

from the country with their pockets full of money. They are assaulted in the most unpremeditated manner. There should be some deterrent. A fine of £5 or three months' imprisonment is not sufficient. I think a magistrate should have power to fine or imprison with or without a whipping. The magistrate should be able to award a whipping in addition any other punishment.

THE COLONIAL SECRETARY: The amendment would read better if the words were put after the end of the first paragraph of Section 321. According to the hon. member's amendment the whipping would apply to minor assaults. What he wants to do is to apply them to major assaults.

HON. SIR E. H. WITTENOOM: I am quite prepared to accept the suggestion of the Colonial Secretary, and I will alter the new clause to read as follows:—

Section 321 of the Code is amended by adding the words "with or without a whipping" after the words "first instance" in line 6.

HON. H. MILLINGTON: The clause as it stands enables a magistrate to award a penalty of six months with or without hard labour. I do not think these are cases where whippings should be introduced. I admit that under the law as it stands the punishment is inadequate, but the cases instanced by the hon. member are cases for compensation. It would not be much compensation for a person who, having been assaulted lost his hearing, simply saw his assailant whipped.

HON. SIR E. H. WITTENOOM: This new clause would provide for cases where there is no hope of getting damages.

[The President resumed the Chair.]

Progress reported.

House adjourned at 6.13 p.m.

Legislative Assembly,

Thursday, 31st October, 1918.

The **SPEAKER** took the Chair at 4.30 p.m., and read prayers.

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

NOTICE PAPER, ARRANGEMENT OF PRIVATE MEMBERS' BUSINESS.

MR. SPEAKER [4.33]: Some remarks were made last night by the member for North-East Fremantle (**HON. W. C. ANGWIN**) regarding the arrangement of yesterday's Notice Paper, and

these remarks were emphasised by a paragraph in the "West Australian" of to-day's issue. I wish to assure hon. members that the arrangement of the Notice Paper was strictly in accordance with our rules; and I would refer those hon. members who are interested, to the "Votes and Proceedings" of the 15th September, 1910, when a somewhat lengthy statement was read to the House by the then Speaker, in explanation of a similar misunderstanding. From that statement I need quote only the following lines:—

With regard to Orders of the Day, their position is regulated not by the date of the first introduction of the subject to the House but by the date on which the House ordered them to be set down.

Thus the resumption of debate on Mr. Teesdale's motion was ordered on the 18th September, while that on Mr. Jones's motion was ordered on the 3rd October. Mr. Teesdale's motion therefore took precedence. Hon. members who have been here for some years are familiar with the matter, but for the benefit of those hon. members who perhaps do not know, let me state that as regards notices of motion by private members the Premier takes no part in their arrangement on the Notice Paper. After they have been moved and have become Orders of the Day, the Premier takes no part whatever in their arrangement on the Notice Paper. All arrangements of the Notice Paper made by the Premier refer solely to Government business. Hon. members will therefore know in future exactly how the matter stands.

BILLS RETURNED FROM THE COUNCIL.

- 1, Prison Act Amendment.
With amendments.
- 2, Supply (No. 2), £425,000.
Without amendment.

BILL—FORESTS.

In Committee.

Resumed from the 23rd October; Mr. Stubbs in the Chair, the Attorney General and Minister for Woods and Forests in charge of the Bill.

Postponed Clause 22a—Hewing of railway sleepers within State forests prohibited:

MR. PICKERING: I move an amendment—

That the words "Except as hereinafter provided" be inserted at the beginning of the clause.

On referring to the Notice Paper hon. members will see the clause whose insertion I propose to move later if this amendment is carried. The issue is whether or not hewing is to be permitted. The Attorney General has handed to me a work on Australian forestry, from page 221 of which I quote paragraph 402—

"Standard" felling sizes prevent "clean cutting."—I assume further that the accessible forest, which is also that which will be worked first, will have mostly "clean fellings" on its working plans. In that case there will naturally be no longer standard sizes for felling. To permit a saw miller only to fell timber above a certain size adds

to the expense of working the forest, reduces the saw miller's profits, and is one of the reasons why he now pays royalties on so low a scale. Regulation 45 specifies the minimum felling diameters of the various Western Australian timbers. It is not apparent whether these minimum felling diameters, this attempt to fix the maturity of the timber by regulation, is intended to serve the interests of the saw miller or those of the forest. As a fact, it does neither; and though it may be useful in certain cases of rough working, it is liable to lead to abuse. The eminent French Forester, Count de Vaisselet, who introduced systematic forestry to South Africa in 1883, stopped the use of such a rough expedient, and it has never been revived in South Africa even for inaccessible mountain forest. In the eucalypt forests of Western Australia, the nearer approach to clean cutting the better for the forest, so that the fixed felling limits will have no use, except in certain areas which it may be expedient to work for a time under "Jardinage" or selection fellings.

I contend that in the working of our forests in Western Australia it will be essential to permit hewing to a certain extent. Anyone who is conversant with the forest knows that certain trees attain a certain size, and which trees a sawmilling plant cannot profitably treat. There are also many places which should be cleared, and which can only be cleared by the hewer. If hon. members will follow my amendments they will see that I have made provision for hewing only in the forests that should be cut out. I have provided that hewing only be permitted under what might be termed a repatriation scheme. The arguments of the Minister are not strong enough to enable the House to carry such an extraordinary proposition as is contained in the clause under consideration. I want members to understand fully that the issue at stake is hewing or not hewing in the forests of Western Australia, and the Attorney General has attempted to throw dust in the eyes of hon. members inasmuch as he says that the clause only applies to State forests. We know well that if power is given to the Conservator it will be difficult to limit the extent of that power. The hewers in all good faith left the State on the understanding that their interests would be safeguarded, that there should be not only as good but better provision made for them when they returned from the war. Is it possible now that hon. members can violate such a sacred pledge? We have heard the definite statement in this regard from the member for Forrest. I endorse it in every particular, because I am confident that many of those men who have given the whole of their lives to this particular phase of living are not fitted to take up any other avocation.

The Attorney General: The hewer can do anything.

Mr. PICKERING: But he may not choose to do anything. A hewer is entitled to just as much consideration as those men who desire to take up land in this State. So far as the land policy is concerned, we have gone to considerable trouble to enact a measure to protect the men who desire to take up land.

On the other hand, we find the Minister for Forests is deliberately enacting a measure to take away the livelihood of those men who have made a sacrifice equal to that of those who have gone from the land. I hope hon. members will not be persuaded by lobbying or anything else prior to hearing the arguments which will be submitted, and I hope they will concede the same rights and privileges to the hewers as are being conceded in connection with other phases of repatriation.

