innovation now proposed was so important that it should be fully discussed. It should be remembered that the condition of one man to four acres as proposed would apply to mines on gold as well as to mines not on gold. The senior member for Charters Towers had challenged hon. members opposite to point to a single case of hardship occurring under the existing law. The only hardship suggested was a fee of £3 3s. required with each application for exemption, and members on his side were prepared to have that fee abolished. The danger of the proposal was its application to mines on gold, and which under the law as it stood were required to employ one man to each acre. Hon. members opposite contended that it was to the interest of companies on gold to put every man they could into their mines. But it might be to their interest, or to the interest of a "ring," or to a mineowners' association desiring to reduce miners' wages, to withdraw every man from their mines, and the present proposal would enable them to work their mines with one man to four acres. They knew what the inevitable result of that would be—that the men would be compelled to submit. Another aspect of the question was that a certain amount of revenue was required to carry on the business of the country, and a large proportion of it was derived through the Customs, and a considerable proportion of the Customs revenue had its source on the goldfields of the colony. If by the union of a number of companies the wages of the miners were reduced, the result would be a large fall in the revenue of the colony, because the miners would be unable to purchase dutiable articles to anything like the same extent. It had been said that this demand for easier labour conditions was made in the interests of foreign syndicates, and he could very well believe it. The progress of Queensland for the past thirty years had been phenomenal, yet hon. gentlemen had the assurance to say that the mining industry was languishing for want of foreign capital. Judging by the experience of the past, he said that the less foreign capital was introduced into the colony the better. He did not advocate the indiscriminate introduction of foreign capital; he wanted to see our home capital and our home labour employed in the development of the mining industry. The indiscriminate introduction of foreign capital meant that Queensland

would become more and more an absentee-ridden colony. He admitted that the mineral wealth of the colony was vast, but we were being bled year after year at every pore. Our exports last year were £9,000,000 and our imports about £5,000,000, showing that we were being drained to the extent of between £2,000,000 and £3,000,000 by absentees over and above the legitimate amount which should be paid upon their investments in the colony. He thought there was any amount of capital to develop our resources in a natural way without the boom and burst which was so common in the colonies.

The CHAIRMAN: I must draw the hon. gentleman's attention to the question before the Committee—namely, the omission of the word "four," with the view of inserting the word "one."

Mr. STEWART: He was attempting to give reasons why one man to an acre should be maintained. They had been told that in Western Australia the condition was one man to six acres, but did anyone believe that the great inflow of capital to Western Australia during the last few years had been caused by the fact that the labour conditions there only required one man to six acres? They knew that Western Australia had become the investing rage, that people were under the delusion that immense fortunes were to be made in a few days, and capitalists went tumbling over one another in the race to put more capital there. Now the reaction had set in, and though Western Australia was producing more gold than this colony, the condition of the people living there was worse to-day than it was before the gold boom set in. We had experts—geologists and others—who made examinations under Government authority, and published pamphlets stating what an immense amount of possible wealth we had in our gold deposits. If those deposits were as wealthy as our experts said, that was one of the best reasons why the labour conditions should be moderately strict. Increasing the area and relaxing the labour conditions simply meant rushing into the arms of people who wanted to come here exploiting us. If Queensland became the investing rage there would be a great flow of capital to the colony, but his experience of booms had been that they did a great deal more harm than good. That had been the case with the Mount Morgan boom and the Taranganba swindle, which ruined a great many people. Those were only a couple of examples of what had been too common all over the colony. As the Secretary for Mines said, there was hardly any man in the colony who had not spent a few pounds on mining, but this demand did not come from them. It came from the stock-brokers of Brisbane, Gympie, and Charters Towers—men whose only interest in the industry was to get out prospectuses, float companies, and pocket huge commissions. They were the men who were pulling the ear of the Government, and demanding concessions for the foreign speculators. There was not a single tittle of evidence to show that there was a demand amongst the English investors for this concession, although one hon. member said that a Brisbane broker, Mr. Corrie, mentioned some English company that was prepared to spend a considerable sum of money here if the labour conditions were made lighter. They had been told those fairy tales before, and now they wanted evidence, but that evidence was not forthcoming. Mr. Corrie cared nothing about the ultimate fate of the miners so long as he could make money for himself. Their first duty was to their own people, and if they came to the conclusion that the people would benefit by making these labour conditions lighter, then let them do so. But not a tittle of evidence had

