

It has been found that  $1\frac{1}{2}$  inch mesh is quite small enough. The officers of the department consider that the extra expense involved in the  $1\frac{1}{4}$  inch mesh is unnecessary.

Hon. H. STEWART: In speaking on the second reading I pointed out that  $1\frac{1}{4}$  inch mesh had been inserted, instead of  $1\frac{1}{2}$  inch, by another place as the result of the appointment of a select committee, and that various inquiries I had made from expert people in South Australia and New South Wales showed that  $1\frac{1}{4}$  inch mesh had been found effective in keeping out the rabbit, whereas  $1\frac{1}{2}$  inch did not fulfil that purpose. I shall vote against the amendment.

Hon. Sir E. H. WITTENOOM: I have to thank Mr. Stewart for expressing so lucidly my own thoughts. Within the last few years I have constructed about 60 miles of rabbit-proof fencing, and it was impressed upon me from all sides to have nothing less than  $1\frac{1}{4}$  inch mesh. I shall vote against the amendment. The  $1\frac{1}{2}$  inch mesh allows numbers of young rabbits to get through and they do as much damage as ever.

Amendment put and negatived.

Hon. C. F. BAXTER: I move an amendment—

That in the second paragraph, line 11, the words "No. 10 gauge" be struck out, and "No. 12½ gauge steel wire or No. 10 gauge galvanised iron wire" inserted in lieu.

Hon. H. STEWART: Would I be in order, Mr. Chairman, in moving the deletion of the word "galvanised"?

The CHAIRMAN: Certainly, but not at this stage. If the words proposed to be struck out are struck out, then the hon. member will have an opportunity of moving his amendment when it is proposed that certain words be inserted.

Hon. Sir E. H. WITTENOOM: If any of this fencing is near the coast the 12½ gauge will not last any time. Nothing but the 10 gauge is of any use near the sea air.

Amendment put and passed.

Hon. H. STEWART: I move an amendment—

That in the amendment just passed, the word "galvanised" be struck out.

We know that No. 10 black wire is as good and very often is obtainable when the other is not to be had. Therefore we might well omit the word "galvanised."

Amendment put and passed; the Schedule as amended agreed to.

Third Schedule, Title—agreed to.

[The Deputy President resumed the Chair.]

Bill reported with amendments.

#### PERSONAL EXPLANATION—INCORRECT DIVISION LIST.

Hon. G. J. G. W. MILES (North) [10.50]: By way of personal explanation I desire to refer to an error which appears in the "Minutes of the Proceedings." In one of the divisions on the Criminal Code Amendment

Bill, my name is confused with that of Mr. Mills. This is the second time such a mistake has occurred, and not only the officers of the House, but the tellers are at fault. I protest strongly against the possibility of such an error being possible, and I trust that more care will be taken in the future.

The DEPUTY PRESIDENT: The hon. member is quite right in protesting. I feel sure the officers of the House will make the necessary correction.

House adjourned at 10.53 p.m.

## Legislative Assembly,

Tuesday, 5th November, 1918.

The SPEAKER took the Chair at 4.3 p.m., and read prayers.

[For "Questions on Notice" and "Paper Presented" see "Votes and Proceedings."]—

#### URGENCY MOTION—COLLIE COAL AND DANGER FROM SPARKS.

Mr. SPEAKER [4.35]: I have received the following communication from the member for Greenough (Mr. Maley), dated 5th November, 1918—

Sir,—I beg to give notice of my intention to move the adjournment of the House to-day to draw attention to the grave immediate danger of destruction by fire of crops and grass adjacent to the railway lines in the country by the use of Collie coal on the engines.

Before the hon. member can proceed it will be necessary for seven members to stand in their places.

Seven members having risen in their places,

Mr. MALEY (Greenough) [4.36]: It is perhaps, rather appropriate that I should be moving this motion on the 5th November, Gny Fawkes' Day. I desire to point out the seriousness of the present position in the insufficient steps have been taken by the Commissioner of Railways to provide fire breaks and other precautions against his locomotives practically burning out the farming district. I have no desire to do any injury to the Collie coal industry, but I say we should not foster that industry at the cost of the destruction of farming property. During the summer months steps should be taken to secure some other fuel which will not cause damage to the crops. I have re-

ceived from the Northampton district road board the following communication under date 31st October, 1918—

At the last meeting of this board, I was directed to write to you asking you to bring under the notice of the Commissioner of Railways the grave danger and certain disaster which will be caused to the farmers between Ajana and Wokerina through grass and crop fires, which are already being started by the locomotives running on this line, and it is almost certain that if something is not done to minimise this danger before the grass and crops are thoroughly dry disastrous fires will be caused by the small pieces of burning coal which are ejected from the locomotives, especially on up-grades where extra power is needed. Already this year the burning embers have been seen to drop over five chains from the railway reserve and start fires, but luckily the grass and crop were not sufficiently dry enough to carry the fire very far. To minimise this danger this board would suggest as a last resource to alter the time tables for the summer so that the trains would run early in the morning or late at night. This would minimise the danger to a certain degree, for the reason that our southerly sea breezes spring up in the evening and night, which make the atmosphere damper and would lessen the danger of fires.

In Geraldton during last week-end my attention was drawn to the fact that the train from Northampton to Geraldton had been continually held up for the purpose of getting the assistance of the passengers to extinguish the fires caused by the locomotive.

Hon. P. Collier: Is that reliable?

Mr. MALEY: Absolutely reliable. In fact, I myself engaged in that occupation about this time last year. This is a repetition of it. Along one particular section of the line, on an up-grade, there is a crop growing close to the railway fence. The farmer had two assistants with him to protect that crop, and while watching for and putting out fires started between the railway line and the fences, they saw sparks from the engine fly five chains into the crop and there start a fire. It is a peculiar fact that the Midland Railway Company, a private concern, two months ago, in view of the approach of summer, made all arrangements to secure a full supply of Newcastle coal. During the last few weeks that has been distributed in the various depots along the railway for use on the engines. Coming down on the Midland train yesterday I noticed that although the day was particularly hot, not a single fire was caused by the engine between Walkaway and Gingin, which is arrived at by nightfall.

The Minister for Mines: Where do the fires occur?

Mr. MALEY: Between Geraldton and Northampton. I have frequently heard the complaint that immediately one gets off the midland railway, on which Newcastle coal is used, and enters on the Government line between Geraldton and Walkaway, fires are to

be seen, caused by Collie coal used on the Government locomotives. Even at East Perth last week a local manufacturing industry was destroyed, presumably by sparks from a passing locomotive. I refer, of course, to the fibre works. The Commissioner of Railways has not taken sufficient steps to protect the farmers by ploughing the necessary fire breaks and burning off the grass between the railway fences before the hot weather comes in. The fires I particularly refer to were started last week when the grass was only partially dry. Since then we have had four successive days of hot summer weather. It is only logical to assume that all passengers travelling at night by trains on which Collie coal is used are fully seized of the danger when they see the engine vomiting myriads of sparks.

The Minister for Works: What width of fire break do you want?

Mr. MALEY: The Minister knows better than I do the width of the railway line between the fences. All that should be cleared.

The Minister for Works: Would you have it all cleared?

Mr. MALEY: It has been the usual practice to burn this off. I complain that the Commissioner has not taken steps to have this work done in time, thus the risk of fire is considerably enhanced. I do not wish to take up the time of the House to any great extent. The position, however, is most serious, and unless steps are taken either to provide proper coal, or proper appliances, disaster must ensue. I submit Collie coal can be used in summer time with proper safeguards, but I submit that these proper safeguards have not been adopted.

The Minister for Mines: It is easy to make such statements, but difficult to prove them.

Mr. MALEY: Spark arresters have not been placed on all engines up to the present. It is certain that all the engines cannot have been fitted with spark arresters, in view of the vomiting of fire which is observable.

The Minister for Mines: There is a chance for you to invent a spark arrester which will prove effective.

Member: There is a hundred thousand pounds awaiting you in each of the Eastern States if you do.

Mr. MALEY: I submitted an invention to the Minister last year in this connection, but I do not know what its fate was.

The Minister for Mines: These statements are easy to make, but difficult to prove.

Mr. MALEY: I hope the Minister will understand that my motive in moving the motion is not to make rash statements about the technical features of locomotives, which I do not know much about. It is understood, however, that the locomotives have to be brought into the Midland Junction shops to have the spark arresters fitted to them. Am I correct in my statement?

The Minister for Mines: I do not know that it is correct, but go on.

Mr. MALEY: As I am informed, that has not been done. Certainly it should have been done before the summer was upon us. I hope

hon. members representing farming constituencies will support me in my action, because the danger is extreme, and it is a danger which should be obviated by every possible means to be taken at the earliest possible moment.

Mr. SPEAKER: Is there any seconder?

Mr. PICKERING (Sussex) [4.47]: I second the motion.

The MINISTER FOR MINES AND RAILWAYS (Hon. C. A. Hudson—Yilgarn) [4.48]: I am somewhat at a disadvantage, in view of the short notice which has been given of this motion, but the subject is one with which we are thoroughly acquainted, because it is brought up so regularly. Admittedly, the position is a serious one. Admittedly, fires do occur throughout the farming districts through the summer months, and damage is occasioned by those fires. It does not, however, invariably follow that the fires are caused by sparks from the locomotives, although that may be so in many cases. However, allegations are made against the Commissioner of Railways of not doing his best to remedy or obviate this possible evil. I take exception to that statement, because I can assure the House that every possible effort is made on the part of the Commissioner. In the early part of the year he circularised the farmers adjacent to the railway lines in these terms—

In view of the approach of the season when bush fires usually become prevalent, and of the fact that in many cases such fires are attributed to sparks from railway engines, it is suggested that fire-breaks should be ploughed by the settlers on their own land. You will no doubt be aware that this department takes every possible precaution to avoid the occurrence of fires on the railway premises. It appears, however, that some land owners adjoining the railway have not, in the past, considered it necessary to adopt any additional preventive measures, although, when fires have occurred, sparks from engines have frequently been alleged to be the cause. I therefore beg to bring to your notice the proposal above mentioned in regard to fire-breaks, and suggest that if you consider there is any danger, you should plough a break of, say, eight or ten furrows on your land, parallel to the railway boundary, and at a distance of say two or three chains therefrom. The provision of breaks on private lands has on occasion averted fires which would have proved a serious loss both to the individual and the State, and owing to the enforced use of Collie coal to a much greater extent than hitherto, due to our inability to obtain adequate stocks of Newcastle coal, the danger from sparks is greatly increased, and it is very necessary in the interests of all concerned that every possible precaution be taken during the coming summer to avoid outbreaks of fire and consequent damage to crops.

It is just as well that this circular of the Commissioner should be published.

Mr. Maley: Do you say that that notice was published this year?

The MINISTER FOR MINES: It was sent out to the farmers adjacent to the railway lines.

Mr. Broun: This year?

The MINISTER FOR MINES: I am informed so.

Mr. Broun: Last year, I think.

The MINISTER FOR MINES: If the farmers require to be reminded every year of the necessity for protecting their own properties, it is utterly unreasonable. In this connection something is demanded of the farmers as well as of the Railway Department. The real difficulty, however, arises from the fact that we are compelled to use a greater quantity of Collie coal than would be the case if Newcastle coal were available.

Hon. W. C. Angwin: You do not need to use Newcastle coal at all.

The MINISTER FOR MINES: I am coming to that. We have attempted, by an arrangement recently made for the distribution of Collie coal orders, to so arrange the traffic and the use of the various qualities of Collie coal, as to minimise, in the opinion of the Commissioner and his expert advisers, the danger of fire. In the past, when the supplies from the various Collie mines were irregular, it was not possible, or practicable, to apply the necessary spark-arresting appliances, which would ordinarily be applied if the Chief Mechanical Engineer knew what coal was likely to be used for any particular locomotive. But now that we have this distribution arranged we are hoping for better results. We are hoping for better results this year for another reason also, and that is that the engine-drivers, who are better satisfied this year than they were last year, will use every effort not only to prevent fires occurring from engine sparks, and from ashes from the fire boxes, but also to keep a sharper look-out for fires, and, if they discover fires, to use immediately every endeavour to put them out.

Mr. Willecock: The engine-drivers always do that.

The MINISTER FOR MINES: They have made the statement that they will this year use better efforts in that direction than ever before, because of the less work they will be called upon to do by reason of having better coal to use. I am told that this year a number of fires on the Northern line have been recorded; in three cases the owner of the land had ploughed no fire-break, in a fourth case details are not yet to hand, and in the other cases the fire was arrested by the breaks ploughed by the farmer and the department, and no damage was done. It does not necessarily follow that the fires are caused by the Railway Department.

Hon. J. Mitchell: Oh, yes, they are.

The MINISTER FOR MINES: Many of them are, no doubt. It would be useless to shut our eyes to the facts and assert the opposite. But the mover says that we should have the proper coal and the proper spark arresters, in which case, he asserts, there would be no danger. I would like assistance from the farming community in this direction. First of all, let the farmers

tell us where we are to get Newcastle coal under present conditions. Secondly, let them say whether they are honestly of opinion that we should use nothing but Newcastle coal during the summer months.

Mr. Maley: The Midland Railway Company do it.

Mr. O'Loghlen: The Midland railway system is a mere bagatelle compared with the Government railway system.