The ATTORNEY GENERAL: To show how little the hon. member understands the subject that he is discussing, let me refer to a passage from Hutchins' book on "Australian Forestry," from which the hon. member has quoted, and which quotation has nothing in the world to do with hewing. It is a passage which explains clearly the meaning of Mr. Hutchins that when a country is going for the regeneration of forests or re-afforestation, it is necessary to clean-cut the forests, so as to have a clean straight even re-growth. He is not going into the question of whether the best method of the utilisation of timber for marketable purposes, the best utilisation of the State's asset is by hewing or milling or any other purpose. He is discussing purely and simply the regeneration or re-afforestation, and unquestionably the best way is to clean-cut the forest. But before any person who has the least shred of common sense would dream of clean-cutting a forest he would extract from it all the merchantable timber that can be extracted. That argument and the one about throwing dust in the eyes of hon. members are the only two the member for Sussex has advanced. I will stand second to none, nor will the Forestry Department, in their desire to find work for the returned soldiers, and this Bill will find more work for returned soldiers as a body than any scheme I know of, because the regeneration of the forests, when we come to re-afforestation work, will mean the employment of a large number of men. In that particular capacity the returned soldiers who are used to a life of freedom will revel. One would think by the remarks of the member for Sussex that once a hewer always a hewer, that a man who is a hewer can do nothing else in the wide world. I am told, and I have every reason to believe it, that some of the best soldiers we have sent to the war have been hewers, because they are versatile, and they are so accustomed to freedom of life and become so stalwart that I feel perfectly sure there is no calling in Western Australia that is not open to the hewer, and in which the hewer cannot make his mark. There is no intention to deprive the hewer of his means of livelihood. He is told that in three million acres of forest he shall not hew.

Mr. O'Loghlen. Does not this clause tell him more than that?

The ATTORNEY GENERAL: The hewer, as I have previously explained, will be given every opportunity of using his abilities in connection with spot mills, converting timber into the best possible asset, while on the areas bordering on the State forests or timber reserves, he will hew as ever. The karri for-

ests cannot possibly be classified for four or five years to come, so I am informed by the Conservator, owing to their magnitude, and the hewer has already been told that he will be allowed to ply his calling in connection with many classes of trees there, which, once the mill has gone through, are left standing, and which can be best advantaged into an asset by the hewer himself. So the hewer is not displaced from society, and I feel sure that work will be found for every hewer who likes to ply his calling in Western Australia. He is not shut out of the jarrah forest. There is plenty of room on the confines of the State forest for the hewer to ply his calling. If it were possible to free the Forestry Department entirely from political influence or interference I would say, "Leave the question of hewing entirely to the discretion of the Conservator and let him decide where hewing may be conducted." Past experience, however, has shown us that the hewer is well able to wield something other than the axe. He can wield considerable political influence and bring pressure to bear upon the authorities. If hewing is left to the discretion of the Conservator that pressure to its fullest extent will be brought to bear upon him.

Mr. O'Loughlen: I should like you to give a few instances.

The ATTORNEY GENERAL: Pressure will be brought to bear upon that officer to open country which in the interests of the State should be milled. Pressure will also be brought to bear upon the Minister to open up virgin forest for hewing purposes.

Mr. Holman: Give us some instances. You are making wild statements which you cannot bear out.

The ATTORNEY GENERAL: If the Conservator reports that such forests should be milled and not hewn, the Minister may order the Conservator, if it is left to his discretion, to throw them open to hewing and the Conservator must carry out the orders of the Minister. This is fair neither to the Minister nor the Conservator. There is also to be taken into account the pressure of large companies and huge combinations, which can be brought to bear upon the Minister and the Conservator, and against their better judgment cause areas to be thrown open for hewing which should be milled. There will always be a difference of opinion as to whether country has been completely cut out by the mills or not. In some instances Millars' Company have cut over certain portions of the country, and yet there remains upon them enough timber to keep small mills going for a long time.

Mr. Holman: Why do you not compel them to cut it out?

The ATTORNEY GENERAL: We cannot do so under the conditions of the leases that were granted. There is the instance of the old Worsley lease near Collie. On this abandoned lease there has been a sawmill working continuously since January, 1910. That mill has obtained no less than 61 thousand loads of timber since that time. This country was abandoned by the big mill proprietors.

Mr. O'Loughlen: Whose mill is that?

The ATTORNEY GENERAL: I cannot tell the hon. member. The hewers would argue that as the big mill had gone through the country they were entitled to go in and hew, but in the present case, I think that would be a great mistake.

Mr. Holman: There is no mill working there.

The ATTORNEY GENERAL: The question has been raised as to timber which is inaccessible. There is no timber which is inaccessible for all time. There is timber in parts of the country which many years ago the big mills passed by, but when they altered their lines and went round by different grades they would be able to pick up. That might have been classed as inaccessible timber at the moment. The State mill at Big Brook is an instance of this. There is timber there which is not really accessible, but which with modern appliances may be accessible later on.

Mr. O'Loughlen: Would you extend the leases until such time as modern methods were applied?

The ATTORNEY GENERAL: No. The amendment proposes to restrict hewing to men who have served in His Majesty's forces. This amounts to legislation for a section of the community. Whilst there is no desire to deprive the soldier of a livelihood, it is my duty to submit to the Committee that the first consideration for Western Australia when dealing with timber is the preservation of the asset and the utilisation of the timber in the best marketable fashion, so as to bring the greatest revenue to the State and the greatest promise to the men who handle it. There are three large concessions in the State, namely, the Canning, Jarrahdale and Karridale concessions. The Government may make regulations for the preservation of the forests. They cannot, and do not, propose to make any regulations affecting those concessions inconsistent with the rights of the concession holders.

Mr. O'Loughlen: Parliament has decided that.

The ATTORNEY GENERAL: This Bill does not seek to do so other than this: It is a moot point whether a regulation could not be made to restrict the cutting of sleepers on these concessions owing to the waste of timber. I am prepared to argue that the concessionaire has no right to cut his timber flat and destroy the asset of the State. His concession was granted so that he could turn that asset into a marketable commodity, and he has no right to fire the country and cut it flat as a mere vandal.

Mr. Holman: Your regulations say that a man must burn every stick that he cuts down. So much for your regulations.

The ATTORNEY GENERAL: We have the right to regulate the method of cutting or anything to do with the procedure, so long as our regulations are not inconsistent with the right that is possessed. In respect to leases, the rights of the Government are greater than they are in the case of concessions. The cutting of poles and piles is forbidden on leases except under permit, and royalty is paid. It is arguable whether the department

can or cannot control sleeper cutting. The area of the concessions to-day is no less than 378,139 acres, whilst the area of the leases amounts to 253,951 acres, the total area of concession and leases held aggregating 632,090 acres. These, with the exception of one lease of relatively small area in poor country at Greenbushes, are entirely in the hands of one large company.

Mr. Holman: What company is that?

The ATTORNEY GENERAL: Millars'; 632,000 acres. Going on to the permits, there is an area of 850,028 acres held under sawmilling permits, but in these cases—of course the Forestry Department is a modern creation—there is a regulation which reads, and which was passed in 1906—

The holder of a sawmilling plant shall not, without the permission in writing of the Conservator, fell, cut, or allow to be felled or cut any sleepers or any timber for sleepers until all the timber suitable for mill logs, piles, poles, and beams shall have been cut.