been brought forward to show that a single case of hardship had occurred under the present law; and if there were no hardship, why alter the law? The only conclusion that he could come to was that the law was sought to be altered in the interests of companies which were paying dividends. The impulse which was at the back of the movement was that such companies might be able to get the working men more securely under their thumbs than they were, and he might cite the case of the Lucknow mine in New South Wales, instanced by the hon. member for Charters Towers. They wanted men here who felt that they were men, and felt the responsibility of their manhood, and not poor, miserable, wretched, crawling creatures who must bend and bow at the nod of the capitalist. It was a sad and humiliating spectacle to see men charged with the administration of the affairs of the colony, and who were the trustees of the people, actually acting as agents for those who desired to exploit the residents of the colony, and he trusted that this alteration of the law would not be permitted to pass.

Mr. BROWNE: He had listened with a great deal of attention to what had been said, more especially by hon. members opposite, hoping to have heard some more valid reasons than those which had been given for making this drastic change in the law. Sundry reasons had been given, and the hon. member who tried to take the place of the Minister when that gentleman was absent from the Chamber summed the matter up in his usual gentlemanly way by saying that no one who had any common sense would propose one man to each acre of ground; that it was an absurdity, and so on. He did not profess to have any common sense. The hon. member for Cook had a monopoly of that, and at the same time he knocked about with more absurdities than he did, and therefore was a better authority on them. The hon. member had quoted two or three phrases from the gospel according to Corrie. So far as he and the mining community were concerned, there was no evidence given before the commission which carried so little weight as that of Mr. Corrie, and none which was looked upon with more suspicion. It seemed to him that Mr. Corrie had had a large finger in the pie when the Bill was being drafted. The argument that more gold was got in Western Australia was absurd, because New South Wales had more liberal labour conditions, and produced least gold of any of the colonies. The Minister alluded to the fact that on twenty-five-acre leases twenty-five men had at present to be employed. He had been amused at a somewhat similar statement made by gentlemen at a meeting of the Brisbane Chamber of Commerce some months ago, because they knew well that only half the number of men were insisted on until the lease was issued, and that did not take place sometimes for two years. Then, again, it was pointed out that a case had never been known where partial exemption had been asked for and refused. He wished in that connection to draw the attention of the Minister to the fact that they had enlarged the areas and proposed to reduce the labour conditions on leases, but nothing had been said about claims. If the wealthy capitalist was coming here to be more liberally treated than he had been before, then more liberal conditions would have to be given to the ordinary miner and the small company men. The question of exemptions was a very large one, and had been alluded to year after year. Now that it was proposed to employ only one-fourth the number of men it was incumbent upon Parliament to restrict the power of the Minister to grant exemptions. He would not dwell upon that longer, but he could not help saying that

he honestly believed the proposal before the Committee would do a lot of harm. He was sorry for the way it had been introduced and the way in which the Minister had taken it up. There might be men who thought that one man to one acre was too severe. He would have had no objection to that being altered, and there were other men who might have been inclined to vote for one man to two or three acres; but by the way in which the matter had been dealt with there was no opportunity of doing that. Of course the majority would vote for the words proposed by the Minister, and he could only enter his strongest protest against what was being done. He believed it was against the wishes of the people of the country. He was certain it was against the weight of evidence given before the Royal Commission on mining, and there must be some influence behind which members did not see.

Mr. McMASTER: More imputing of evil motives.

Mr. BROWNE: He had imputed no motives, but he pointed out that on two occasions the Under Secretary had been sent to inquire into the condition of the mining industry, and he had not reported in favour of the proposals of the Government. Further, no evidence was to be found in the Mining Commission's report which would justify what the Government had proposed to Parliament. He was, therefore, justified in saying that some other influence must have been at work. He had never said one word against the Minister, directly or indirectly, or imputed motives to him. As regarded the hon. gentleman's integrity, he had never breathed a word against it. But certainly the clause was not borne out by the evidence taken by the Royal Commission nor warranted by the opinions of the chief officers in the Minister's department.