The MINISTER FOR MINES: The Midland Company's mileage is about 250 miles, as against ours of about 2,500, taking only the Government lines running through the farming districts. Ours is quite a different proposition. Whilst we have to struggle in order to secure a little Newcastle coal for the ordinary purposes of the railways, we must, under the present conditions, very largely use Collie coal. Further, I consider it the duty of the Government to use as much Collie coal as they reasonably can use.

Hon. W. C. Angwin: Hear, hear.

The MINISTER FOR MINES: With regard to spark arresters, I know it is a fact that every effort has been made by the Chief Mechanical Engineer to fit spark arresters to all the locomotives, and to improve the spark arresters which he has in use, to experiment with new ideas, and to do his very utmost in the direction indicated by the mover; but it is not possible, or it has not proved possible so far, to perfect the device in question. If it were the perfected device would be applied. As an hon. member indicated by way of interjection during the speech of the mover, there is a large prize offering for anyone who can invent such a mechanical contrivance as will accomplish the purpose in view. I think possibly the mover only desired to draw attention to this matter, in bringing forward the motion, and I give him the assurance that the Commissioner is doing his best, and that the Railway Department generally are doing their best, to prevent fires. If they have the co-operation of the farming community throughout the length of the lines passing through agricultural districts, I believe we shall be able to get through this summer with less damage than was occasioned by fires last year.

Mr. O'LOGHLEN (Forrest) [4.57]: Various discussions which occur in this Chamber have been described as hardy annuals. This, however, cannot apply to Collie coal; because if there is not one difficulty there is another. The discussions on the subject of Collie coal have been frequent, and at times some heat has been imparted into them, although that is not the case to-day. The mover desires to draw the attention of the House to a difficulty which exists in regard to the consumption of our local coal. I take no exception to his adopting that line of action, but I desire to point out that in these times, particularly hon. members representing the primary producers of Western Australia, should be reluctant to say anything which may have a disparaging effect.

Mr. Hickmott: What is the use of the Collie coal if the whole country is burnt?

Mr. O'LOGHLEN: It is all very well for the hon. member to interrupt with that remark. No doubt he agrees with the statement which has been made that Collie coal must not be fostered at the expense of the agricultural industry. But one needs only to look at the statistics of the assistance which has been given to the agricultural industry—

Mr. Maley: What about the assistance given to the Collie coal industry?

Mr. O'LOGHLEN: Whatever assistance has been given to that industry has been amply repaid. I ask, where would Western Australia be to-day if it were not for the Collie coal industry? Where would Western Australia have been for the past four years? I only desire to point out that this State has been saved hundreds of thousands of pounds by reason of the existence of our native coal product. Had it not been for that we would have been in a parlous position indeed during the past few years. There would have been no transport at all for the past couple of years.

The Minister for Mines: That is the point.

Mr. O'LOGHLEN: It would be absolutely impossible to carry on transport but for our own coal industry; and if it were possible to obtain Eastern States coal the price would be almost prohibitively high—certainly so high as to render impossible the carrying of passengers and goods over our railways at present fares and freights.

Mr. Maley: What would the transport amount to if the produce of the country were all burned out?

Mr. O'LOGHLEN: The hon. member, like, perhaps, myself at times, has a tendency to exaggerate. I have yet to learn that the whole of the produce of this country has ever gone up in smoke. I do, however, believe in taking the necessary precautions; and I consider that the Railway Department could take more precautions. The suggestion has come from the mover that the Commissioner of Railways should arrange his roster differently, arrange it so that the trains would run at night or in the early morning. In other words, it is suggested that the Commissioner should give the locomotive drivers a night watch.

Hon. J. Mitchell: Insurance of crops against fire is the best safeguard.

Mr. O'LOGHLEN: The fact that the insurance rates have not risen points to the fact that the danger to-day from fires is not greater than it was previously. A suggestion has come from the roads board in the district the hon. member represents to that effect, and if the Minister could arrange it possibly it would be an advantage. I take it that the member has moved this motion with the desire of pointing out that there has been a change in Government policy which will be detrimental to the farming community.

The Minister for Mines: He did not say so.

Mr. O'LOGHLEN: The inference was there, because recently an agreement was arrived at that 100 per cent. of Collie coal should be used where practical. I believe it

with the officialdom which gives advice to the Minister.

The Minister for Mines: You can get the information apart from the Chief Mechanical Engineer.

Mr. O'LOGHLEN: Has the Rotary spark arrester been tried in Western Australia?

The Minister for Mines: I think not.

Mr. O'LOGHLEN: Is there any valid reason why it should not be given a trial?

The Minister for Mines: Yes.

Mr. O'LOGHLEN: Then the Minister should have said so when he was speaking. The member for Greenough in his indictment said there was no provision made for effective spark arresters.

The Minister for Mines: He did not mention the Rotary.

Mr. O'LOGHLEN: I want to know whether the Chief Mechanical Engineer has exhausted all the methods of inquiry. He seems to be reluctant to get out of the beaten track, or to give new ideas a chance. I do hope that the Minister will be given an opportunity to explain this matter, because I am not convinced that the Chief Mechanical Engineer has exhausted all possible means for improving the system for arresting sparks. I have been to the Minister and he has always been courteous. He has looked into some of the propositions, and so far as he was concerned every reasonable case received consideration. But he has to be guided by his experts.

The Minister for Works: So would you.

Mr. O'LOGHLEN: Yes, but we have to realise that every branch of the service gets into a certain groove and nothing in the world will shift them out of it.

The Minister for Works: The Chief Mechanical Engineer is never biased.

Mr. O'LOGHLEN: Will the Minister allow me to differ from him?

Mr. Nairn: You are quite right.

Mr. O'LOGHLEN: It is the opinion of 75 per cent. of hon. members of this House and it is the opinion of an overwhelming body outside that no matter what proposition may be taken to the Chief Mechanical Engineer, unless he can give it his blessing it is doomed. I am speaking from experience. I would also point out that another suggested improvement was submitted to the Chief Mechanical Engineer—I refer to Hill's ash-pan—which was approved by every engine-driver in Western Australia. That in itself shows that the engine-drivers are ready to appreciate an experiment that has merit in it, and they are equally ready to condemn one that lacks merit. Of course every day we will meet cranks with propositions which we know will never succeed.

Hon. F. E. S. Willmott (Honorary Minister): I had three of them last week.

Mr. O'LOGHLEN: There must have been four in the room at the time. We must, however, give a hearing to those people. But from a multitude of cranks there may be discovered a genius.

Hon. F. E. S. Willmott (Honorary Minister): I was the one.

Mr. O'LOGHLEN: The important point is that the Chief Mechanical Engineer will not give a genius the opportunity to show what

he can do. Where we are trying to foster a local industry a broader spirit should be manifested by that officer. I hold that the Minister should search the world for improvements in this direction, and if we can copy the methods of other countries for more effectively using our local products we should readily do so. I am not going to say that the Rotary system of spark arresters is better than others, but I am assured that it is applied to over 1,000 engines in America, and that it has never been tried in Western Australia. Until it has had a trial it is unfair for any member or the departmental head to condemn it. I have never taken any part in pushing it. Notwithstanding that a Minister may get irritable at times through the energy and push displayed by some individual, we should not be so prejudiced as not to give a proposal a trial, if there is any evidence to back it up as being an improvement. We are looking for improvements in this direction. My point against the Chief Mechanical Engineer is that he will not get out of the groove into which he has fallen, and that is the opinion of most members of this House.

The Minister for Mines: It is wrongly formed.

Mr. O'LOGHLEN: The Minister, I am sure, has found himself on numerous occasions coming into conflict with subordinate officers, who are wedded to a fixed line of action. If he has any individuality, as he should have, he is obliged at times to sweep aside their objections and lay down his policy. If that applies in ordinary departments, it must apply far more strongly in the Railway Department, where there are experts handling all the difficult problems that arise. The hon. member who brought this matter forward did not put up a very strong case against Collie coal, but he certainly put up a strong case against the department, and this I support. I believe the department can bring about an improvement in the present system, and that the Minister ought to instruct his department in that direction. It is necessary to search the world for all the latest appliances or improvements in the method of transport.

The Minister for Mines: That is done.

Mr. O'LOGHLEN: It will be interesting to the House to get particulars of this.

The Minister for Mines: I have all particulars about spark arresters.

Mr. O'LOGHLEN: We want full particulars about spark arresters, and the various other points I have mentioned.

Hon. F. E. S. Willmott (Honorary Minister): No spark arrester is any good that is placed on the smoke stack.

Mr. O'LOGHLEN: If we are going to take the gloomy view that no spark arrester is any good, and that there is no way of dealing with the matter, then it will be a bad thing for us.

The Minister for Mines: We are dealing with it.

Mr. O'LOGHLEN: Mr. Hume says he has been dealing with it for 50 years.

has been demonstrated in this House that sparks originate from other coal besides that which comes from Collie.

Hon. W. C. Angwin: Even Newcastle coal.

Mr. Brown: Never over the boundary of the railway.

Mr. O'LOGHLEN: I know it has. If the hon. member is going to be so biased in his reasoning that Newcastle coal will not emit sparks at times, he will not strengthen his case. I would be foolish to argue that Collie coal does not cause sparks or that it is superior to Newcastle coal. What I have endeavoured to demonstrate is that without it Western Australia would be a good place to be out of. The hon. member referred to city fires which have been caused, he said, by sparks from Collie coal. It would be unfair to the local coal industry to allege against it that it had been responsible for everything. The hon. member spoke of the lack of patriotism on the part of the Midland Railway Company using Newcastle coal.

Mr. Maley: I did not put it that way.

Mr. O'LOGHLEN: Certainly in the winter months the Midland Company should use the coal which is produced in the State in which the company are earning their profits.

Mr. Maley: What is the opinion of the engine drivers' association?

Mr. O'LOGHLEN: It has been placed on record that they are willing to burn 100 per cent. of Collie coal. That is a signed agreement, and it has been endorsed by the Government. I believe it is possible to use practically 100 per cent. of Collie coal, yet we find that within the last couple of days the State vessel "Kangaroo" has brought a consignment of 5,000 tons of coal to this State from Newcastle to the order of the Railway Department.

Hon. P. Collier: Wasting a good ship.

Mr. O'LOGHLEN: I understand that coal was carried at a low freight, certainly not exceeding 25s. a ton.

The Minister for Mines: Other people would not carry it.

Mr. O'LOGHLEN: Then we might well get along with the local commodity, and thus carry out the agreement which the Minister himself endorsed.

The Minister for Mines: You must admit that Newcastle coal is not used exclusively by the railways.

Mr. O'LOGHLEN: If I were prepared to admit that I would not be endorsing the agreement. Will the Minister state that the bulk of the 5,000 tons of Newcastle coal will not be sent to the railway depots? I venture to say he will not. The bulk of that coal is going into the railway depots.

Hon. P. Collier: I do not think the Government should allow the "Kangaroo" to be used for carrying coal at this period.

Mr. O'LOGHLEN: There are other commodities urgently required in Western Australia, much more urgently than Newcastle coal. Hon. members will realise that shut off as we are from communication and lacking facilities of transport, there are many other commodities which could have been brought by the "Kangaroo." It seems to me to be

a policy aimed directly at the non-observance of the conditions of the agreement to which I have referred, and it seems in the highest degree unpatriotic to fill up a State ship with Newcastle coal at perhaps the lowest freight charge possible, when there are many other things which could have been carried by that vessel, and which are more urgently needed. As a matter of fact I was going to take the opportunity of moving that this House disagree with the policy of importing coal from the Eastern States at this juncture. We have been struggling long enough to get our industries on their feet. The engine-drivers have come to the conclusion that it is possible to burn 100 per cent. of Collie coal, and even if the consumption of that coal does cause an occasional fire, we must not forget that we are developing a valuable industry. The hon. member has pointed out that spark arresters are not applied to the engines, and he was immediately met with the retort that there was a competence awaiting a man who invented a successful spark arrester.

Hon. F. E. S. Willmott (Honorary Minister): Henry Ford would be a pauper beside him.

Mr. O'LOGHLEN: That is another extravagant statement to make. A spark arrester known as the Rotary has been in use in Sydney for a considerable time, and it has never been tried in Western Australia.

Hon. F. E. S. Willmott (Honorary Minister): Yes, it has.

Mr. O'LOGHLEN: I will venture the statement that in America thousands of engines are equipped with this particular spark arrester.

Hon. F. E. S. Willmott (Honorary Minister): Your own Minister for Railways turned it down here.

Mr. O'LOGHLEN: I am not quite sure of that either. I want to know whether there is any valid reason why that spark arrester or any other should not be given a trial.

The Minister for Mines: There is.

Mr. O'LOGHLEN: I would like to know what the reason is. If the Minister had advanced that statement it would have strengthened his case. What we require is a more reasonable spirit on the part of the Chief Mechanical Engineer.

Hon. F. E. S. Willmott (Honorary Minister): The spark arrester jams just as the others do.

The Minister for Mines: You ask a question and I will get you the information.

Mr. O'LOGHLEN: The Minister will supply the information just as he supplies any other information which comes from the Chief Mechanical Engineer. That officer will not favour any proposition unless it emanates from his own department.

The Minister for Works: You should not say that.

Mr. O'LOGHLEN: I repeat that the Chief Mechanical Engineer's office is the graveyard of the inventor's hopes. It is immaterial who brings forward an invention, that officer will never give it a trial unless it has the sanction of his own department. There is something wrong in the department, something wrong

The Minister for Works: No, he has not. He has not been at work for 50 years.