It is the Conservator, then, who determines whether mill logs have been removed. That is a tighter regulation than that suggested by the member for Sussex. The practice of the Forestry Department adopted at present is to mark out on permit areas the portion that may be hewn over. But the Conservator has reported in all cases where he has marked out areas that would have been possible for a small mill to have operated upon with better advantage to the State. He has yielded to the hewer because of the present conditions of the timber industry, and the fact that the few hewers that are left would find difficulty in obtaining other employment at the present time, showing that the Conservator of Forests, where he has the authority and power, exercises it. He is the same human person, after all, that the member for Forrest is. He is not a man who wants to do the hewer out of employment. He has found employment for the hewer. With further reference to the forests that may be called Crown forests, that is to say forests that have been once, or more than once, cut over by the mills, and over which permits have not been granted for sawmilling purposes, the Forestry Department will control the worked out areas for hewing, and every tree will be marked and the area put up for tender and the highest bidder will obtain the tender to hew. It was thought by these means the Conservator would restrict hewing. In practice, however, this procedure has not proved as successful as it was hoped it would have been. That same country, only suitable for hewing, is so poor that the member for Forrest says it is not fit for the hewer to work on, and the consequence is that hewing areas are granted under this system and really should have been granted for a small mill to operate on, where it could have made a profit out of the transaction and could have turned the asset into a marketable commodity for the benefit of the State. The last area that was granted in the Collie district the hewers are now working over for the fourth time. The country was originally worked by Millars'. Then it was hewn by gangs of hewers, and this

country, as poor as it is, has been applied for by a neighbouring sawmiller who considers it excellent country for sawmilling purposes.

Mr. O'Loughlen: Let him go and the bankruptcy court will find him.

The ATTORNEY GENERAL: The country has been hewn over and over again and yet an adjoining sawmiller says, "Give it to me for sawmilling purposes."

Mr. O'Loughlen: The man who had a spot mill on it went insolvent.

The ATTORNEY GENERAL: It will be seen from my remarks that the Forestry Department have little or no control, although I say it is an arguable question, in regard to hewing on concessions and leases, while it has absolute control on the sawmill permits and Crown lands. Those concessions, when granted, amounted to $1\frac{1}{4}$ million acres and there are practically only 125,000 or 130,000 acres of it left—locking the door after the horse is stolen. There have been exported from Western Australia 25 million pounds worth of timber, mostly from these leases and concessions which are largely exhausted, and I admit the time was in the history of this country when it was difficult to get jarrah on the markets of the world and difficult to sell karri; when companies struggled along with all the drawbacks of pioneering and it was necessary for the Government of the country to give every facility to assist them to establish the industry. But in the light of events to-day, where the markets of the world are open to us and the demand for jarrah everywhere is great, and jarrah is established as one of the leading timbers of the world, and karri is coming into its own again, we do not want to spoon-feed these companies as they were helped in the past.

Mr. O'Loughlen: When do these leases fall in?

The ATTORNEY GENERAL: The whole of the concessions and leases fall in from 1924 to 1927. As I have shown, if the member's amendment is carried, the control we shall have will be over sawmill permits and Crown lands, but over leases and concessions practically none. The result will be to establish in the country a monopoly in hewing owned by the large companies.

Mr. O'Loughlen: Have you not the power to declare State forests outside the boundaries of the concessions and permits?

The ATTORNEY GENERAL: We have not enough country to do it.

Mr. O'Loughlen: With what country you have.

The ATTORNEY GENERAL: That can be done, of course.

Mr. O'Loughlen: Then you have control.

The ATTORNEY GENERAL: We have control of that which has been given up, but that which is left within the leases and within the concessions, which is the country they desire to hew on, would be a gigantic monopoly for the hewers in the hands of the existing large companies.

Mr. O'Loughlen: Did not the decision in the House the other night settle that point?

The ATTORNEY GENERAL: Are we going by this legislation, as suggested by the member for Sussex, to put a ring fence around Millars' and say to them, "Gentlemen, we have showered benefits on you in the past, let us shower the remainder of the benefits on you; do as you will, level the forests to the ground if you like."

Mr. O'Loughlen: You know the percentage of hewers employed by Millars' in the palmy days as well as in the bad days.

Mr. Pickering: You know it.

The ATTORNEY GENERAL: I do not. I do know to-day that if this amendment is carried nine out of ten of the hewers employed in Western Australia will be on the company's lands. That is incontrovertible.

Mr. Draper: It does not affect the principle, on whose lands they are working.

The ATTORNEY GENERAL: I will not say Millars' land. They have no land in their concessions.

Mr. Draper: Does it matter on whose land they are working?

The ATTORNEY GENERAL: It matters in this way; if they indiscriminately permit hewing inside the leases and concessions, our national wealth is wasted.

Mr. Draper: Does that not apply to all lands other than Millars'?

The ATTORNEY GENERAL: True, all concessions. But there are practically none.

Mr. Draper: Why single out Millars'?

The ATTORNEY GENERAL: Because the total area, with the exception of a very small piece, is held by one company.

Mr. Draper: That makes no difference.

The ATTORNEY GENERAL: I suggest to the hon. member that in the days when these concessions—nay, in the days when the leases were granted—it was never for a moment intended or thought that the huge mills now established for the working of timber would be used in Western Australia—those mills which it is deplorable, even from the owner's point of view to see working, owing to the enormous waste they create. I am not saying it can be avoided by the large mills; it probably cannot. But when one watches the working of the huge mills, and sees the amount of waste of valuable timber sent into the fire chutes and which goes up to the sky in smoke, one cannot but think that the man in days gone by who issued the concessions never dreamt that so much timber would be wasted. I do not want hon. members to think I am suggesting that the only wasteful man is the hewer.

Mr. O'Loughlen: You did so the other evening.

Mr. Nairn: He is the only one you are trying to check.

The ATTORNEY GENERAL: No, I am trying to check the other one also. I have no doubt that past Governments thought that by including a clause in the instrument, to the effect that the concessions or leases were subject to regulations made for the preservation of the forests, they were sufficiently safe-guarding our magnificent heritage; but to-day we find the concessionaires and leaseholders conducting hewing operations as a right, and actually denying the right of the

Government to interfere with their system of cutting timber.

Mr. O'Loughlen: Has that right ever been challenged?

The ATTORNEY GENERAL: I do not know, but it should have been challenged. I submit it is time this right which is claimed should be put an end to, because it is the most wasteful method of timber conversion.

Mr. O'Loughlen: It is not as bad as you make out.

The ATTORNEY GENERAL: One hon. member has said that because a right is granted to fell or to cut, that right cannot be regulated by regulations.

Mr. O'Loughlen: I think it should be.

The ATTORNEY GENERAL: It should be, and of course it can be. The hon. member should never have put that argument forward; because, coming from a man in his position, it is likely to be credited. There is no question whatever that those who possess a right under these concessions can have that right regulated by regulation. First of all the concessions themselves say so. They are in fact granted subject to regulations, and for an hon. member to say that once a right is granted there can be no regulations dealing with it—well, hon. members must pass that by. One almost wonders why an argument like that should have been put forward.

