

and the general public would also be secured against designing persons getting leases, which, by oversight on the part of the authorities, would allow them (the lessees), to hold large tracts of the auriferous land for long periods, inefficiently worked.—E. A. B.]

THE FRONTAGE SYSTEM.

The frontage system of very doubtful advantage.

80. Your Commissioners have given very anxious consideration to the question of the expediency of retaining what is known as the frontage system in our code of mining legislation; and we regret to say that here again we have not been able to attain unanimity in the recommendation to be submitted to your Excellency. The majority of the Commission fail to see in the frontage system those great advantages which recommend it to its advocates. In the doubt and uncertainty as to the right to claims—which doubt and uncertainty it seems almost impossible to avoid where the frontage system obtains—mainly springing from the frequently recurring junction of leads, and also from the numerous independent leads running either parallel, or nearly parallel, to one another—the majority of your Commissioners see very grave objections to the system; for experience has shown that in this doubt and uncertainty there is a very fertile source of litigation and dispute. And the majority of your Commissioners entertain serious doubts whether it would not be better to entirely abolish the frontage system, substituting in its place extended block claims. Recognizing, however, the extreme practical improbability of establishing such large block claims, and the fact that in their absence under some circumstances the frontage system may be adhered to with advantage, we agree in the proposal for retaining that system; but in the opinion of the majority of the Commission, the principle of the frontage system should only be applied where (1st) the lead is narrow and tortuous—where (2ndly) on the surface there is no indication, or hardly any indication, as to which direction the run of gold takes—and (3rdly) either where in great probability, unless the principle were applied, there would be a large expenditure of unproductive labour, or, in consequence of the great depth of sinking, rock or water drifts, requiring the aid of powerful machinery, great expense would probably be occasioned in testing the ground. Even under these conditions, experience of the evils arising from the working of the frontage system in the Colony of Victoria has led many of the Mining Boards of that Colony to substitute large block claims for the frontage holdings; and more especially has this been the case at Ballarat,—the district where this system first originated, and where the physical conditions of the gold deposits render it most applicable. In the absence, however, of these extended block claims, we think that in the cases indicated above the system may be advantageous; but we would recommend its being strictly limited to those cases alone; and where the conditions of the country will, with any approach to precision, define the lead, no frontage should be proclaimed. We would desire to add that, in all cases where the frontage system is applicable, the claims should embrace the whole width of the lead; in other words, where the system is applicable it should be observed in its integrity; and, in our opinion, the fact of block claims being allowed outside the frontage claims shows that the system is not applicable at all, and therefore should not have been introduced.

Memo. by Messrs. Baker and Combes, as to frontage.

[Should Parliament, in legislating for the future management of our Gold Fields, adopt the recommendation of the Commission, viz., that the framing of Regulations should be left to a Mining Board, the maintenance of the frontage system, as a mode of holding claims, will be decided by that Board. The majority of the Commission have, however, made a recommendation to the effect that the frontage principle should not prevail as a rule, but only in certain exceptional cases.]

We desire to say that in those views we do not concur. We are of opinion that the frontage system, as a general principle, is approved of by an immense majority of the miners, and is greatly advantageous for the mining interest. It secures to the miner a portion of the lead or gutter, and thus gives to him, most probably, a payable claim immediately he put in his pegs. It tends to fix him on the land for a much longer period than does the block system, and it prevents much unproductive labour. It also tends to prevent very great rushes to and from a Field, and, indeed, makes the miner less a roving person than does the block system. By necessarily being on the gold, the owner of a frontage claim can get credit and the assistance of capital, which as the owner of a block claim he could not obtain.

We do not more fully enter into the question of the advantages or disadvantages of the frontage system, because it is a detail not so much for determination by the Legislature as by the authority which frames the Regulations, and which we trust will, to a great extent, be the miners themselves. We would merely give it as a recommendation that all claims should be on the frontage where the depth was over 60 feet; and that a frontage lead should be declared by the depth, without any declaration by any Commissioner or Warden, such as was the case under the Regulations in February 1870. It is said that great difficulties occur in the working of frontage leads. We confess we do not see any insuperable objections (no difficulties, in fact) for which practical and experienced men could not suggest remedies in any Regulations to be hereafter made.—E. A. B. E. C.]

"Shepherding" an evil, and an unnecessary evil.

81. As a feature of the practical working of the frontage system in this Colony, we have become familiarized with the operation called "shepherding," and this we all agree in thinking an evil, and an entirely unnecessary evil; inasmuch as, by a judiciously planned and a carefully administered system of registration, all the beneficial results of shepherding will be obtained, and its evils obviated. The arguments in favour of shepherding have been that by its operation a great deal of needless and unproductive labour has been prevented, and that, inasmuch as it has required the actual bodily presence of the occupier—for at all events, a certain period of the day—it has ensured the *bona fide* holding of claims by the real claimholders. As we have however said, we think these advantages may be secured by registration, and the undoubted evil consequences of shepherding will be removed. For it is clear that, in the case of really useful labourers, the breaking into a day by an enforced attendance in mere inaction upon ground during some hours of a day, means only too often the entire loss of the whole day, while the pernicious results of fostering a legalized idleness are also sufficiently obvious. The persons who answer the purpose of "shepherds" are not, as a rule, desirable members of society, inasmuch as they are generally loafers, who are only too glad to be maintained in idleness at the expense of the claimholders.