Mr. O'LOGHLEN: He has a spark arrester which has been in use for 50 years, and he says it is effective. Experience, however, shows that it is not effective. He is reluctant to look for any improvement on the point. I enter my sympathetic protest against the Government at the present juncture bringing to this State these unlimited quantities of coal. Collie coal is not the best in the world, but it is suitable to our requirements. It can be mined here, and the cash that is paid for the coal can be expended to the mutual benefit of us all. I object to a State steamer being utilised in bringing a commodity here at a low freight when it could have brought commodities which are more urgently required in the State than coal and which would have brought in probably double the freight and been more beneficial to the State as a whole. It is a wrong policy and one to which Parliament will not subscribe. If we are able to burn for several months of the year 100 per cent. of Collie coal, we should be able to burn it right through the year, unless the fire business is advanced as a reason for not doing so. I venture to say that is not the case. Consequently, I believe hon. members would be lacking in their duty if they acquiesced in a proposal, such as that given effect to, of utilising a State steamer and filling her up with a product which we can well do without, and perpetuating a foolish and short-sighted policy, which has been practised for so many years, of feeding our bloated neighbours in the East whilst going without ourselves.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [5.23]: The hon. member who brought this motion forward is, I know, practically voicing the opinion of the great bulk of the farmers who are likely to be affected by fires during the summer months. He is justified in bring forward a motion of this kind, if only to ascertain what methods are being adopted to cope with what, we all acknowledge, is a great danger and involves a terrible loss if a fire spreads throughout the State.

Hon. P. Collier: He has not got the information, at any rate from the Minister in charge of this Department.

The MINISTER FOR WORKS: The hon. member made a statement that the Railway Department was not doing its part in connection with the clearing of fire breaks. It is impossible for the Minister for Railways, and still more impossible for me, without inquiry, to say what the Railway Department have been doing this season. I do know what it should do, and what has been the rule for the system, and also what has been done in the district that I represent. It is the duty of the fettlers, in every length of line, to chip or clear a certain breadth of the line within the fences.

Hon. P. Collier: It is done everywhere.

The MINISTER FOR WORKS: I expect so. They clear a width of about four feet. That is chipped off and at a suitable time,

the debris which comes off the path, and with it the rest of the inflammable stuff, is burned. Even if that is done thoroughly it does not obviate the danger of fire which arises through sparks. All sparks that come from the engines do not, unfortunately, fall within the fences. Therefore a fire break which may be constructed in this way cannot be regarded as being absolutely a preventive of fire. It certainly is of assistance in preventing the spread of a fire, but cannot be regarded as anything more. The Minister for Railways referred to a circular which is sent out by the Commissioner of Railways. That circular, I believe, was sent out during my term of office. I went a little further, and think that is still continued in this way. The head of a gang of fettlers in a district personally takes this notice out, or warns the farmers in the district as to what is intended to be done. No fire is allowed between the fences unless there is delivered a notice signed by the Engineer for Existing Lines, and the different farmers are acquainted with the particular date upon which it is intended to start the fire. I know that these notices are served right throughout the country. This same question came up strongly during my term as Commissioner of Railways. I had numerous deputations which waited on me, and tried to meet their requests as far as possible. I remember making the suggestion that if they cut their crop for hay, say, two chains from their fence, and then ploughed a track between that and the fence, they would have a better chance of saving their crops. This suggestion was not received with favour by the farmers, and I daresay there were good reasons against it. Assuming they did plough a break, they would have to cut their crop beforehand at a distance of a chain or two chains from the fence. That, of course, is not a guarantee that at certain times a fire will not spread and reach the rest of their crops. I am strongly of opinion that, while everything should be done by the Railway Department of a reasonable nature to prevent fires, unless there is co-operation on the part of the farmers, the department is not likely to get satisfactory results. At present the railways could not have been carried on but for Collie coal. The whole system of transport throughout the State would have had to be stopped but for that commodity. The only fuel available for use at certain times has been Collie coal or wood. My experience of wood is that it is more likely to cause fire than is the case with Collie coal. What is the alternative that is facing the Commissioner? If he has to run the traffic he must have fuel. If he is not to burn Collie coal, he must burn wood, and if he is to burn wood he will make things worse than ever. It is impossible at present, and has been for some time, to obtain any Newcastle coal. Whilst it is acknowledged by the Railway Department men that Newcastle coal will make sparks, it does not spark to the same extent as Collie coal, nor will the sparks last so long. The member for Forrest, in his breezy way, spoke about the Newcastle coal which is coming from the Eastern States.

I saw some of this coal on Saturday. It appeared to me that it comprised a considerable amount of small coal which could be used in the furnaces in the workshops, and that it was also of a class which must be used by the blacksmith. Collie coal is not suitable for blacksmithing, and in order to keep our men in employment in the workshops, we must have such fuel as will enable them to carry on their occupation. If that coal is for the Railway Department a considerable portion of it would be used by the blacksmiths, and the other portion of it would no doubt be brought here as a precaution to be used, where it could reasonably be utilised for the purpose of keeping down fires. With regard to the hon. member's reference to spark arresters, the Honorary Minister (Hon. F. E. S. Willmott) said there was a big fortune awaiting the man who could invent a suitable spark arrester. I do not suppose that there has ever been a boy apprenticed to a mechanical engineer, but who has been told that if he could invent a spark arrester, his fortune was made. This was the case during my apprenticeship, and is the case to-day. The number of spark arresters which have been brought forward are legion. I suppose during my term as Commissioner of Railways I must have had 50 or 60 different kinds brought before me. Some of them could be dismissed in a few words, and others were tried, but were not fully successful.

Mr. Foley: Is it not a fact that the Chief Mechanical Engineer will not look at a spark arrester if it is has to be attached to a smoke stack?

The MINISTER FOR WORKS: I do not know what his views are now, but I do know that he is up to date in his knowledge, and is not only a good man at his work, but a man who searches for all the information he can get in order to improve himself in his profession. I am rather surprised to hear the remarks of the member for Forrest in regard to Mr. Hume. I have found him a man possessing broad views. Like most Scotchmen he is cautious. If he saw a matter had merit in it he would not turn it down until he had examined it and satisfied himself on the point.

Mr. Foley: Do you think he is following caution if he will not look at the proposal for spark arresters when attached to smoke stacks?

The MINISTER FOR WORKS: I do not think I can discuss that point. I would rather see the drawings before giving an opinion. It is no use generalising. If a proposal comes along, it is the duty of the Chief Mechanical Engineer, and of his officers, to treat it on its merits and give it the fullest consideration.

Mr. O'Loughlen: Will you peruse the file in connection with Hill's ash pan?

The MINISTER FOR WORKS: With pleasure, if it is placed before me. I cannot conceive of the Chief Mechanical Engineer turning down without examination anything new which is brought before him. The idea that a thing is turned down because it does not emanate from the Midland Junction workshops, or from the Chief Mechanical Engineer I am sure the hon. member does not support.

If he knew Mr. Hume as I do, he would know that he was a thorough man and not one to take the course he suggests.

Mr. O'Loughlen: He is too cautious.

The MINISTER FOR WORKS: He is there to be cautious.

Mr. O'Loughlen: That is why your service is in such disorder.

The MINISTER FOR WORKS: Would the hon. member have an officer in charge of huge workshops like those at Midland Junction, not possessing any caution?

Mr. O'Loughlen: The world has only moved as a result of experiments.

The MINISTER FOR WORKS: Exactly. Experiments are being continually made and were made in Mr. Rotheram's time as Chief Mechanical Engineer. They were continuous during the time I was Commissioner of Railways, and I have no reason to doubt that the same interesting inquiry is going on to-day as went on then. I feel quite sure in regard to that. I do not think it is necessary to say more. My views are very well known. I hope the member for Forrest (Mr. O'Loughlen) will take an opportunity if he does not know Mr. Hume of becoming acquainted with that gentleman, because I am sure his opinion of Mr. Hume is not warranted. I say also with regard to Mr. Hume, he used to be the Chief Works Manager for the Millars' Company and they do not keep men who are not progressive. They have to know something beyond the end of their nose. Mr. Hume came from Millars' years ago and was selected as workshops manager for the Government railways.

Mr. SPEAKER: We are not discussing that question.

The MINISTER FOR WORKS: The matter was brought up by the hon. member and Mr. Hume's character was assailed.

Mr. SPEAKER: I think the hon. member should withdraw that statement.

The MINISTER FOR WORKS: I will withdraw it, but I will say his professional width of view was criticised, and harshly. I have great respect for Mr. Hume and for everything that he has done in the Railway Department, and I know he will continue to do his best, debates or no debates, for the benefit of the State.

Mr. WILLCOCK (Geraldton) [5.33]: I do not wish to have much to say on this motion, but having had considerable experience in regard to Collie coal I may add something of value to the debate. In regard to Collie coal one of the greatest difficulties is that it sparks and in very small quantities, I mean the sparks are very small. No matter how close the spark arrester is made the sparks will get away, float a considerable distance and cause fires. The member for Greenough (Mr. Maley) stated that it was necessary that the engines should be brought to the Midland Junction workshops to have their spark arresters altered. One of the conclusions, and this was agreed to by the engine-drivers using Collie coal, and it was agreed to by the Commissioner, was that Collie coal should be used on the railways if efficient spark arresters could be used on the engines all the time. Therefore, it is unnecessary to bring these engines to the Midland Junction workshops to



change the spark arresters. During a certain portion of the year Newcastle coal is used on the railways and in the use of Newcastle coal there is a certain amount of space in the spark arresters. Sometimes Collie coal is used when there is a Newcastle coal spark arrester in the fire-box and the sparks escape. There is no need to change the spark arrester at all if all the engines are fixed with efficient spark arresters which will stop sparks from Collie coal; they will be on the engines all the time. The debate has seemed to hinge around Mr. Hume and his qualifications. Mr. Hume is a very canny individual; he is very cautious; he is cautious to the extreme. Perhaps the Scottish blood in his veins produces this cautiousness. He will not spend money or give consideration to any spark arrester unless there is some overwhelming evidence that the arrester will be successful. My experience of Mr. Hume, and this is the opinion of the majority of engine-drivers, is that he will not give anything a fair trial; he is too canny. We do not know what money the Government give to Mr. Hume to spend on this work. Collie coal is admittedly one of the worst coals for sparks. There are two troubles in connection with Collie coal. One is in regard to sparks and the other in regard to deterioration, but the greatest evil is that in regard to sparks. The Government should do all they can to fix efficient spark arresting appliances on the engines. At the present time with the appliances which we have the Collie coal is still a menace as far as the farming industry is concerned. If the farmers would plough two or three chains away from the railway line they would considerably minimise any danger which is likely to be done by Collie coal. They should plough all along the fence and where the country is not cleared there would be no necessity to plough because not much damage can be done. Members should look at this question in a broad light. Another reason for complaint is in connection with the Railway Commissioner's report. He does not give the House any particulars as to claims. Although he goes very fully into some matters no one can find out how much money has been expended in paying claims for fires. If the Commissioner was to say how many fires have been directly traceable to Collie coal we should know what burden the Collie coal industry is placing on the farming industry. We know that the Railway Department have to pay a large number of claims during the year. Looking at the matter broadly it is a question as to whether damage done by Collie coal is greater than the benefit the industry is to the State as a whole. I venture to say the benefit to the State of the Collie coal industry is 100 times greater than the damage caused by the use of Collie coal.

Mr. HICKMOTT (Pingelly) [5.37]: I desire to support the motion, not that I wish to say anything detrimental to the use of Collie coal although we know a considerable damage is done in the agricultural districts by the use of Collie coal. The member for Beverley (Mr. Broun) will hear me out that on one occasion we saw half a dozen fires started between Perth and Beverley. We were going up in the

train when we noticed these fires. On another occasion coming from Emu Hill we had to get out of the train and help others in extinguishing the fires caused by the sparks. This season there is a luxuriant growth of grass which makes it dangerous to use Collie coal. It is absolutely necessary to take every precaution, both the people themselves and the Railway Commissioner, in trying to minimise the destruction of property due to Collie coal. We know the great asset Collie coal is to Western Australia. I have always emphasised that point. It is a wonderful asset. It is a splendid thing for the State to have a plentiful supply of coal. When coal is dear we have a good supply. One thing came under my notice last year. A man in my electorate was burned out of house and home. His machinery and houses were destroyed and this man never got a penny compensation from the department. He put in a claim but it was ruled out by the Commissioner on the ground that he was not liable.

The Minister for Works: There have been several law cases on that point.

Mr. HICKMOTT: It is extremely hard for a man to lose the whole of his belongings and not get a penny compensation for the damage done by running the train through his property and setting it on fire by sparks. It is only reasonable that a man should receive some compensation.

Hon. W. C. Angwin: Are you sure Collie coal did the damage?

Mr. HICKMOTT: It was proved.

Hon. P. Collier: Last year it was said that the fires were due to the I.W.W.; to-day they are due to Collie coal.

Mr. HICKMOTT: Members do know that Collie coal starts fires. The Railway Department does not supply a sufficient and safe fire break. I know that farmers should plough breaks wherever possible, and the majority of them do. The best break is to plough a strip on either side and then burn the centre out. I think that every precaution should be taken and every help given by the department in a case such as the one I have mentioned. It is only right that a man should receive some kind of compensation. To stop the use of Collie coal for a few months will not ruin the industry. It may be a drawback and throw a few men out of work but it is not ruination to the industry, but it may ruin many farmers.