Mr. Pilkington: Who was it said that?

The ATTORNEY GENERAL: The hon. member for Perth.

Mr. Pilkington: It is nonsense. I never said anything of the sort.

The ATTORNEY GENERAL: I myself was going to characterise it as nonsense, but I was reluctant to do so.

Mr. Pilkington: I never suggested such a thing. I said that you could not have new regulations different from those existing when the contract was made.

The ATTORNEY GENERAL: I am glad of that explanation. I certainly misunderstood the hon. member, and I fear that others did, also.

Mr. Pilkington: It is clear that one cannot alter an actual contract.

The ATTORNEY GENERAL: No, nor is there a clause in the Bill, other than this one, which seeks to alter it. And I have yet to learn that the concessionaire or the leaseholder objects to this Clause 22a.

Mr. O'Loughlen: Personally I am not concerned. I do not care whether or not he does object.

The ATTORNEY GENERAL: I see that at a meeting of the Chamber of Commerce, a published report of which appeared in the Press, Mr. Port, speaking on behalf of the saw-millers, said they had no objection to hewing being abolished.

Mr. O'Loughlen: Because he does not do any of it.

The ATTORNEY GENERAL: Dealing with the right of the hewer, I do not propose to go over the ground which I previously traversed. I have given hon. members my views of hewing and my reasons why it is considered to be a wasteful me-

thod. I do not propose to repeat all that, but I beg all hon. members to give this clause their full consideration; to think of the asset we possess in the forests, to think of the way that asset has been used in the past and how it should be used in the future, to think, not of the contention that we should find a particular employment for the men who have been employed in this industry, but to think of the State's asset, of its importance to Western Australia, and of the prime object of this Bill, which is one of the most public Bills, in the interest of every man, woman and child in Western Australia, that has ever been placed before the Committee.

Mr. O'LOGHLEN: I believe the amendment could be phrased in a different way, which would better meet the wishes of hon. members. I have a reluctance to set up distinctions between different groups of the community, because in the future, after these distinctions shall have been sanctioned by Parliament, it would tend to create a feeling of bitterness which would not be conducive to the general good. I realise the spirit that prompted the member for Sussex in moving the amendment, but I think he will agree that the suggestion which I shall put forward would meet the case equally well, give the protection he desires for those people whose livelihood is concerned, and at the same time establish that there are certain parts of the forest which can be economically worked only by the hewers. My suggestion is that all persons who held licenses on the 1st August, 1914, and who at that time were registered with the department, and are so at the present time, be permitted to follow their calling as hewers. That would mean that every person who went to the war, and those engaged in the industry at the present time would be allowed to continue. Unfortunately, a great number of those who went to the war will never come back, while others will come back so maimed as to be unable to follow their previous calling. Apart from any sentimental plea, I fail to see that the Attorney General has established that the hewer should be tabooed in our forests. Let me point out that from the Minister's remarks and also from observations that from time to time have fallen from the Conservator, it is made clear that in the opinion of both those gentlemen the hewer is a very destructive force in our forests. I am not going to say that he is not destructive, but I do not agree that he is as destructive as the Minister and the Conservator make out. To demonstrate that, a test has been previously made, and the hewers now in our forests are prepared to deposit £100 and cut out an area similar to one to be cut out by a spot mill, and they undertake to get at least equal results with the spot mill. The Minister is carried away by the efficacy of the spot mill. I have no particular admiration for the big mill, but there always appears to be an element of doubt, uncertainty and insolvency surrounding spot mills. Many of them have gone under, and it is exceedingly difficult for the men they employ to get their wages. I think the spot mill is

not the good proposition which the Conservator makes out. To follow up the Minister's remarks on this particular area quoted as having been cut over many times, I know a man at Worsley, as practical a man as there is in the industry, who received an order from Millars' to go cutting on a spot mill. He was given the highest rate, yet the mill could not be made to pay, and had to be closed down. That is Arnott's proposition at Worsley. There we had a good spot mill, tolerably good bush, a high price, a buoyant market, and still he could not succeed. It appears to me many of those concerns have to be handled on a big scale; because, after all, in Western Australia, until recent times, the market was very limited and no company could have declared a dividend without expending a large sum of money in developing and opening up the export trade. The time is coming when those companies will reap the profit. But I am not concerned with the companies' view-point so much as with the men who have gone away under the impression that their livelihood would be there when they returned. I want also to point out there are certain portions of the forests right through Australia which can be economically worked only by the hewer. The member for Sussex, in that portion of his amendment, makes ample provision for those forests to be worked. The Minister has dwelt on the virtues of the spot mill, that it is going to secure a greater return of timber than does the hewer. He has also dealt with the political pressure that has been applied. I will confess that hewers in the past have gone into virgin forests and destroyed it. But it was the State Government, wanting timber for their own requirements, who put them there; they were not put there at my request. I give the Committee this undertaking, that never will my voice be lifted in favour of a hewer's entering virgin bush. All I say is that when the sawmiller has taken out of the forest that which he can economically convert in the mill, he should be allowed to employ hewers in that bush. Moreover, there are small pockets of timber which the sawmiller cannot possibly get at. The Minister says, "Wait awhile, until sawmilling methods improve." But the sawmiller, having once picked up his tramway, cannot put it back in order to get a little more timber later. He must get all the timber he can while his tramway is in position. Possibly the State sawmills can go back on their tracks, but private sawmills simply cannot do it.

The Attorney General: How about Jarrahdale being cut over again?

Mr. O'LOGHLEN: For generations to come, I believe, Jarrahdale will be cut over and over again.

The Minister for Works: It is most surprising bush.

Mr. Polcy: To whom would the hon. member give the right to determine whether or not bush is inaccessible?

Mr. O'LOGHLEN: As to that, in my experience a sawmiller will not put in a hewer where he can obtain more profit by sending the logs to the mill. The Minister's statement that Millars' company crowded their

area is incorrect. Millars', in my experience, have employed comparatively very few hewers.

The Attorney General: I am speaking of the days to come.

Mr. O'LOGHLEN: We can only speak of what we know, and that is in the past. Millar's have only a certain period within which to cut out their leaseholds. We must allow them to do that by the method which is least wasteful. Moreover, there will not be hundreds of hewers in Western Australia after the war. The hewer's calling is not one that everyone can take on, and, unfortunately, many of those who pursued it prior to the war will not be able to return to it. As to the wastefulness of hewing, the Minister has been guilty of exaggeration. If the hon. gentleman has a week-end to spare, I will take him to a hewers' camp and let them give him a practical demonstration of what percentage they can produce from timber that is not sufficiently good to give them a living. They follow hewing because they will not follow any other calling. Within a few chains of the township of Kirupp, a party of 20 hewers have been working, and thus keeping the town alive; but the Conservator will not permit those men to go on another area until they have taken further timber off the area on which they are now starving, making 30s. per week. The Forestry Department have now more inspectors than in the prime of the industry, when it employed 4,000 workers. At any rate, there are sufficient forest policemen. The conditions laid down by the Conservator are absolutely intolerable. I am desirous of helping the Conservator, but I want a fair deal for the hewers. In Forestry Departments better equipped than ours, they give the hewer his place in the sun. Victoria is advertising attractive hewing conditions: high rates, and free railway fare to any part of the State.