Question—That the word proposed to be omitted stand part of the proposed amendment—put; and the Committee divided:—

#### AYES, 31.

Messrs. Dickson, Dalrymple, Philp, Chataway, Murray, Foxton, Macdonald-Paterson, Grimes, Thomas, Leahy, Stephenson, McMaster, Lissner, Collins, Bell, Finney, Morgan, Castling, Corfield, Bartholomew, Newell, Lord, Armstrong, Stumm, Smyth, Bridges, Fraser, McGahan, Hamilton, O'Connell, and Tooth.

#### NOES, 20.

Messrs. Glassey, Keogh, Dunsford, McDonald, Kerr, King, Sim, Turley, Boles, Jaughan, Jenkinson, Dibley, Jackson, Browne, Daniels, Kidston, Hardacre, Stewart, McDonnell, and Dawson.

#### PAIRS.

Ayes—Messrs. Smith, Moore, Callan, G. Thorn, and Stodart.

Noes—Messrs. Fogarty, Fitzgerald, Drake, Curtis, and Cross.

Resolved in the affirmative.

Question—That the new subsection be inserted—put and passed.

Mr. JACKSON wished to call attention to paragraph 3 of the clause which provided that every goldmining lease should contain—

A covenant not to assign, underlet, or part with the possession of the land demised, or any part thereof, without the previous consent in writing of the Minister.

He wished the Minister to explain why he had inserted such a hard-and-fast condition. Did he think that speculators in the old country would be satisfied with such a provision?

The SECRETARY FOR MINES: The provision originated from a conversation he had with the hon. member for Kennedy about some lease on that field. He was asked not to

allow the lease to be transferred until his assent was obtained, but he had no power to do that under the old Act. It was really for the protection of miners' wages.

Mr. JACKSON: Will it not prevent them letting on tribute?

The SECRETARY FOR MINES: I do not think so.

Mr. JACKSON was very glad to hear that explanation. It was necessary to have that right in cases where wages were owing. He was not going to object to the provision, although he had wanted the explanation of the Minister. At the same time speculators might object to it as too stiff. It would be difficult in some cases to get the consent of the Minister in writing, and it might cause a considerable amount of delay before lessees could let a mine on tribute.

The SECRETARY FOR MINES thought there would be no difficulty. The provision was proposed in the interests of the miners. It did not help the speculator a bit.

Mr. HAMILTON thought it would be better if the provision were omitted, as it would tend to reduce the value of a property.

Mr. DAWSON: The provision ought to be a little more definite as to what was meant by the term "underlet." It very often happened that a company could not make the ground pay itself, and let a portion of it on tribute, but the tributers had no legal title. He remembered a case a little over twelve months ago on Charters Towers, where a party of miners took a tribute on one of the lines of reef on the Queen. They signed a contract for three years, and agreed to pay the company 10 per cent. on whatever gold they won, and also to sink fifty feet a month on the company's ground in order to prove it. They discovered a reef carrying very good gold, and immediately they had found the gold, a bank, which had a claim on the property, repudiated the contract, and the tributers—having no case at law—lost their ground.

The SECRETARY FOR MINES: They will have a legal right now.

Mr. DAWSON: No. What they wanted was to give tributers a right against even the company itself, so long as they fulfilled the conditions of the contract; but the hon. gentleman proposed that there should be no subletting at all.

The SECRETARY FOR MINES: It was quite the other way. If they let on tribute with the consent of the Minister, he was in some measure bound to protect the tributers. Previously they had no protection. He moved the insertion, after the word "penalty" in the last paragraph, of the words "one hundred pounds."

Amendment agreed to.

Mr. DUNSFORD wished to point out that the last subsection seemed to conflict with a subsection of clause 41, but probably it would be better to raise the question when they came to clause 41.

Clause, as amended, put and passed.

The House resumed; the CHAIRMAN reported progress, and the Committee obtained leave to sit again to-morrow.

#### PASTORAL LEASES EXTENSION BILL.

##### MESSAGE FROM THE COUNCIL.

The SPEAKER announced the receipt of a message from the Council returning this Bill without amendment.

The House adjourned at twenty minutes to 11 o'clock.