Hon. W. C. ANGWIN (North-East Fremantle) [5.41]: I cannot understand the reason for the motion. Members who have spoken in support of it have said that they do not wish to do anything to injure the Collie coal industry yet they move that the House adjourn to draw attention to the fact that Collie coal should not be used on some of the railway lines during a portion of the year. If the Railway Department do not use Collie coal injury will be done to the people of Collie.

The Minister for Mines: It is not a good advertisement.

Hon. W. C. ANGWIN: Therefore, it is condemning Collie coal. Why not come out

straight and say, "We do not want Collie coal at all?"

Mr. Hickmott: Oh, no.

Hon. W. C. ANGWIN: No, because members went to Collie and decided to support the coal-mining industry even to the extent of using 100 per cent. of Collie coal on the railways.

Mr. Maley: Speak for yourself.

Hon. W. C. ANGWIN: The leaders of the Country party went to Collie and promised the people of Collie that they would support the coal-mining industry. We have been using Collie coal on the railways for three years and we have not heard one word that Collie coal has done any damage during that time.

Mr. Hickmott: This is an exceedingly bad season for fires though.

Hon. W. C. ANGWIN: There have been very fair seasons during the past three years, but no member in this Chamber has said one word against Collie coal during that time.

Mr. Maley: Last year the matter was brought up by the member for Toodyay (Mr. Piesse).

Hon. W. C. ANGWIN: That was on another question. Until the matter was brought forward to-day there has been no statement during the past three years that Collie coal has done any damage. Three years seems to be a fair trial and if Collie coal has worked satisfactorily during the past three years there is nothing to prevent it working satisfactorily in the future.

Mr. Hickmott: In your opinion is it satisfactory?

Hon. W. C. ANGWIN: Yes. The farmers will not protect themselves. The member for Pingelly said the farmers should plough a break so as to prevent the fires spreading.

Mr. Maley: He said wherever possible.

Hon. W. C. ANGWIN: Where is it not possible?

Mr. Hickmott: They do plough where it is possible.

Hon. W. C. ANGWIN: As a matter of fact the position is that at times some persons are out to condemn Collie coal. The engine-drivers have said that there is nothing wrong with Collie coal if they have proper Collie coal to use in certain districts. Arrangements have been made with the Minister, and I hope he will never alter those arrangements, no matter what pressure is brought to bear on him. But I regret to hear from the member for Forrest, who is acting for the member for Collie, that within the last few days coal has been brought here from Newcastle, although there is no necessity for it.

Hon. R. H. Underwood (Honorary Minister): But there is a necessity.

Hon. W. C. ANGWIN: We are told that it is wanted for the blacksmiths' shops; but other engineering works are using Collie coal for the same purpose.

Hon. R. H. Underwood (Honorary Minister): We want 6,000 tons for the "Bambra."

Hon. W. C. ANGWIN: Well, she is over East, why not let her bring it?

Hon. R. H. Underwood (Honorary Minister): She cannot bring 6,000 tons.

Hon. W. C. ANGWIN: Will the Minister solemnly say that the coal is for the "Bambra"?

Hon. R. H. Underwood (Honorary Minister): Yes, for the "Bambra" and the railways.

Mr. O'Loghlen: Why should they want it?

Hon. R. H. Underwood (Honorary Minister): For smithing; and we want 1,000 tons for Wyndham.

Hon. W. C. ANGWIN: The least Ministers say about the subject the better, because they only get into a muddle. I have heard from experienced miners that there is no better coal for industrial purposes at present in Western Australia than the coal from the Premier mine at Collie. They can use that for blacksmithing.

Hon. R. H. Underwood (Honorary Minister): No, they cannot.

Hon. W. C. ANGWIN: Men who understand it say it is the very best. But there is always some opposition to the use of Collie coal. If the arrangements made by the engine drivers and the miners is carried out in its entirety the time is not far distant when the opposition to the use of Collie coal will be wiped away altogether.

Mr. Munsie: If they could not get Newcastle coal they would use Collie coal for all purposes.

Hon. W. C. ANGWIN: There have been no complaints for the last three years. But we now have prospects of peace, and so the practice of nationalism is going away before the wind. They want now to condemn our own product. I say, let us use all the Collie coal we can.

Mr. MALEY (Greenough—in reply) [5.48]: I have been given an assurance, therefore I have achieved the purpose with which I set out—

Mr. O'Loghlen: What assurance was that?

Mr. MALEY: Consequently I ask leave to withdraw the motion.

Motion by leave withdrawn.

## BILL—FORESTS.

In Committee.

Resumed from the 31st October; Mr. Stubbs in the Chair, the Attorney General and Minister for Woods and Forests in charge of the Bill.

Postponed Clause 45—A forest officer may call for assistance to extinguish fires:

The ATTORNEY GENERAL: The clause was partly discussed in Committee at our last sitting. I have since given it some consideration, and whilst I cannot agree with the suggestion that there should be reciprocity, that is that Government employees should be liable to be called out when the settlers are called out, still I think there is sufficient good in human nature to warrant the belief that when the fire bell rings men will run from all quarters to extinguish the fire. Therefore, I do not propose to pursue that clause further or to resist any attempt to strike it out.

Clause put and negatived.

Postponed Clause 46—Conservator may order owners of private property to burn a fire-belt:

Mr. PICKERING: I have an amendment.

Hon. P. Collier: You usually have.

Mr. PICKERING: I move an amendment—

“That “when” in line one and all words after “Conservator” in the same line be struck out and the following inserted in lieu:—“shall from time to time burn off or remove any inflammable material on all land within 20 chains of the boundaries of every State forest or timber reserve.”

Under the clause as it stands the onus of protecting the State forests from fire from outside influences is thrown entirely upon the settler. Again, the settler may be called upon to destroy the dangerous inflammable material, or, alternatively, to remove it. This is sheer class taxation. The forests are not maintained in the interests of the settlers alone, but in the interests of the State generally, and therefore if there be any cost in connection with fire protection, that cost should be distributed over the whole State.

Hon. F. E. S. Willmott (Honorary Minister): Do you mean that they shall remove any inflammable material from private lands?

Mr. PICKERING: Yes.

Hon. F. E. S. Willmott (Honorary Minister): You cannot compel a person to do that.

Mr. PICKERING: I am going to discuss this in my own way.

The Attorney General: If the hon. member will permit me to make a short explanation, I think we could save time. I have two amendments which will meet most of the hon. member's objections.

Mr. PICKERING: I know of one of them, but I know also that I am going on with my own amendment.

The Attorney General: Well I hope it meets the fate it deserves.

Mr. PICKERING: I am going on in my own way.

The CHAIRMAN: It is usual to extend to a Minister the courtesy of permitting him to make an explanation.

Hon. P. COLLIER: I rise to protect the rights and privileges of private members. It does not matter who is in charge of the Bill. Fifty Ministers have no right to interrupt a member who is addressing the Chair and is not out of order. If the Minister desired to make an explanation which would curtail the remarks of the member for Sussex, his time was before that hon. member rose.

The Attorney General: I did not get a chance.

Hon. P. COLLIER: In that case there is no option but to let the member for Sussex proceed.

The PREMIER: The Attorney General had no desire to prevent the member for Sussex from addressing the Chamber, but merely wished to make an explanation which might have the effect of shortening the debate.

Hon. P. Collier: But the practice is a bad one.

Mr. PICKERING: Having heard these explanations as to my position, I shall endeavour to continue my remarks. I have al-

ready had an interview with the Minister on this subject, and the results were not such as to meet with my approval. Therefore, I intend to pursue the case. This clause is extracted from the Victorian Act. Because the clause worked satisfactorily there, as we are told, it does not follow that the provision will operate satisfactorily here, where the conditions are quite opposed to those of Victoria. In Victoria most of the country is under cultivation, and the pasturage is of very high value. But in Western Australia the forests lie mostly where the country is not cultivated, where the country is mostly scrub; and it is essential that that country should be burnt from time to time if the people renting it are to get any return from the pasturage. If it is in the interests of the Victorian settlers to burn clear breaks between their holding and the forests, the Western Australian settlers have no such interest; on the contrary, it is to the interests of our settlers to get the country properly burnt in order that they may have feed for their stock. I am quite prepared to concede that it may be necessary in the interests of forestry, judging from the pictures hanging on these walls, to establish such fire breaks. That may be the Conservator's view. My experience, however, is that the longer the fire is kept out of the forests the worse its effects when it does come. The Bill includes all classes of forest. Now, in my electorate there is at Capel a timber reserve called a tuart plantation.

The Attorney General: One of the things I was going to cut out is that reserve.

Mr. PICKERING: The tuart plantation at Capel is environed by settlers, and if we place this obligation of a two-chain fire break on them it will cause them considerable injury. We have evidence to show that great danger may arise to settlement in the event of a fire breaking out in a forest. I quote the following from the “Daily News” of the 15th October last:—

New York, 14th October. Forest fires have broken out in Northern Wisconsin and Minnesota. There have been between 200 and 300 deaths, and thousands of people are homeless. Colquet and other towns have been destroyed. Twelve thousand refugees have arrived at Duluth, and more than 100 bodies have been recovered. Men, women, and children died in the flames, within a short distance of the special rescue trains, as the fire swept forward on a strong wind. The property loss amounts to millions of dollars.

If the Western Australian forests are allowed to remain for years without a fire passing through them, they will constitute a source of grave danger to adjoining settlers. Other settlers besides myself hold the opinion that the forests will be best conserved by allowing fires to pass through them as often as possible. In the American case I have quoted the reason given for the disastrous outbreak of fire was that the caretakers of the forest were absent on war duty. That may be true, but nevertheless the fact remains that the fire did occur in a place

where every possible precaution, including air scouts, was taken to prevent an outbreak. At Kirup, in my experience, a fire was carried from the top of one hill to the top of another, even after the intervening valley had been burnt; and similarly there was a fire at Karridale, which also caused considerable damage. Quite recently large forest fires have occurred in Victoria and New South Wales, with great resultant injury to property. It has been suggested that this clause need not become operative for some considerable time. But, in that case why include it in the Bill? Why not introduce it in a future amending Bill? The clause will operate to prevent the farmer from carrying on his avocation to a large extent. I have telegrams from three or four of my constituents asking me to oppose this fire clause as strongly as possible; and I have also letters from two men of wide repute in my district making similar representations. One of them writes—

I notice the Forests Bill is now before the House, and many of us are much concerned about it if it passes the House in its present form, which I hope it will not. I understand that it is intended to keep the fire out of the forests. If this is so, when the fire does get in, it will actually burn all timber and be dangerous to holders close by. Another clause is, I believe, that all landholders joining Crown lands must clear a fire break round their lands to a width of six feet. If this is so, it will mean hundreds of thousands out of the farmers' pockets, for one man's fads.

That is what these people think of a six-foot break. What would they say about two chains?

Another clause, I am told, is that if a fire breaks out in the forests any forest ranger can call anyone out to fight the fire. If this is so, I think the best thing is for the Forestry Department to give all of us permanent work all the summer. However, I trust you will do your best to prevent the Bill going through to be a drag on the people.

Another landholder writes me—

A few days ago I sent you a telegram from Mumballup asking you to oppose the fire clauses of the Forests Bill. The people on the Preston have only just become acquainted with the true facts of the Forests Bill which is now before Parliament. Everybody is against the fire clause. It will be a great blow to the dairying industry, for the young stock must be reared on pastoral leases, and that cannot be done unless they have plenty of freshly burnt country to run on each year, it being impossible to keep this class of stock on the homesteads. Secondly, the Government should remember that they have just passed a Vermin Act, and if the bush is allowed to grow up into a jungle it will become a breeding ground for both dingoes, and the rabbits, that will be here before long. Besides, the fire is bound to get into the forests sooner or later. It is the big fires that destroy the timber. It would be a much better and wiser plan if the Forestry Department could send out men to burn the forests every second or third year. Then

the fires would never be great enough in this district to do any serious damage to young or old timber. Thirdly, re fire breaks which are two chains wide; this would be a great strain on the landholder, and to carry it out would be almost impossible. It is the wish of the settlers down this way that you oppose the fire clause with all your might.

The break laid down in this clause would be inadequate for the purpose of keeping the fire out of the forest, or of preventing a fire in the forest from spreading to the land of adjoining settlers. For that reason my amendment suggests an area of 20 chains.

Mr. Foley: On a point of order. Is the hon. member moving only a single amendment on Clause 46? In my opinion, what he proposes consists really of two amendments. The first amendment will be to strike out the word "when." If that is carried, then the hon. member may move the second portion of his amendment, which is in fact a separate amendment. In that case we shall have a repetition of this discussion on the amendment to strike out the whole clause. Not one of the arguments up to the present used by the hon. member is directed towards the striking out of the word "when."

Sitting suspended from 6.15 to 7.30 p.m.

The CHAIRMAN: The member for Sussex has moved an amendment to strike out the word "when" and also all the words after "Conservator." The member for Leonora has raised a point of order that the member for Sussex has not confined his remarks to the first amendment, and that he is discussing both. I would point out, however, that it is impossible for the member for Sussex to discuss only the meaning of the word "when." I rule therefore that he is in order in discussing the whole clause.