The Minister for Works: What forests have they to cut?

Mr. O'LOGHLEN: Although the forest is poor, the rates are proportionately high. Certainly, the Victorian Forest Department are not prepared to condemn the hewer so vigorously as we are trying to condemn him here.

The Minister for Works: In Victoria the hewers are being put on forest which has been ruined.

Mr. Foley: In Victoria the hewer has to groove out almost every sleeper.

Mr. O'LOGHLEN: But he gets paid for it. In New South Wales there are 200 hewers, and New South Wales has a splendidly equipped Forestry Department. In Queensland, where Mr. Jolly has been Conservator for the past five or six years, 500 hewers are licensed by the department, and regulated, controlled, and policed by the forestry inspectors.

The Minister for Works: To whom do those hewers supply their product?

Mr. O'LOGHLEN: To the State departments.

The Minister for Works: Yes, to the State, which can control them.

Mr. O'LOGHLEN: The position in Queensland is the same as here. The private owners of a timber area can put on hewers and export

the sleepers to India or Africa or elsewhere. Clause 22A seeks to debar the hewer forever from operating in a State forest. I have no wish whatever that the hewer should be permitted to go into good bush, but I do not wish to see him on bush which does not allow him a hope of making bread and butter. It is better to wipe out the hewer by legislation straightaway, than to starve him out. My Kirupp experience leads me to believe that the Conservator expects from the hewer work which is equivalent to a determination on the part of the Conservator to force the hewer to leave Western Australia. Many men who to-day are soldiering have never been hewers in their lives, and under this amendment they would have the right to apply for a license. In this connection I am not particularly anxious to battle for men who have never followed the hewer's calling, and on whom this measure even as it stands would inflict no hardship. The Minister, in attacking the amendment, went out of his way to assert that the hewer could follow many other vocations—that, for instance, he was a good soldier. But we hope that soldiering is not going to prove a permanent industry. I have demonstrated the hewer's reluctance to follow any other calling. He will not go into a mill to work under a boss at 9s. 7d. a day. He cannot run a spot mill, for which he would want an engine-driver, a saw filer, a benchmark, and a puller out—classes of work about which the average hewer knows nothing. My special argument against the spot mill is that one cannot hope to make a success of that mill without an experienced benchmark; and the hewer is not an experienced benchmark. The Worsley hewers were met by the Minister the other day, and met very courteously; and they took exception to his remarks, in moving the second reading of this Bill, as to the percentages the hewer gets out of a tree. Those hewers are prepared to demonstrate, by any test which can be applied, that they are doing better than the Minister has stated. For these various reasons I ask the member for Sussex to amend his amendment, which at present is too far-reaching. The hewers registered with the department should have their rights conserved, and also those who held licenses at the outbreak of war. But the amendment as now framed leaves the way open to any and every returned soldier to claim a hewer's license.

Mr. Johnston: And to exclude every other man.

Mr. O'LOGHLEN: Yes. Parliament should not sanction the dividing up of our community into water-tight compartments, the saying to one man, "Because you have fought, you shall have a license," and to another, who perhaps has not fought owing to no fault of his own "You shall not have a license." Rather than leave the way open to a flood of applications, the hon. member should either withdraw his amendment, or modify it on the lines which I have suggested. That will give the concessionaires, the sawmill permit holders and lessees the right to go on those areas as they have gone on them in the past. The department will have sufficient control. Penalties could be inflicted to control

sawmillers not to waste timber. When it is a matter of people following their livelihood, we come on them like a ton of bricks. This is the clause in the Bill in which I am mostly concerned. Like other hon. members I know of men who have gone away and who were given an assurance that things would be all right for them when they came back. I know, however, that they will not be all right if this Bill passes in its present form. I am not seeking much in pleading for these men and their employers to be given the same right subject to the regulations of the department which, I hope, will be reasonable. I am desirous of saving the timber; we want it all, but we should not under a clause of this description seek to do wrong, and we should not impose conditions which cannot be fulfilled. I would not support a proposal to put hewers in virgin bush, but where a company wants to utilise their services, I have not the slightest fear that they would always be available. I appeal to the member for Sussex to alter his amendment so that it shall not be so sweeping and confer rights which were never asked for, but so that it will make the condition of the industry tolerably reasonable during the remainder of the period these areas will be under the control of the Government. Failing the acceptance of the suggested amendment, I will support that moved by the member for Sussex. In the first place it is all-embracing and it gives the right to 30,000 men who have gone from Western Australia to apply for licenses, and in the second place it would create that division in our community which we are all anxious to avoid.

Mr. FOLEY: I do not want to pose as a timber expert, but I have hewn timber and worked on spot mills, though not in this State. I am of the opinion that the hewers do waste a great quantity of timber.

Mr. O'Loughlen: We admit that and the mills do so as well.

Mr. FOLEY: The timber hewers in this State waste more timber than they do in the other States, where I have been. One reason is that the regulations have not been so stringent because the timber has been plentiful.

Mr. O'Loughlen: They may have been stringent but were not enforced.

Mr. FOLEY: If the regulations are not enforced what is the use of framing them?

Mr. O'Loughlen: We have an officer now who will enforce them.

Mr. FOLEY: Take the case of hewing in Victoria 24 years ago. The price for hewn sleepers 10 x 5 was 2s. 6d. and 9 x 4½ was 2s. 3d. Those sleepers had to be hewn from timber and until the hewers cut into the timber they did not know what it was like. They had to pay a royalty on that timber, and therefore they took good care that they got the most they could. In those places where there was beautiful iron bark, scarcely a stick of timber is to be seen to-day.

Mr. Nairn: What are the people living on?

Mr. FOLEY: Agriculture.

Mr. Nairn: That is the point.

Mr. FOLEY: There are lands in this State that have been cut over, lands in the Darling Ranges, for instance, and in country of that description. To say that hewers should not go

there, is altogether wrong. There are many men who want to hew under conditions that the Minister may think good; therefore if this clause is passed in its entirety, I cannot see how the Conservator or the Minister may give a permit to anyone to hew in any forest. Regarding the conditions obtaining on the present leases or concessions, the Minister gave me to understand that even under the conditions under which the present leases were given, he at the present time has the right to make regulations by which he can impose restrictions on hewing.

The Attorney General: You cannot forbid them hewing.

Mr. FOLEY: What the Minister said was that even at this stage he thought it was permissible, and he had the right under the conditions under which the concessions were given, to make regulations to govern even hewing by these concessionaires.

The Attorney General: For the preservation of the forests.

