

SUPPLEMENTARY ORDER PAPER:

LEGISLATIVE COUNCIL.

Tuesday, the 8th Day of September, 1891.

MINING BILL.

Hon. Mr. MILLER, when in Committee, to move the following amendments proposed by the Goldfields and Mines Committee:—

Clause 4, line 15, after "purpose," insert—

"Certificate of competency" means a certificate granted by the Board of Examiners to a mine-manager or engine-driver.

Same clause, page 8, after line 47, insert—

"Tribute" means payment of a percentage or portion of the earnings and proceeds of the mine to the owner thereof by the person or persons having permission to work therein.

Clause 12, line 14, erase "and 'The Coal-mines Act, 1891.'"

Clause 46, line 29, after "and also," insert "with the consent of the Warden, on such terms and conditions as he shall decide."

Clause 51, line 38, after "right," erase "he."

Clause 54 to be erased, and the following new clause to be inserted in lieu thereof:—

Any person working as a tributer in any mine shall, in respect of each day's labour, have a lien or first claim, equal in value to half the current rate of wages in the district in which such mine is situate, upon all earnings of the said mine or portion of a mine, the result of the labour of the said tributer; and no such tributer shall be deemed a workman representing the area stipulated within the meaning of this Act or any regulation made thereunder unless he receives from the owner or lessee the amounts herein stipulated. Such earnings shall, unless otherwise agreed upon between the parties, be ascertained and computed every three months, except in cases where the contract or agreement relates to working out a specified block of ground, in which case such computation shall, unless otherwise stipulated, be made when the said block of ground has been worked out.

Every such lien as aforesaid may be registered and enforced in like manner as a lien for non-payment of wages may be enforced under section *fifty-one* of this Act.

It shall be competent for any party of tributers after each washing up or retorting of the gold or other mineral from time to time to deduct from the earnings of the said mine in their possession an amount equal to one-half the current rate of wages in respect of the time actually worked by such party of tributers.

If the earnings of the mine be in the possession of the owner, lessee, agent, or manager, and if, after demand in writing has been made, the mine-owner, lessee, agent, or manager fails, refuses, or neglects, within two days after receipt of such demand, to pay over to the tributer or tributers any moneys and earnings which it is herein enacted shall be the property of the tributer or tributers, the same may be recovered as a debt due by such owner or lessee to the tributer or tributers: Provided that, in case the earnings for the time worked do not amount to a sum equal in value to half the rate of wages current

in the locality in which such mine is situate, the tributer or tributers shall not, unless otherwise expressly agreed upon in writing, have any further claim upon the mine-owner or lessee other than the earnings or value thereof so produced.

Clause 71, line 37, erase "which," insert "required to be employed by;" next line, after "thereunder," erase "sets forth shall be employed."

Clause 148, line 10, after "and," insert "every."

Clause 264, insert new clause 264A:—

Proceedings
within jurisdic-
tion of Wardens'
Courts or Dis-
trict Courts to
be taken in such
Courts, and not
in Supreme
Court.

264A. Every action, suit, or other proceeding whatsoever relating to any matter arising in any district, and which is within the jurisdiction of a Warden's Court or a District Court under this Act, shall be brought, commenced, and proceeded with in such Warden's Court or District Court, as the case may be, and not in the Supreme Court: Provided that nothing herein shall restrict the right of appeal to the Supreme Court in any case in which such right is conferred by or under this Act."

Clause 300 to be erased.

Clause 321, line 11, erase "twelve," insert "thirteen;" erase last three lines of the clause.

Clause 323 to be erased.

Clause 342, after subsection 27, insert—

(27a.) For prescribing the mode in which all surveys for the purposes of this Act should be conducted, and the fees to be paid for such surveys, and the amount of deposit of survey-fees to be made from time to time.

Clause 352, line 35, after "accordingly," insert "or may apply the amount of such reward in the purchase of an annuity for the benefit of the person or persons entitled to such reward."

Fifth Schedule: Line 1, after "machine," insert "business;" line 6, after "machine," insert "business;" line 8, after "machine-site," insert "three pounds for a yearly business-site, one pound ten shillings for a half-yearly business-site."

Page 120, 1st column, line 3, erase "8s.," insert "4s.;" line 13, erase "8s.," insert "4s."

Same page, 2nd column, line 8, erase "1s.," insert "6d.;" next line, erase "1s.," insert "6d.;" next line, erase "8d.," insert "6d.;" line 17, erase "labourers, &c.," insert new line "Labourers, &c., 8s."