Mr. PICKERING: Because of the condition in which the fruit-growing industry is at the present time, the clause if it is allowed to pass as it is printed will mean that it will be knocked out of existence. It is proposed to put a further infliction on the industry by compelling the orchardists to construct a fire break so as to protect the forests from fires likely to arise from the orchards. The orchardists have enough taxes to pay at the present time without having another imposed on them, and when we consider that the existence of the industry is seriously threatened, hon. members will appreciate the position. We have had the contention advanced by the Minister, that the first thing we have to consider is trees and not men. That statement was made unblushingly. It is evidence of the Minister's callousness and indifference to primary production.

The CHAIRMAN: We are not discussing the principles of the Bill. The hon. member must confine his remarks to the amendment.

Mr. PICKERING: I think I have clearly shown to hon. members that it is not a fair thing to impose such a burden as is suggested by the clause under consideration upon one particular section of the community. I hope

hon. members will not be misled by the eloquence of the Minister for Forests.

The ATTORNEY GENERAL: I have no desire to in any way injure the farmer or fruitgrower. I want to help them and I can assure the Committee that the clause will not touch the fruitgrowers. It is never intended to put the clause into operation except with regard to various areas which have been regenerated or forest areas which have been planted, such as pine plantations. To carry the clause out in its entirety to affect the whole of the native bush would be to carry it too far, and it never entered the minds of the Forestry Department to do such a thing. It is my intention to move two amendments to the clause which will have the effect of limiting it only to parts of the State forest as may be the subject of regeneration, and also to provide that the Conservator shall not issue the order to remove or destroy inflammable material on adjoining properties until he himself has burned or removed any inflammable material from an equal width of land within the forest boundary. It would be unfair to ask the farmer to clean up his boundary if the Forestry Department were not cleaning up their own. With regard to the fruit industry which the hon. member thinks will be seriously injured by this clause, all I have to say is that if an orchard has on its own confines a quantity of inflammable material such as would do damage to the orchard, the orchardist should be thankful that the State tells him to clean it up. Practically every half-mile there must be a fire break in the regenerated areas and on the confines of such areas there must be at least a 20 chain break. We have not asked the landowner adjoining to clear 10 chains, but we must ask him to do something if he has inflammable material on his holding. It would be highly objectionable in a Forest Bill to provide that which the hon. member evidently has in mind. It would mean that the Conservator must go on private land to burn off 20 chains of inflammable material.

Hon. P. Collier: It would be 20 chains to be burnt off inside the forest. That is the intention of the hon. member.

The ATTORNEY GENERAL: I cannot judge people by their intentions.

Mr. Pickering: I made my intention quite clear, and if it is not clear it is the fault of the drafting.

The ATTORNEY GENERAL: I have no doubt that the terms embodied by the draftsman were those desired to be put in by the hon. member, and that the hon. member must have been ambiguous. A fire is the greatest enemy to the forest, and yet we are told by the member for Sussex that fires through the forest as often as possible are the best things for it. A man is hopeless when he uses that argument. The main principle of regeneration is the avoidance of fires, and the only way to avoid them is to fire belt. It is only fair that the adjoining settler should also remove any inflammable material from within two chains of his boundary of the State forest.

The CHAIRMAN: What effect will the Attorney General's proposed amendment have if

the Committee decide to retain the words which the member for Sussex desires to delete? If the proposed amendment of the Attorney General comes anywhere within the lines covered by the amendment of the member for Sussex he cannot move then to insert anything else, because the Committee will have agreed that the words shall stand as printed.

The ATTORNEY GENERAL: I should like the clause to stand as printed, with the exception of the words "or timber reserve." I then propose to move the amendment I have mentioned as a proviso to the main clause. I ask hon. members to negative the amendment of the member for Sussex.

Hon. J. MITCHELL: I hope the clause will be defeated. The Minister says he does not mean what the clause says.

The Attorney General: I propose to modify it.

Hon. J. MITCHELL: The member for Sussex apparently does not want his amendment either. If to clear two chains or 20 chains is material to the care of the forest, why should not that area come out of the forest reserve instead of out of the private holding? Why should a private individual be put to the expense of protecting the forest? When the Conservator gets control of the jarrah lands of the State, he will also have control of the lands surrounding, and there will be miles of country abutting on the boundary of the State forest. To remove all inflammable material for a distance of several chains on these boundaries will mean a serious loss to the settler. What is meant by inflammable material? This would surely include crops and buildings, and anything that will burn. I hope the Committee will reject the clause, which will mean great injustice to the people in the South-West.

Hon. P. Collier: How about inserting a similar provision as is proposed here for people whose properties abut on railway lines?

Hon. J. MITCHELL: That would be as unjustifiable as it is in the present circumstances. If so many fire breaks have to be constructed, as is stated by the Minister, the revenue from the forest will not be sufficient to pay the cost.

Mr. PICKERING: What justification is there for penalising the settlers on the confines of any State forest? Why should the people be deceived by the subterfuges which are put forward? The intention of my amendment is quite clear, namely, that whatever clearing is required should be made out of the State forest. Anyone who has lived in a forest knows the danger of bush fires, probably more so than the Attorney General. The Government are asking us to help them to protect their forests and to put up with the disaster which will follow in the train of a fire breaking out. It is bad enough to be confronted with that appalling disaster without having to bear the burden of this extra charge upon our industry. I hope hon. members will not be deluded by the suggested amendment of the Attorney General.

Amendment put and a division taken with the following result:—

Ayes .. . . .	16
Noes .. . . .	18
Majority against ..	2

## AYES.

Mr. Angwin	Mr. Pickering
Mr. Broun	Mr. Pilkington
Mr. Green	Mr. Roche
Mr. Griffiths	Mr. Smith
Mr. Hickmott	Mr. Walker
Mr. Holmes	Mr. Willcock
Mr. Maley	Mr. Munsie
Mr. Mitchell	(Teller.)
Mr. Nairn	

## NOES.

Mr. Angelo	Mr. Hudson
Mr. Collier	Mr. Lefroy
Mr. Davies	Mr. Mullany
Mr. Draper	Mr. R. T. Robinson
Mr. Duff	Mr. Teesdale
Mr. Foley	Mr. Underwood
Mr. Gardner	Mr. Willmott
Mr. George	Mr. O'Lughlen
Mr. Hardwick	(Teller.)
Mr. Harrison	

Amendment thus negatived.

The ATTORNEY GENERAL: I move an amendment—

That the words "or timber reserve" be struck out.

Amendment put and passed.

The ATTORNEY GENERAL: I move a further amendment—

That the following proviso be added:—  
"Provided that this section shall apply only to such part or parts of a State forest as may be the subject of planting or regeneration."

Mr. O'LOGHLEN: It would be wise if the latter portion of the proviso established the period of regeneration until the provision applies. I realise the danger pointed out by members that there is no half-way house. We have to give the power or withhold it. The clauses are very drastic and if the Conservator or Minister desires to enforce them, there will be a mild revolution. We have to consider whether the Conservator is a man of common sense or otherwise. If otherwise, there will be considerable trouble. We have to realise there is danger of fire, particularly in a cultivated forest, and some steps must be taken to protect it. The day after a forest is in danger of fire, then the provision should apply. There is no danger to a young pine plantation for some years, because the debris does not fall and danger does not exist until there is sufficient rubbish to burn. I think a time should be stipulated when areas which have been taken in hand by the department for regeneration purposes are in danger, and then precautions

can be taken. If the Conservator proposes to give effect to the clauses which we have passed in their entirety, he will have a very short stay in Western Australia. The Minister must fix a time limit when such instructions shall be given by the Conservator on regenerated areas.

Mr. NAIRN: The Forestry Department have assumed that, in order to protect new forests, 20 chains of country have to be cleared, and of that 20 chains two chains must be cleared by those who own the adjacent country.

Hon. F. E. S. Willmott (Honorary Minister): Not cleared, but burnt off.

Mr. NAIRN: Anything may become inflammable. A man's crop when ripening becomes inflammable. I do not think the responsibility should be placed on the adjoining owner in the interests of the Forestry Department. But it is a matter of grave concern to adjoining owners because next door to him is a very undesirable neighbour; for it must be remembered that pine plantations are highly dangerous. And although the private owner is to derive no profit from them, but a great deal of anxiety, he is to be penalised to the extent of having to do ten per cent. of the work of protection. The principle is wrong. An owner may be thousands of miles away from the State, and in his absence the department may order the removal of inflammable material, and it shall be done at his expense. Assuming that instead of the Government planting a pine forest a private individual did so, no one would contemplate that he should say to his next door neighbour "You must clear back two chains of your land in order to protect my forest." Yet that is what the department propose to do.

Hon. J. MITCHELL: I hope the Committee will agree that all the provisions are to be enforced. The member for Forrest has said that we should convey to the Conservator an intimation that the Bill is not to be enforced.

Mr. O'Lughlen: If it is enforced a man may be fined £50 for taking a tin of honey out of a tree.

Hon. J. MITCHELL: I have always urged that hon. members should be careful about indiscriminately placing laws on the statute-book. It would be ridiculous to entertain the theory that we can put anything and everything on the statute-book, and trust the departmental officers not to enforce those laws. The amendment does not make any material difference to the clause. Every acre of jarrah land ought to be a State forest, and ought never to be sold. Why make a private owner provide a fire break?

Hon. F. E. S. Willmott (Honorary Minister): For his own protection.

Hon. J. MITCHELL: No, it is for the protection of the State forest. It is proposed to make a private owner spend money to provide protection for the State forest.

Mr. PICKERING: It has been distinctly laid down by the Minister that it is in the early stages of the growth of regenerated forests that fire protection is most urgently re-

quired. If we delete the clause there is nothing to prevent the Forestry Department clearing as wide a break as they like within their own boundaries. This proviso is only penalising a certain section who happen to live adjacent to the State forest. The Honorary Minister for Lands has interjected several times that it is only provided that the area is to be burnt off, that it is not to be cleared. I would remind him that it is not easy to confine a fire to a width of two chains. It is going to cost a great deal of money to clear the prescribed break, no matter what method is adopted. If it is in the interests of the State that this break should be cleared, why should not the State bear the cost?

The ATTORNEY GENERAL: In other countries experience has proved that settlers and farmers are only too delighted to welcome the regenerating or the planting of forests, because it means added wealth to them, a market at their doors for everything they produce, labour when they require it, and employment for them in their spare time. In no other country has a representative of the farmers ever risen in his place in Parliament and expressed the views expressed by the member for Sussex. The people of the South-West will have occasion to be delighted with the regeneration of the forest. Of course we know that any Act can be spoilt by bad administration. There is a great deal of difference between arrogant administration and reasonable administration, and I hope the Forestry Department will continue to be reasonable.

Mr. Draper: If they are not we cannot control them.

Mr. Nairn: What advantage are the farmers to get from this provision?

The ATTORNEY GENERAL: The advantage is well illustrated by the case of the member for Sussex. He says that the people of his district are mostly orchardists, and that they have orchards close to the State forest. If so, and if they have inflammable material on their orchards, then their orchards are in danger. The property of the member for Sussex is adjoining a timber reserve, so he should not have any personal objection to the provision. I should have expected the hon. member to be one of the first to welcome the Bill, as providing a large measure of employment in his district. In the forests of the countries with which we are at war, seven million people are maintained in the work of regeneration. When this Bill shall have been going for ten years there will be in the South-West ten times the present population.

Mr. DRAPER: Most members will at any rate give the Government credit for the desire to protect one of the primary industries, and most members are desirous of passing all measures which will give reasonable protection to State forests. But I question whether we have the right to obtain that protection at the expense of settlers who have taken up land under totally different conditions. The State forest is not a small thing. Even if a forest has been planted it may extend to a mile in length. If we are going to make a man remove from his land all inflammable material to the extent

of two chains for a mile in length we shall be depriving him of 16 acres of his property! The question is, what is inflammable material? It may mean a man's crop. The Conservator should not have the power to deprive a man of 16 acres of his crop. While I recognise the necessity for protecting the State forest, I ask the Minister in charge if he would be prepared to amend his proposed amendment to put the expense on the State in regard to the removal of all inflammable material? The Minister might go further. If any portion of the settler's crop or other produce is to be removed or destroyed, the settler should be compensated. We have not had time to consider the amendment, which has just been introduced, and I suggest to the Minister that the clause should be re-committed. While considering the interests of the State forests, we must also consider the rights of the people who have taken up land, and whose rights can be interfered with if this amendment is carried.

The ATTORNEY GENERAL: I do not mind postponing the clause to the end of the Bill, which I hope will be reached this evening; but I previously moved to report progress on this very clause in order to afford the member for Sussex an opportunity of discussing the provision with me.

Mr. HARRISON: I agree with the member for West Perth as to the advisability of postponing consideration of this clause. In the machinery of a measure of this kind, is it not necessary, after the Government have gone to the expense of clearing a large area of country, that there should be power to the Conservator, in the event of any farmer leaving on his boundary and in the vicinity of the State forest a quantity of inflammable material, to have that inflammable material cleared away? Some such clause as this is necessary to provide against such a contingency. At the same time, I do not consider the farmer should find money in order to protect the State asset. Yet, again, light, inflammable material taking fire on a windy night, might do endless damage. I want to protect the asset of the State on the one hand, but on the other hand I do not want to penalise the farmer. It is too much to ask a farmer to clear a certain number of chains all along his boundary.

Hon. F. E. S. WILLMOTT (Honorary Minister): The clause does not say "to clear."