Mr. FOLEY: If we know those conditions we would be in a better position to discuss this question, but after all, those concessions will terminate between 1924 and 1927. Personally, I think it would be better for the Minister and for the State if the Minister allowed every timber hewer to go over a cut out area and get everything cut up on those concessions. My belief is that the regulations have not been enforced to this extent, and why the companies or concessionaires have areas of virgin forests at the present time is because they have been cutting on forests belonging to the State. I want to know from the Minister whether, when the concessions again become State forests, he will count that land as a State forest and prevent hewing on it. If he will, then I will vote against the clause as it is in the Bill, because if that land is cut out and again becomes a State forest and the Minister wishes to prevent hewing on it, I think that will be very hard. Regarding the question of hewing in cut-out areas, between Jarrahdale and the coast, there are many men who could make a living on them. If the Minister will not cut out hewing in its entirety, and will allow those men who have followed the occupation of hewers for many years to still hew, they should still be allowed to do so on areas where no harm will be done to the State. The member for Forrest referred to localities from which it would be impracticable to move timber for sawmilling purposes. Who is to say whether this country is inaccessible? It might be said that they want to put hewers in there to cut sleepers for a big order and then use the argument that the country is inaccessible and that therefore it is not profitable. A milling company would not be allowed to crowd all their men into one place to cut out that area to get sleepers cut by hewers to finish some order. Regarding spot mills, I believe that they could and should be better profit-making affairs than they apparently are in this State.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. FOLEY: Comparing hewing in this State with hewing in the other States, it will

be found right through our forests, as for instance along the Hotham Valley railway, that many trees are lying higgledy-piggledy on the ground. That is the class of bush in which hewers work in Victoria. I have no desire to bring the hewer to the same conditions here. Twenty-three years ago in Victoria every sleeper cut within reasonable distance of a railway had to be hewn, because the department would not take any but hewn sleepers. Of course, if we are going to hew other classes of timber, such as rails for cattle pits, the hewer will destroy more than he does to-day, when only sleepers are hewn. In Victoria the success of spot mills has been due to an abundance of water, which could be used, not only for the engine, but also for power. If hewing is abolished in our forests many of the men now engaged in the industry will go into spot mills. If, under a co-operative system, men care to start spot mills they ought not to be prevented from doing so.

Mr. O'Loughlin: The Conservator desires to encourage them to do so.

Mr. FOLEY: Still, I do not wish to see the Conservator empowered to impose harsh conditions on the hewers. In my opinion it is a question whether spot mills or hewers are responsible for the greater waste in our forests. The amendment will give the Minister an assurance that no hewers shall operate on virgin forests, and it will give the hewers an opportunity for following their calling, while it will not do anything harmful to the administration of the Conservator. With the safeguards, the Conservator should be able to secure the best possible results.

Mr. PICKERING: Hon. members should bear in mind that the issue is confined to the carrying of the amendment. If the amendment is defeated, great difficulty will be placed in the way. Hon. members will see upon the Notice Paper the amendments which I propose to move subsequently. The object I had in suggesting the previous amendment was to do the best possible for those men who have made great sacrifices for the State. I recognised that special measures have been passed dealing with another section of the community, that preference has been given to returned soldiers, not only in the civil service, but in the commercial world, and I felt it my duty to endeavour to extend the application to meet the position of the hewers. But in view of the fact that the member for Forrest has assured me that under the original provision it would be possible for anyone to come in as a hewer, I feel I should be doing an injustice to the forestry movement, and therefore I am anxious to have this provision altered. Let me say that I have never, at any time, held an interest in any milling company in Western Australia. I am not concerned about the interests of the milling companies, but am interested solely in the aspect which we have been discussing. While I may agree that it is advisable to establish spot mills, I realise that there are grave difficulties in the way, one of the greatest being lack of water. I would like hon. members to bear in mind the difficulties confronting the establishment of

spot mills, and the injustice that will be imposed on the hewers. By the amendment we definitely limit the time during which hewing can take place, while, for reasons already stated, there will be a limit to the number of men operating. I move an amendment—

That at the commencement of the clause the words "except as hereinafter provided" be inserted.

Mr. PILKINGTON: It seems to me there is involved in the question before the Committee a principle of very great importance. It is not merely a question of whether the Bill affects the position of the hewers or the millers. It is a very much more important principle, namely, whether it is a right thing to pass legislation which affects existing rights, whether those rights be legal rights or moral rights. The clause as it is drawn interferes with contracts which have existed in this State for many years. The rights under those contracts are to be interfered with by the clause as drawn, and will be somewhat interfered with even by the clause as it is proposed to amend it. Yet the Government come down with this provision seriously affecting the rights of contracts and the rights of hewers who have followed their calling here, rights which are not legal rights but are moral rights, and are apparently prepared to ask the Committee to pass the provision, without giving any reason why those rights should not be respected. The Minister has explained what I assume to be correct, that hewing involves a certain amount of waste. That is not a sufficient reason for saying that the contract which has been made on behalf of Western Australia with certain millers should be disregarded. If there is any justification for passing a provision which affects an existing contract, it should be some overwhelming reason, and I submit that the principle that this Committee and the Government and the State should respect contracts made on behalf of Western Australia is a higher principle and one deserving of more consideration than even the protection of the forests. That is the great principle involved. There is, in the first place, the rights of those who have contracts with the Government. We are now asked to set them aside. And the Minister never mentioned or explained why it was right to affect the contracts in existence. Not only was that not mentioned, but I observe with surprise that in the preliminary memorandum to this Bill, which is intended to direct the attention of members to whatever is new or unusual or worthy of special consideration in it, no reference at all is made to Clause 22a, which is one of the most important clauses in the measure. This is not the first occasion on which I have found that the memoranda do not direct the attention of members to important questions. It seems to me that overwhelming reasons should be given before we are asked to pass such a clause, which even as amended, will affect existing rights. The amendment will, however, greatly reduce the extent to which these rights will be affected, and to that extent it is an amendment which has my support.

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

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

AYES.

Mr. Angelo	Mr. Mullany
Mr. Angwin	Mr. Munsie
Mr. Davies	Mr. Nairn
Mr. Draper	Mr. Pickering
Mr. Duff	Mr. Pilkington
Mr. Foley	Mr. Roche
Mr. Harrison	Mr. Smith
Mr. Hickmott	Mr. Walker
Mr. Johnston	Mr. O'Loghlen
Mr. Jones	(Teller.)
Mr. Mitchell	

NOES.

Mr. Lefroy	Mr. Underwood
Mr. Plesse	Mr. Veryard
Mr. R. T. Robinson	Mr. Hardwick
Mr. Teesdale	(Teller.)

Amendment thus passed.

Mr. PICKERING: I move a further amendment—

That the following paragraph be added:—"But it shall be lawful, subject to the provisions of this Act and the regulations, to fell and hew for railway sleepers such timber as may be standing on any such area or portion thereof—(a) after all timber thereon which, in the opinion of the Conservator, is suitable for sawmilling purposes has been felled; or (b) in localities from which, in the opinion of the Conservator, it is impracticable to remove timber for sawmilling purposes. Provided that no person shall be entitled to hew who has not, prior to the passing of this Act, followed the occupation of a hewer in this State." Amendment put and passed; the clause as amended agreed to.