Mr. NAIRN: The Honorary Minister says the settler need not clear. However, a tree might fall across the width of two chains; that would not require a very long tree. No more certain means can be found for carrying a fire across than the bark of a dead tree. If, as the Honorary Minister suggests, only light, inflammable material is to be removed, this provision would prove altogether ineffective.

Mr. PICKERING: The honorary Minister previously threw contumely on the settlers, and now he has suggested to my constituents that I am trying to keep employment away from my district.

Hon. F. E. S. Willmott (Honorary Minister): Not at all.

Mr. PICKERING: I hope the Committee will not be misled by the member for Avon,

who does not care what has to be done on a farm in this connection so long as it is not his farm. I cannot afford to clear land as is here proposed, and hundreds of settlers are in the same position as myself. I hope the clause will not be favourably considered.

Amendment put and passed.

The ATTORNEY GENERAL: I move a further amendment—

That the following further proviso be added to the clause:—"Provided also that the Conservator shall not issue such order until he has burned or removed any inflammable material from an equal width of land within the forest boundary."

Amendment put and passed.

Clause, as amended, put, and a division taken with the following result:—

Ayes	..	..	..	..	13
Noes	..	..	..	..	20

Majority against .. .. 7

#### AYES.

Mr. Angwin	Mr. Munsie
Mr. Coiller	Mr. Pilkington
Mr. Green	Mr. Roche
Mr. Griffiths	Mr. Walker
Mr. Holman	Mr. Willcock
Mr. Maley	Mr. O'Loughlen
Mr. Mitchell	(Teller.)

#### NOES.

Mr. Angelo	Mr. Mullaoy
Mr. Broun	Mr. Nairn
Mr. Davies	Mr. Pickering
Mr. Draper	Mr. R. T. Robinson
Mr. Foley	Mr. Smith
Mr. Gardiner	Mr. Teesdale
Mr. Harrison	Mr. Underwood
Mr. Hickmott	Mr. Willmott
Mr. Hudson	Mr. Hardwick
Mr. Lefroy	(Teller.)
Mr. Money	

Clause thus negatived.

Postponed Clauses 47, 48—agreed to.

Postponed Clause 49—Other offences:

The ATTORNEY GENERAL: I move an amendment—

That paragraph (j) be struck out.

Amendment put and passed.

Mr. PICKERING: I move a further amendment—

That at the beginning of paragraphs (k) and (l) the word "knowingly" be inserted.

Amendment put and passed; the clause as amended agreed to.

Postponed Clause 50—Unlawful possession of forest produce:

Mr. O'LOGHLEN: I fail to see the necessity for all this verbiage. The object of the clause is merely to protect, and if it were made to apply to the timber growing on the defined area it would fill the bill. It is an extraordinary thing for us to give this power and it is carrying the penalties to a ridiculous extent. There is no necessity for all this verbiage.

Mr. NAIRN: The clause is unduly severe. It says that if a person is found in possession of certain forest produce and refuses to give an account to the satisfaction of an officer of the manner in which he became possessed of it, he may be arrested. Could he not be summoned?

The ATTORNEY GENERAL: I cannot limit the clause to merely timber as suggested by the member for Forrest. There are many other things. Take mallet bark. People are told they must not remove it from certain areas. We are going to be particular about it or we shall have none left.

Mr. O'Loughlen: Well, include that. What else have you?

The ATTORNEY GENERAL: It is hoped before long that red gum will be used for tanning. That will be included. We have also two classes of blackboys and grass trees which are used for purposes of manufacture and which are not timber. I am not keen, however, on a person being arrested. The point is, though, that if a man is in possession of something and cannot give an account as to how he came by it, if we do not arrest him the chances are we will never see him again.

Mr. O'LOGHLEN: I move an amendment—

That all the words after "produce" in line 8 be struck out and "shall be guilty of an offence and shall be liable to a penalty of not exceeding £10 and the forest produce shall be forfeited" be inserted.

I object to giving power to arrest. The police force can deal with any offence and there is ample machinery for prosecution without effecting arrests.

The Attorney General: I will accept the hon. member's amendment in the form in which he has submitted it.

Mr. PILKINGTON: The offence in this case may be of the most trivial character where no penalty at all should be imposed, or only a small one. A person might, for instance, be convicted of picking wild flowers. Under the clause as it stands it is not possible to impose a small penalty.

Amendment put and passed; the clause, as amended, agreed to.

Postponed Clause 51—agreed to.

Postponed Clause 52—General penalty:

Hon. W. C. ANGWIN: I notice in Sub-clause 1, paragraph (a), that the penalty that is provided for trespass, for instance, is one not exceeding £50, or imprisonment. The magistrate is often guided in the penalty he imposes by what is stated in the Act, and he may fine a person £5 or £10 when 5s. would do.

Hon. J. Mitchell: There is too wide a range provided for here.

Hon. W. C. ANGWIN: Why should this heavy penalty be imposed?

Hon. F. E. S. WILLMOTT (Honorary Minister): Under the present Act the penalty is one of not more than £100 per day. Rangers have found that in a number of cases brought before the court the maximum penalty imposed was 1s.



Mr. O'Loghlen: You are dealing with the non-compliance of conditions now.

Hon. F. E. S. WILLMOTT (Honorary Minister): Or the infringement of conditions. I do not think the maximum penalty provided in an Act has the slightest effect on the bench. I have never known of a heavier penalty than £10 being imposed. The trouble is to induce the bench to understand that when a man breaks the law the penalty should be sufficiently high to deter him from doing so again.

Hon. J. Mitchell: I think the law has been very well obeyed in the past.

The ATTORNEY GENERAL: I have cut the penalty down by one half. The present penalty for forest offences is £100; I now propose to make it £50.

Mr. O'LOGHLEN: I move an amendment—  
That Subclause 2 be struck out.

I see no necessity for prescribing a minimum penalty here. It may be that the bench will be inclined to impose a fine of 1s. I am prepared to trust the bench to impose a fine according to the damage which has been done.

The Attorney General: I agree.

Amendment put and passed.

Mr. SMITH: I move a further amendment—

That Subclause 3 be struck out.

This is a radical departure from the procedure of our British courts. It implies that a man must prove his innocence before he can be deemed to be innocent. The officer making the complaint should be the person who is called upon to prove the offence.

Amendment put and passed; the clause, as amended, agreed to.

Postponed Clause 54—agreed to.

Postponed Clause 55—Forest officers may arrest persons:

Mr. O'LOGHLEN: I suggest that this clause be struck out. There is ample power already for forest officers to take before the court any offender. This clause provides for arrest, and for taking a person before a justice of the peace and so on. I believe that justice will be served in the power which has already been given. There is ample machinery to take people to the court.

The ATTORNEY GENERAL: The provision does not mean that any forest officer may arrest indiscriminately anyone without warrant, but if a person refuses to give his name and residence, or gives a name and residence which is believed to be false, or if there is reason to believe he will abscond, he may be arrested.

Mr. O'LOGHLEN: This is a power I shall never agree to give to any officer. People are not in a position to abscond. There is ample opportunity to deal with any offender, and there is machinery to trace any offender. I object to anyone without a uniform arresting an alleged offender.

Clause put and a division taken with the following result:—

Ayes	..	..	..	20
Noes	..	..	..	13
				—
Majority for	..	..	..	7
				—

## AYES.

Mr. Angwin  
Mr. Broun  
Mr. Collier  
Mr. Davies  
Mr. Draper  
Mr. Green  
Mr. Hickmott  
Mr. Holman  
Mr. Maley  
Mr. Mitchell  
Mr. Mullany

Mr. Nairn  
Mr. Pickering  
Mr. Pilkington  
Mr. Roake  
Mr. Smith  
Mr. Thomson  
Mr. Walker  
Mr. Willcock  
Mr. Munie

(Teller.)

## NOES.

Mr. Angelo  
Mr. Duff  
Mr. Gardiner  
Mr. George  
Mr. Harrison  
Mr. Hudson  
Mr. Lefroy

Mr. O'Loghlen  
Mr. R. T. Robinson  
Mr. Teesdale  
Mr. Underwood  
Mr. Willmott  
Mr. Hardwick

(Teller.)

Clause thus passed.

Postponed Clause 56—agreed to.

Postponed Clause 57—Forest officer may conduct prosecution:

Hon. W. C. ANGWIN: A forest officer may make complaints and conduct prosecutions, but it is not necessary to produce proof in court of the appointment of the forest officer.

The ATTORNEY GENERAL: I will consider this matter, and if necessary an amendment can be made in another place. I wish to make the provision conform with similar provisions in other Acts.

Clause put and passed.

Postponed Clause 58—Share of fine may be paid to informer other than forest officer:

Mr. O'LOGHLEN: This clause is a direct encouragement of the pimp. Citizens who observe wanton destruction will report it. It is not necessary to have such a provision. The clause should be struck out.

Clause put and negatived.

Postponed Clause 59—agreed to.

Postponed Clause 60—Forest officers have power of police constable:

Mr. O'LOGHLEN: This clause also should be struck out. The principle is the same as that contained in Clause 58. If we had a population of millions, and a forest officer had not a knowledge of the residents of his district, he might be handicapped; but in our little community, the forest ranger is known by everyone and knows everyone. There may be occasions when an offender will elude the officer, but those occasions will be very rare indeed. With all the legal machinery and the machinery of the local governing authorities, the forest officer will have ample power to proceed by summons, without any provision for arrest. A policeman alone should have power to deprive a citizen of his liberty.

The Minister for Mines: Railway officials have power to arrest.

Mr. O'LOGHLEN: I understand they have power only to detain, and not to arrest. Further, they are dealing with millions of pounds' worth of portable property; it is not so in the forests. I have yet to learn that

any officer of the Forest Department has failed to bring to the court an offender under the regulations. There is not any such instance on record. Why, then, should we confer on departmental officers this drastic power of arrest?

The ATTORNEY GENERAL: The hon. member is quite mistaken as to the powers sought in the clause. It is merely intended to give forest officers the powers of police constables. Except in the case of certain minor offences committed within the constable's view, a police constable has no power to arrest any person for anything less than a crime. The minor offences for which a police constable can arrest are not likely to be committed in the forest. The cases for which the power is required is in respect of major offences and in respect of the serving of processes. No one is afraid of police constables doing that which is wrong.

Mr. O'Loghlen: That is it—I want to confine it to police constables.

The ATTORNEY GENERAL: But we cannot control our forests with police constables. I do not think there are more than two or three police constables stationed in the whole of the forest area.

Mr. O'Loghlen: If you find you cannot get on without this provision, come along and ask for it later.

The ATTORNEY GENERAL: But the mere giving of the power will act as a deterrent.

Hon. P. COLLIER: I am most strongly opposed to the clause. Had I thought that Clause 55 was likely to be carried I would have resisted it to the utmost. This is the first instance in Western Australia in which it is sought to clothe civilians with police powers and authority. It is a principle entirely foreign to Australian sentiment, and it ought not to be introduced in our legislation. We are asked to confer all the powers of police constables on forest officers, and despite the Attorney General "all powers" includes power to arrest. And what is it for?—in order the more effectively to protect the forest property of the State. A logical extension of the argument is to say that we should clothe every citizen in the State with the powers of police constables, that then we could more effectively check crime in all its phases. If the argument is good in regard to the protection of mere material wealth in the form of timber, it is still better in regard to the extension of that power to all citizens for the protection of life, liberty and freedom. To give a forestry officer full statutory power to do anything that a police constable may do in this State, is indeed an extraordinary proposal. I am sorry the Committee carried Clause 55; in doing so, they reversed a principle laid down in rejecting a previous clause. I hope the Minister will not stand by this clause. If, later, he finds that the forests are being devastated by vandals, he may have a good case for requesting additional powers.

Clause put and negatived.

Postponed Clauses 61, 62, 63—agreed to.

Postponed Clause 64—Presence, removal or disposal of buildings, tramline, forest or timber, etc., within State forest or timber reserve:

The ATTORNEY GENERAL: I move an amendment—

That in Subclause 1, line 2, after the word "weir," there be inserted "erected or constructed after the commencement of this Act."

Amendment put and passed; the clause as amended agreed to.

Postponed Clauses 65 to 68—agreed to.

Postponed Clause 69—Timber on catchment areas may be placed under control of Conservator:

Mr. O'LOGHLEN: Who will receive the benefit of the revenue derivable under the powers conferred by this clause? In the Mundaring catchment area there is a considerable quantity of firewood, for which City firms are willing to pay a substantial royalty, as well as laying a tramway into the timber. Is there likely to be any conflict between the Forestry Department and the Water Supply Department in this matter?

The ATTORNEY GENERAL: I do not anticipate any such trouble. What is in the mind of the department is just what the clause expresses, that some of the hills areas must be cut up into sections to be let to firewood firms or to cutters willing to cut them on a face for the purpose of regeneration. It is hoped that the money received for the firewood will pay for the regeneration.

Clause put and passed.

Postponed Clauses 70, 71—agreed to.

Postponed Clause 72—Rights of way over alienated land within forests:

The ATTORNEY GENERAL: I move an amendment—

That after the word "streams," in the last line, there be inserted "and to construct, repair, and maintain pipe lines."

Amendment put and passed; the clause as amended agreed to.

Postponed Clause 73—agreed to.

Postponed Clause 74—Arbour Day:

The ATTORNEY GENERAL: I move an amendment—

That the words "and should be held holiday in all State schools" be struck out.

Mr. O'LOGHLEN: I suppose the Minister has good reason for the amendment.