Postponed Clause 23 to 26—agreed to.

Postponed Clause 27—Existing holdings in State forests and timber reserves:

Mr. DRAPER: I move an amendment—

That the words "except as in this Act provided" be struck out.

This clause purports to protect rights on the one hand, but takes them away on the other. In my opinion these words nullify the whole clause. Obviously the intention of the Government could not have been to do anything so foolish as is suggested by the inclusion of these words in their relation to the clause.

The ATTORNEY GENERAL: I object to the deletion of these words. We are framing a new statute here dealing with rights which have already accrued. Although there is no desire on the part of the Crown to alter or limit these rights, there are certain things which are done in this statute almost as if they were done by regulation, and as far as possible any alterations that are likely to be made in connection with the law have been placed in this statute rather than in regulations. I do not see that the words can do any harm.

Mr. DRAPER: If the Minister objects to these words being deleted, has he any ob-

jection to their being replaced by such words as, except as provided in Section so and so? The Committee will then know what is intended by this clause.

The Attorney General: I have not seen that done in any statute.

Mr. DRAPER: I see no reason why it should not be done. There has been slovenly draftsmanship here. In order to save himself the trouble of putting in the numbers of certain sections bearing on the question the draftsman has put in a general drag-net clause, which really covers more than is necessary. If the Attorney General says the words used here, which I say nullify the clause, are too important to be struck out, let him as Minister in charge of the Bill inform the Committee which clauses he desires to preserve in this connection. Then we shall know the effect of the clause we are now asked to pass; at present we do not know.

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

Ayes	..	..	..	11
Noes	..	..	..	17

Majority against .. 6

NOES.

Mr. Angelo	Mr. Munsie
Mr. Angwin	Mr. Pilkington
Mr. Draper	Mr. Roche
Mr. Duff	Mr. Walker
Mr. Jones	Mr. O'Loghlen
Mr. Mitchell	(Teller.)

AYES.

Mr. Davies	Mr. Pickering
Mr. Foley	Mr. Plesse
Mr. George	Mr. R. T. Robinson
Mr. Harrison	Mr. Smith
Mr. Hickmott	Mr. Teesdale
Mr. Lefroy	Mr. Underwood
Mr. Money	Mr. Veryard
Mr. Mullany	Mr. Hardwick
Mr. Nairn	(Teller.)

Amendment thus negatived.

The ATTORNEY GENERAL: In order to correct a typographical error I move an amendment—

That in the proviso, line 3, the words "the commencement of this Act" be struck out, and "such dedication" inserted in lieu.

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

Postponed Clause 28—agreed to.

Postponed Clause 29—Working plans:

Mr. O'LOGHLEN: Can the Minister outline to the Committee the nature of the working plans which are to be a feature of the new policy? Plans (a) and (b) provide the maximum amount of forest produce to be taken from a given area annually, and also the maximum quantity to be disposed of. There is great variation in forest areas: one may carry a wealth of timber, and another next to nothing. Are the working plans likely to have a uniform application, and what is the possibility of their enforcement?

The ATTORNEY GENERAL: Hon. members will observe that the plans are subject to existing rights. It is not intended for a moment to interfere with the rights of the present mill owner or leaseholder to operate on the area he already holds.

Mr. O'Loughlen: But I understand a permit has been recently granted subject to these working plans.

The ATTORNEY GENERAL: Yes; but that is since the Bill has been introduced. When the present mill owner or leaseholder hands over an area to the Forestry Department, regeneration will take place. The working plans will outline a given scheme, and lay down the maximum area from which timber may be cut annually, the total amount of timber which may be sold annually, what should be done to ensure regeneration of the best species after the timber which is there has been removed, where the mill site should be, how the tram lines are to be laid.—

Mr. O'Loughlen: Do you think the department are in a better position than the proprietor is in to fix the mill site?

The ATTORNEY GENERAL: No. This will be done in consultation with the proprietor. The working plans will further lay down where the depôts for converted timber are to be placed, so that the timber may be inspected effectively. The advantage of the working plans will be that they will have the force of law behind them, and that it will not be possible to alter them except with the approval of the Governor on the recommendation of the Forestry Department. At the last Interstate conference on forestry, which was held in Perth in the presence of the Governor General, I specially invited all the sawmill proprietors and also members of Parliament to come along on the last day.

Hon. W. C. Angwin: Only some members of Parliament.

The ATTORNEY GENERAL: Everybody.

Hon. J. Mitchell: No.

Hon. T. Walker: I never knew of the function.

Mr. Munsie: I never got an invitation.

The ATTORNEY GENERAL: During the discussion one of the best respected sawmillers in the State, Mr. Munro, the outdoor superintendent of Millar's Company, said that this working plan was the basis of all forestry work and of all milling work, and that when he himself set about laying out a timber station the first thing he did was to contour survey the area from end to end, to mark out where the good timber was, where the tramways should go, where the log landings should go, how the timber could be most easily got to market, thus preparing a complete plan to be carried out in the years ahead.

Mr. O'Loughlen: I wager he did not approve of (a) and (b).

The ATTORNEY GENERAL: On the contrary, he did. The Sawmillers' Association have discussed working plans (a) and (b), and I have the fullest authority for saying that the sawmillers approve of them in their entirety.

Hon. W. C. ANGWIN: Subclause 4 is highly drastic. It places the Conservator above Parliament. A somewhat similar clause

appeared in a Health Bill with reference to the advisory board. It provided that once regulations had been approved of by the advisory board, and laid on the Table in both Houses, and not objected to by either House, they could not be altered without a further recommendation from the advisory board. The Legislative Council passed a resolution disagreeing with the regulations, but in spite of that the regulations are the law to-day, because the advisory board cannot recommend them, and the same thing applies here. The Government of the day represents the people of the State, and in my opinion if any alteration of the plans are required, we shall be doing wrong in giving the power to one man to set his opinion up against the Government of the day. Of course the Government can get rid of the Conservator but that means an expense, especially if he is under a seven years' agreement. Are members prepared to place the full power as far as this is concerned entirely in the hands of the Conservator? We should not forget that the Conservator being a scientific man, like scientific men he may become a faddist and might be able to place before the Government the necessity for an alteration of the plans. From a commercial point of view the Government might feel inclined to make some alteration in the best interests of the State. The Conservator from a scientific point of view might not like them to do so. I move an amendment—

That in Subclause 4 all the words after "effect" be struck out.