The Attorney General: The words can remain, if you like.

Mr. O'LOGHLEN: Unless there is a public holiday, how can the tree planting be done?

The Attorney General: It can be done on some other holiday.

Mr. O'LOGHLEN: Very well.

Amendment put and passed; the clause as amended agreed to.

Postponed Clause 5—Preservation of rights of pastoral lessees and holders of mining rights:

The ATTORNEY GENERAL: I move an amendment—

That the following paragraph be added to the clause:—"(3) The Governor may (a) extend the term of sawmill permits granted under the Land Act Amendment

Act, 1904, so far as the operations thereunder have been temporarily discontinued in consequence of the present state of war; and (b) so far as the operations under any existing timber concession or timber lease have been temporarily suspended in consequence of the present state of war (i) extend the term of such concession or lease subject to payment, during the period of such extension, in lieu of the rent thereby reserved, of a royalty on all timber acquired at the prescribed rate of royalty under this Act for timber acquired under permits, and to the regulations in force for the time being, subject to the proviso to section forty-one: Provided that the rent paid during the period of temporary suspension of operations shall be credited to the lessee and apportioned over the period of such extension; or (ii) accept a surrender of any concession or lease, and issue, in lieu thereof, a permit under this Act of the same or other land at the prescribed royalty, the rent paid under the surrendered concession or lease during the period of temporary suspension of operations being credited to the permit holder and apportioned over the term of the permit."

The general effect of the amendment is to take the power to extend our permits, concessions, and leases for a period, after they terminate, equal to that during which they have been temporarily suspended by reason of the great war.

Mr. O'Loughlen: Why not fix a uniform period?

The ATTORNEY GENERAL: We cannot do that, because the permits of some persons have been worked for as much as three years after the war, while, on the other hand, certain leases have not been worked at all. Each case will have to stand on its own merits. In the respective classes of permits, leases, and concessions it is only right to grant some extension equal to the period of enforced idleness during the war.

Mr. Foley: You are giving big advantages in some cases.

The ATTORNEY GENERAL: Possibly. There is the difference between the permit holder and the leaseholder. The permit holder is one of the modern titles, and he only pays a royalty of 2s. per load on that timber which he uses. If, therefore, he had exemption of his permit during the war, which has been freely granted to each sawmill permit holder who applied for it, he has been paying nothing. Thus, if we extend the permit for three years, he will merely continue to pay his royalty, having suffered nothing whatever. In the case of the leaseholder, there is a different position. He pays £20 per square mile per annum. The leaseholder has been paying his rental during the currency of the war, notwithstanding the fact that he has been unable to operate his leases, or has only been able to operate them partially. The leaseholder, whether man or company, is entitled to be placed by the Government in the same position as the permit holder who, having paid nothing during the war, has had his

term extended. Now, we say to the leaseholder, "We cannot extend your old, obsolete tenancy or your concession on the terms on which you originally got it, because that would be unfair to the other sawmiller who is a permit holder, who is to-day paying 2s. royalty."

The CHAIRMAN: On referring to the "Votes and Proceedings," I find that the Committee have dealt with Clause 5. It has been amended and passed.

The ATTORNEY GENERAL: Oh, no, Sir.

The CHAIRMAN: It is so according to the "Votes and Proceedings."

The ATTORNEY GENERAL: I cannot help that, Sir. At your instigation, Mr. Chairman, I moved that the postponed clauses should be taken at the end of the Bill, and the amendments have appeared on the Notice Paper every day since. Had they gone out one day, I should have moved you. Hon. members will support me that I asked you to do this, as I was out of order. I took your advice, and followed it. We can treat them as new clauses and they will be put in their proper places in the Bill. I hope hon. members appreciate the position between the concession holder, the leaseholder and the permit holder. The concession holder pays a very small fee. In some instances it is £150 a year. It was fixed in the early days, 30 or 40 years ago. Most of these leases and concessions expire between the years 1924 and 1927. The leaseholder pays £20 per square mile per annum. It is not proposed to renew the concessions or leases on the same terms under which they have been held. It is proposed to renew them on the same terms as the permit holder. A concession expires, say, in 1924. It has not been used for two years owing to war conditions. The person who owns that concession will be entitled to come to the Government and the Government will be entitled to grant a further two years of that concession subject to the regulations and subject to a 2s. royalty in place of rent, or whatever the royalty is at that time. During the period of the war the leaseholder has been under a particular disability, and so has the concession holder. He has had to pay his rent although he was not operating his property. The permit holder only pays his 2s. on the felled product and if he is not cutting or felling, he pays nothing. But the concession holder has paid many thousands of pounds which he must have paid out of capital. Leaseholders and concession holders have paid during the war up to date a sum approximating £30,000. I asked the concession and leaseholders what they claimed as the amount they had paid during the period that they were not cutting. I also asked the Forestry Department to give me a return of leases and concessions held during that period and when no cutting was going on. The figures approximately were £22,000. I take it that it is the desire of hon. members to do a fair thing to those who have been engaged in this industry. They have been precluded during the period of the war from cutting and yet they have paid rents and the leases will soon run out. The new clauses will give the Government power to extend the

leases or concessions or permits for a period equal to that in which they have not been able to work, and in the permit cases to continue to pay royalty. In the leasehold cases royalty will be paid but it will not be less than the rental. But the leaseholder will be credited with the rental which has been paid during the war and for which he has received no benefit. I am aware that the leaseholder, if he chooses, may defeat me over it. But I do not think the leaseholders of this country are dishonest. A lease expires say in 1924, and the war ends now. He will have between five and six years to go. In his case, possibly, he has more than five years cutting. I have inquired both from the leaseholder himself and from the Forestry Department as to the area that there is to cut and I give hon. members the figures in the memorandum of the Bill. Speaking from memory the figures are something like 125,000 acres. The leaseholder says in the ordinary way, "I was so working my lease that I would have cut out the whole lot by the end of my lease or concession, but I have been precluded owing to the war from cutting, and I will proceed at the normal rate of cutting and at the end of two, three, or four years, I will have cut out the lot." I admit it may be possible for the leaseholder, now he has some of the hewing clauses in his favour, to speed up his cutting, to cut all out within the period of his present lease, or at all events leave only that much over which will be equivalent to the rental paid during the war. In such case the Forestry Department would not get the benefit of the 2s. royalty. I have put that to several persons who are particularly skilled in forest matters as well as the Forestry Department. I have also discussed it with the leaseholder himself, and I have put the proposition to the member for Forrest.

Mr. O'Loughlen: Would you not have the right to review the royalty if you thought you had been got at?

The ATTORNEY GENERAL: I do not think I would but I am proceeding on the assumption that the sawmiller will continue in the same regular way as he is doing now, that he is not going to attempt to cut out his forests within the period of his lease and so defeat me. If he did attempt to do that we would have our remedy. I would come to the House and ask for special power to stop it. We have a right to treat the companies that have been operating in our forests for so many years as honest men and honest companies, and if we give them this extension after the war for a period equal to the war, they will not be playing tricks on us. I am not saying that the Governor shall do something, but that he will take the details of every case into consideration. If a lease or a concession had operations suspended on it a year or two prior to the war it would not claim the advantage of this clause, which only relates to leases, sawmill permits or concessions so far as the operations have been temporarily suspended in consequence of the present state of war. Neither would it cover the case given by the member for North-East Fre-

Hon. W. C. Angwin: For the next nine or ten years they could cut at a less rate than the other people.

The ATTORNEY GENERAL: I admit that the position is complicated. I have spent months on the consideration of this clause, with the idea of doing justice to the State, and those people whose business has been suspended through no fault of their own.

Mr. O'Loughlen: I think they are going to have a good time.

The ATTORNEY GENERAL: These are the Government proposals, and are here to be discussed. If a fairer thing can be suggested let it be put forward.

Mr. O'Loughlen: Do you have the right to review so that the State could get more revenue in the event of good times coming?

The ATTORNEY GENERAL: The only right to review would be that if they applied at once they would get the benefit of the present royalty. If they wait for a year or two they may get a different royalty. There is no intention to change the royalty at the moment.

Mr. O'Loughlen: Will you guarantee it will not change in 12 months?

The ATTORNEY GENERAL: I cannot do that. But there is no intention at present of altering the rate.

Mr. Money: It has already been doubled.

The ATTORNEY GENERAL: That took place 12 or 18 months ago, in order to provide the foundations of a fund for this very Bill, and to this policy the saw-millers did not object.

Hon. W. C. Angwin: The rents were not doubled.

The ATTORNEY GENERAL: That could not be done, though I should have liked to have had it so. We have had to honour the promises made by previous Administrations.

Hon. P. Collier: Did those who held leases offer to make a voluntary contribution towards the regeneration of the forests?

The ATTORNEY GENERAL: No.

Mr. O'Loughlen: What is the amount secured by the additional royalty?

The ATTORNEY GENERAL: The revenue this year is about £29,000, and I think the additional royalty would amount to about £10,000. As the rentals work out half the revenue will be for afforestation.

Mr. FOLEY: It is generally agreed that in none of the three classes mentioned has a man, a company, or a concessionaire had the same opportunity of making money as was the case before the war. The State was not making much out of the permit holder when the war broke out, because he only paid royalty on the timber cut. When the permit holder ceased to cut this State had the benefit of the forest which was still uncut. This, one may say, has been fair both to the permit holder and the State. With regard to the leaseholder, £20 per annum per square mile has had to be paid by him as rent. That would have been all right but for the war, but now the war is on that man's rent continues although he can make little use of the lease. The concession holder is to have the right to have his concession extended, the

lease extended, and the permit holder to have the right to have the permit that he holds extended. When we take into consideration what the permit holder has paid and what the leaseholder has paid, I contend that the State is not getting a fair deal even if the Minister is giving the concession holder a fair deal. What the Minister proposes to do is to extend the permit of their leases for the period during which the war lasts. It is a question whether this Committee believes that this is right. On top of the extension of these concessions, which for a number of years have been obtained at a very low rental, the Minister wishes to give them something which will not be advantageous to the State. We should consider the matter from that point of view. We have not had a great deal of revenue out of our timber. If we are to give the concession holder the right to cut timber after the war, we are going to provide that he shall cut timber at a time when there will be a ready market for it, and what the concession holder would have paid during the currency of the war is going to be deducted from the amount of royalty he would otherwise have had to pay. Once we have given that concession we should not give any other concession in the way of money. I move an amendment—

That in paragraph (b), sub-paragraph (i) of the amendment, all the words after "forty-one" be struck out.

Hon. P. COLLIER: This is one of the most important clauses in the Bill. I believe the Minister has done his best to meet unusual and exceptional circumstances. The country should know what concession it is proposed to concede to the people concerned. In my opinion the Government have been extremely generous, having regard to the circumstances of this proposal, to the leaseholders and concessionaires of the State. Whilst these people have had a contract extending over many years, in recent years the terms of the leases have proved to be of the most liberal and generous character. Had not the leases covered such a lengthy period they could not have obtained them under the conditions. They have been in possession of a most valuable asset, and they have no legal rights for any extension. Any extension Parliament may give them is in the nature of a concession out of regard to the exceptional circumstances that have obtained during the past four years. If Parliament is going to extend the concession to these people we have in return the right to ask that they should pay something commensurate with the consideration which is being extended to them. It would not have been asking too much to have said, "Under the circumstances in which you have held the areas so long, we are going to ask you, if we give you an extended period, to agree to submit to the same terms and conditions under which areas are being held to-day. But the proposal is so generous that we should take into account the £22,000 or £30,000 paid for rent during the term the lessees have not been operating. It is carrying generosity altogether too far. We are going to give consideration for the

£22,000 which they have paid. Only last year the present holders have paid £10,000, in addition to what they had paid previously owing to the additional royalty. If the royalty remains the same as it is until the end of their permits, seven years, they will have paid £70,000 by reason of this increased royalty. Yet we propose in the face of that to release to the concession holders and leaseholders the payment of the £22,000. If trade remains the same as at present, the least they will pay is £70,000, and if they paid £10,000 in addition during the war, how much will they have paid after the war? In the face of that we say to the leaseholder who has concessions, that could not be obtained anywhere in Australia during the past 20 years, we will give consideration to you for the £22,000. I am not prepared to go that far. It is a fair thing for Parliament to ask these people if they surrender their leases, to continue during the period under review on the same terms and conditions as any other saw mill proprietor operating in the forest at the present time. Parliament proposes to give them an extended rate for four years and we are justified in saying for those four years, "You come under the same conditions as other people operating in the forest." Even then it will be a profitable contract for the people concerned. This is not a time for excessive generosity; it is a time for fair dealing. Parliament should act in all good faith and in a spirit of equity, but in return we are entitled to ask for a fair deal from the persons concerned. There have been hundreds and thousands of people in this and other countries who have lost their all by reason of the war, and whilst I have no doubt the leaseholders have been put to considerable expenditure by way of maintenance and overhead charges which they could not reduce whilst not carrying on operations, still if we give an extension of the leases to the people we do it and in return we agree to make the payment equal to that paid by others. I cannot conceive anyone having regard to their responsibility, adopting any other attitude. Those who are in a position to make calculations will be able to show that if we adopted an attitude of that kind the House has been most generous to the persons concerned. In my opinion they will have a benefit to the extent of hundreds of thousands of pounds, which they would not have if we sat tight and merely complied with our legal obligations. We are entitled to say to these people, "You must have some consideration for the financial position of the State, just as every other citizen has." Take the Jarrahdale concession, which has been operating for 40 years or more, a very great area of immense natural wealth.

The Minister for Works: It consists of 250,000 acres. It has been going since 1874 and it has bankrupted five firms.

Hon. P. COLLIER: I have in mind the fact that the hon. member was manager for one of those firms. Of course, I do not make any connection between those two points. Anyhow, there has been no bankruptcy in the saw-milling business in this State for many years past, and there is not likely to be any during the remainder of the leases. The Jarrahdale

concession has experienced all the difficulties attendant upon the initiation of a new industry in a young country, but whatever losses may have been made in the earlier period they have been amply compensated within the last decade or two. There we have 250,000 acres with a rental of £250 per annum, a mere peppercorn rental in comparison with the opportunities of wealth production which the leaseholders enjoy.

The Attorney General: The leasehold works out at 10½d. per load on what they have been cutting.

Hon. P. COLLIER: The old royalty was 1s. and the new one is 2s., so the leaseholders have an advantage of 1s. 1½d. per load.

Mr. Money: That is only just recently.

Hon. P. COLLIER: It has been going on for 12 months, and under that increase they paid an additional £10,000 last year, notwithstanding that there has been very little doing in the trade. When the war is over and the company resume operations in full, they will be paying £30,000 or £40,000 per annum. Yet we are expected to make a display of generosity towards them. I say the Committee is not justified in any generosity of that kind. For my part, I will support the amendment. But the amendment does not go far enough. I will vote against the clause and will say to those people, "Unless you are prepared to meet us on an equitable basis, that is, agree to come under the same terms, namely, 2s. per load royalty, as others have paid, we will give you no concession."

The Attorney General: The amendment would have that effect.

Hon. P. COLLIER: No, the amendment only proposes to take away from them the consideration of the rent they paid during the time they were not operating. The royalty will only operate for the extended period. I say it should operate from now.

The Minister for Works: It would be like an extra premium.

Hon. P. COLLIER: If the Committee are going to give them a concession.

The Attorney General: But that would be invading existing rights.

Hon. P. COLLIER: I say to them, "You can go on if you like"; but in return they say, "We think we ought to get consideration for the time we have been shut down." My answer is, "Very well, we say you should pay something for the consideration." That is the view I take.

Mr. JOHNSTON: It appears to me this particular subclause can only be looked upon as part of the general Government policy. On the face of things, the leader of the Opposition made out a strong case against those particular words. I should like to know if the Government intend to give the same concession right through to all leaseholders from the Crown. Are we to understand that the pastoral leases will be similarly extended?

Mr. O'Loughlen: The sheep did not stop browsing because of the war.

Mr. JOHNSTON: No, but the leaseholders have been prevented from using their property to the full extent by the impossibility of getting wire and fencing material.

The CHAIRMAN: There is nothing in the Bill dealing with pastoral leases.

Mr. JOHNSTON: No, but a statement on that point would be informative to the Committee. There are also the conditional purchase leases and the rents which may have to be deferred.

The ATTORNEY GENERAL: In answer to the hon. member, all I can say is that where settlers under the Industries Assistance Board are not in a position to pay the rents, and the accounts do not warrant the charging up of those rents, we hold them over and do not charge them up until the leaseholders are able to pay. It is exactly the same position here. The cases of those persons who, by reason of adverse circumstances connected with the war, or from lack of grain, have been unable to pay their way are considered on their merits, and although vast sums have been paid to the department, also vast sums have been held over. I contend that we are giving nothing away in these particular cases.

Hon. W. C. Angwin: You are penalising other traders.

The ATTORNEY GENERAL: I do not know that we are. The Committee has been most insistent that we should ring this note throughout the Bill, and I have responded, because it was my own view. One phrase which I made use of in introducing the Bill was that existing rights would not be interfered with.

Hon. W. C. Angwin: This does not affect existing rights.

The ATTORNEY GENERAL: On the pound of flesh principle one would say, "Your lease expires in, say, 1926, and that is all you are going to get."

Hon. P. COLLIER: And it would be all the existing rights.

The ATTORNEY GENERAL: The clause is very clear, and says exactly what is proposed to be done, and the difference between the permit holder and the leaseholder. It is not so much the war that has stopped the timber industry, it is the conditions arising out of the war. The people in the industry were willing to cut the timber, the mills were ready to work and the necessary capital was there; but there were no ships available to carry away the timber. Many companies went on, as the State Sawmills did, cutting and cutting until they piled up huge quantities of timber stacked away there in the South-West. They could stand the strain no longer and all that we have running in Western Australia to-day are those mills which require to be kept going for local requirements and the small amount of timber that we can deliver to the Eastern States. We have not the ships with which to deliver it, and are not allowed to build them. The permit holder is the man who pays his royalty on that which he cuts. He gets his exemption from cutting under war conditions, and pays nothing at all.

Hon. W. C. Angwin: He pays 2s. a load instead of 1s.

The ATTORNEY GENERAL: Yes, but he does not cut.

Mr. Foley: The more he cuts the more will be paid.

The ATTORNEY GENERAL: The leaseholder, who is not able to cut, has had to stop. He now says "For the period of the war renew my lease and I am willing for that period to pay 2s. royalty." He contends that he has paid regularly when he was not cutting and expresses his willingness to pay the royalty for the extended term. I have endeavoured to put the case from all points of view.

Mr. O'Loughlen: There was a doubt as to whether there was sufficient revenue coming in.

The ATTORNEY GENERAL: It is in the hands of the timber company to cut a large portion of the timber during the term of the lease over which they have a right and not to cut so much during the remainder. If a company attempts to do that I shall be the first to bring down an amending Bill. Assuming that these people will carry on the normal conditions of timber cutting as in the past they will have seven or eight years still to run on these concessions.

Mr. PICKERING: I support the amendment of the member for Leonora. I would point out that the pastoralists were prepared to pay double the rent for the concessions they were getting. These timber people are getting several years, and all that we are asking is that they shall for that period pay a small rent.

Mr. FOLEY: If members think it is a fair thing to make a present of £22,000 to the concessionaires and leaseholders then they must vote against my amendment. If, on the other hand, they think that the consideration that these firms are getting is worth something I hope they will amend the proposed new clause in some way without cutting out the whole of it. It can be argued that the whole clause is wrong, that if there is going to be given, under special conditions, something other than what the leaseholder is at present entitled to, then some special consideration should be extended to the State as well. It has been stressed that the timber industry has been placed in a position of dearth by the war. The Attorney General says he knows that the timber industry has not been closed down by the war but as a result of the war. That emphasises the necessity for deleting this proposed clause, because not a word has been broken of the terms under which the concessions have been granted. If the companies have not cut the timber and have paid a certain amount in rent, then they are in a more fortunate position than many business men engaged in other industries here. Every one of the timber leaseholders and concessionaires has uncut, on his leasehold, the timber, which he can sell when there is a ready market for it. During the extension of the term of the lease he will have an opportunity to operate to better advantage than during any previous period of eight years. The sting can be drawn out of the tail of the clause by rejecting the amendment. I would like hon. members at least to vote against the inclusion of these words.

Hon. P. COLLIER: I wish the Committee not to be misled by any play upon the words "existing rights," for the principle of pre-

serving to all concerned their existing rights is not involved here at all. The preservation of existing rights means simply that we do not deprive the leaseholder of anything by reason of the war. Under this Bill he carries on all rights under Acts under which he has been operating, such as the Land Act and its amendments. The question of consideration and concession to these people is involved in the clause. The Attorney General has pointed out the difficulties under which the leaseholders were operating during the earlier portion of the war. They had the plant and machinery and the men to carry on the industry, but they had not the ships, and generally war conditions prevented them from carrying on. But the same condition of things has applied to any number of business people in this State. Not only have they been unable to carry on business, but after the war they will not be able to resume business where they left off. They have lost their businesses altogether, in many cases. Therefore, there is no special or peculiar hardship to the timber industry involved in that aspect. On the other hand, it might appear that the timber leaseholders had paid £30,000 in lease rents during the time they were not operating, while the permit holder was not paying anything simply because he was not operating and therefore not incurring any royalty. It is contended that the permit holder was, therefore, not under any similar expense. Superficially, that would appear to be something in favour of the leaseholder. But the amount he has paid in rent while not working his leasehold is entirely wiped out by the fact that the permit holder pays double the royalty of the leaseholder. What will that difference amount to in the course of the next five or six years, covering the period which the leases still have to run, bearing in mind, moreover, that the permit holder has already paid £10,000 extra during the past 12 months? The leaseholder, instead of being in an unfavourable position relatively to the permit holder, will be better off to the extent of I should say at least £100,000. Why should the Committee be over-generous? Is this the time to be over-generous to an industry that can well afford to pay? We are not over-generous in many directions where there is not the same ability to pay as we find here. The point raised by the member for Sussex, that when extending the terms of pastoral leaseholds we doubled pastoral rents, is a very good and pertinent one. Of course, the pastoral leases have a different term to run. I give notice that if the amendment of the member for Leonora is carried, of which there should be no question, I shall move a further amendment, to insert after the word "thereof" in the third line of the next paragraph "within a period of twelve months of the termination of the war." I should be out of order in arguing the principle of my proposed amendment at this stage.

Mr. MONEY: It seems to me that if the amendment of the member for Leonora is carried, the whole clause might as well be wiped out. Permits are not granted by favour, but are obtainable by any applicant, I understand.

The Attorney General: Permits, yes.

Mr. MONEY: If the words referring to compensation are deleted, there will be no object in retaining the clause.

Hon. J. MITCHELL: The State will get far more money out of this clause. It is quite open for the lessees to cut out the whole of the timber. If they come under the system of royalty we shall make money out of the arrangement. The clause as it stands is fair and will be profitable to the State.

Mr. Munsie: It will mean £22,000 less to the State.

Hon. P. COLLIER: I am quite sure that if the member for Northam votes against the amendment moved by the member for Leonora he will be voting in a direction opposite from that which he intends. He believes that the Government should get additional revenue.

Hon. J. Mitchell: They will get it under the royalty.

Hon. P. COLLIER: If the hon. member votes against the amendment the Government will be deprived of £22,000. After the expiration of the term of the lease they will come under the other conditions and they will then get credit for this amount, that is to say that the amount paid will be deducted from royalty payable by these leases.

Amendment put, and a division taken with the following result:—

Ayes . . . . .	15
Noes . . . . .	14
Majority for . . . .	1

#### AYES.

Mr. Broun	Mr. Munsie
Mr. Collier	Mr. Pickering
Mr. Foley	Mr. Smith
Mr. Green	Mr. Teesdale
Mr. Holman	Mr. Walker
Mr. Johnston	Mr. Wilcock
Mr. Lambert	Mr. O'Loughlin
Mr. Mullany	(Teller.)

#### NOES.

Mr. Draper	Mr. Nairn
Mr. George	Mr. Pilkington
Mr. Griffiths	Mr. R. T. Robinson
Mr. Hickmott	Mr. Underwood
Mr. Hudson	Mr. Willmott
Mr. Lefroy	Mr. Hardwick
Mr. Mitchell	(Teller.)
Mr. Money	

Amendment thus passed.

Hon. P. COLLIER: I move a further amendment—

That at the beginning of sub-paragraph (ii) the words "within 12 months of the termination of the war" be inserted.

My object is to make it obligatory on the leaseholders to accept this consideration which the Committee offers them to extend the period of their leases, obligatory on them to exercise that right within a period of 12 months after the war.

The Attorney General: I do not object to the amendment.

Hon. P. COLLIER: Then there is nothing more to be said, except that we shall then get the additional revenue by way of royalty which the State is entitled to receive.

Amendment put and passed; the new clause as amended agreed to.

New clause:

The ATTORNEY GENERAL: I move—

That the following be added, to stand as Clause 73a:—“(1.) On the disposal of land under the conditional purchase provisions of the Land Act, 1898, it shall be a condition that the purchaser shall use an area of not less than one per centum of the acreage of the holding acquired by him for the growth of timber or other forest produce. (2.) The planting of trees, approved by the Conservator, on not less than five acres of any land acquired under the conditional purchase provisions of the Land Act, 1898, shall be deemed an improvement within the meaning of that Act, and the conservation and improvement, to the satisfaction of the Conservator, of indigenous timber already growing on any portion of land acquired under the conditional purchase provision of the Land Act, 1898, may, with the approval of the Minister for Lands, be deemed an improvement within the meaning of that Act.”

It has been suggested to me by the Lands Department. The idea is to encourage a man who takes up additional conditional purchase land to preserve some of it for timber. I am not sure that one per cent. is a sufficiently large proportion.

Mr. O'Loughlin: Is it worth while providing for one per cent.?

The ATTORNEY GENERAL: Yes, I think so, for it will give them a little shade for stock. Subclause (2) is clear. We have been assisting from the Forestry Department many settlers by giving them wattle seed free. Tree planting becomes an improvement. I need not say anything farther about it.

Mr. JOHNSTON: The Minister by interjection said that if the word “one,” relating to the one per cent., was struck out, he would be prepared to accept an amendment to make it two per cent. In the country I have seen some distressing examples in which every tree has been ring-barked on a thousand-acre block, and no one regrets that more than the present owners. I move an amendment—

That in line 4 the word “one” be struck out and “two” inserted in lieu.

Amendment put and passed; the new clause, as amended, agreed to.

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported with amendments.

House adjourned at 11.43 p.m.