The ATTORNEY GENERAL: In the illustration I gave of a commercial undertaking where Mr. Munro laid out the plans of Jarrahdale, do members think the directors of that large company or its manager would attempt to interfere with the working plan that Mr. Munro laid out without consulting him? I liken the working plan of the forest prepared by the Conservator, to the prescription of a doctor. The member for North-East Fremantle might see in the prescription nine grains of a certain ingredient, but he might think seven grains sufficient, and as an amateur he might strike out the nine grains and insert seven, which might poison the patient. If the trained man is no good, get rid of him, but if the trained man is good, the best thing to do is to follow his advice. There is no one in the world perfect and I do not think the Conservator is perfect. He has his faults like the rest of us, and I am sure he will make mistakes. His training will cause him to make few mistakes, but I would be foolish if I contended that he would make no mistakes. He would be less than human if he did, but he is a highly trained man and will therefore make less mistakes. He is not a pig-headed individual. Before agreeing to the clause in the form in which it appears, I took the trouble when in New South Wales some two months ago to call on the Minister for Forests there and conferred with him and his Conservator, who is an excellent man and who has been in the forest industry there for 20 years. I talked to them about the working plans and they told me to take nothing else but this provision. The working plans must be placed beyond anyone's interference. It is no good

following one plan to-day and another to-morrow and a further plan later on.

Hon. J. MITCHELL: I have every confidence in the Conservator of Forests, but I do not see the object in submitting the working plans for the approval of the Governor. This clause places the Conservator above the Minister, and the same thing appears throughout the Bill. I have no strong objection to giving the Conservator considerable power, but I am looking to the future. If we pass this clause the Conservator will have absolute control over a large portion of the State. One will not be able to pluck a flower without the approval of the Conservator. The Committee ought to realise what they are doing in placing so much of the State under the Conservator. He will have control of the South-West. He will have large areas at Wyndham and I am afraid he will have control over some trees in my district.

Hon. W. C. ANGWIN: When the plans are submitted, has the present Minister the knowledge to say whether the plans are correct or not? The present Minister, if he so desires, can suggest alterations and impose conditions before the plans are approved of by the Governor, but once they are approved of there is no one in Western Australia who can alter them without the consent of the Conservator. We are not dealing with the present Conservator, but we have no guarantee that he will be here to-morrow. That applies to every one of us. I have given one instance that occurred in another Chamber, where the regulations could not be altered on the recommendation of a board unless the Act was altered.

Mr. PICKERING: There might be some justification in altering a certain portion of the clause. We might amend it so that the plans might be altered with the approval of the Governor, instead of the Conservator.

Mr. DRAPER: The clause provides that plans are to be made for 10 years. Then we have what the working plans may specify and they can specify anything that the Conservator thinks fit. That is a very wide power to give to any man, especially when we are giving the power under a Bill as it is drawn without any chance of getting it altered unless the Conservator desires. If we strike out the words suggested by the amendment there will be no provision in the Bill for altering the plans.

Hon. W. C. Angwin: The Governor can alter anything.

Mr. DRAPER: No. We could add the words that the plans can be altered with the approval of the Governor-in-Council. That would make it quite clear. We do not want any suggestion that these plans cannot be altered at all. Because of the fact that we have a competent officer now, it does not follow that at the end of 10 years we shall have someone occupying the same position who will be equally competent.

Mr. O'Loghlen: We can strike out the whole clause.

The Attorney General: I would prefer to see the whole subclause struck out rather than have it mutilated.

Hon. W. C. ANGWIN: With the permission of the Committee I will withdraw my amendment so that another amendment may be moved in the direction of striking out the whole of the subclause.

Amendment by leave withdrawn.

Hon. T. WALKER: I move an amendment—

That Subclause 4 be struck out.

Amendment put and a division called for.

Mr. O'Loghlen: The Attorney General voted to strike out the words.

The Attorney General: No. I stated that I did not want the clause mutilated, and that I would prefer to see it struck out altogether.

Mr. O'Loghlen: I understood there would be no objection to the subclause being struck out and induced the member for North-East Fremantle to withdraw his amendment.

Hon. W. C. Angwin: I certainly understood that there would be no opposition to the subclause being deleted.

The CHAIRMAN: As there is a misunderstanding I will allow the call for the division to be withdrawn and the matter can be debated again.

Hon. W. C. ANGWIN: I will now move my amendment—

That in lines 2, 3, and 4 of Subclause 4, the words "and shall not be altered except on the recommendation of the Conservator" be struck out.

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

Ayes	13
Noes	15

Majority against ..	2
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AYES.

Mr. Angwin	Mr. Nairn
Mr. Draper	Mr. Pickering
Mr. Green	Mr. Pilkington
Mr. Harrison	Mr. Roche
Mr. Jones	Mr. Walker
Mr. Mitchell	Mr. O'Loghlen
Mr. Money	(Teller.)

NOES.

Mr. Angelo	Mr. Piesse
Mr. Davies	Mr. R. T. Robinson
Mr. Duff	Mr. Smith
Mr. George	Mr. Teesdale
Mr. Griffiths	Mr. Underwood
Mr. Hickmott	Mr. Vervard
Mr. Lefroy	Mr. Hardwick
Mr. Mullany	(Teller.)

Amendment thus negatived.

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

Ayes	20
Noes	9

Majority for .. .	11
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AYES.

Mr. Angelo	Mr. Mullany
Mr. Davies	Mr. Nairn
Mr. Duff	Mr. Pickering
Mr. Foley	Mr. Plesse
Mr. George	Mr. R. T. Roblason
Mr. Griffiths	Mr. Smith
Mr. Harrison	Mr. Teesdale
Mr. Hickmott	Mr. Underwood
Mr. Lefroy	Mr. Veryard
Mr. Mitchell	Mr. Hardwick

(Teller.)

NOES.

Mr. Angwin	Mr. Pilkington
Mr. Draper	Mr. Roche
Mr. Green	Mr. Walker
Mr. Jones	Mr. O'Loughlen
Mr. Money	

(Teller.)

Clause thus passed.

Postponed Clause 30—Permits and licences:

Mr. O'LOGHLEN: I do not know what the Minister's attitude may be on this question of licenses. Representations have been made to me about a considerable reduction in the fee. A little time ago the fee was fixed at half a crown a month, but a deputation waited on the Minister, who agreed to reduce it to £1 per annum. It is an iniquitous imposition, a payment for the right to work. The question that may affect the Minister is that of revenue. For the last ten years the people subject to this license have met in annual conference and made representations to the Minister to abolish it altogether. I am not wholly in favour of that, because I realise that a registration has to be kept so that the department may have the necessary control, but I submit that a nominal fee would meet the case.

The Attorney General: What do you suggest?

Mr. O'LOGHLEN: Half a crown per annum.

The Attorney General: Make it 5s.

Mr. O'LOGHLEN: Do not be so "yid-dish" in your attitude. You might agree to the 2s. 6d.

The Attorney General: I have already reduced it from 30s. A Minister has no right to be generous with other people's money.

Mr. O'LOGHLEN: For many years past this fee has been imposed, and I do not think it is right. I move an amendment—

That the following be added to stand as Subclause 3—"The maximum fee chargeable for the issue of any license under this section shall not exceed the sum of 2s. 6d. per annum."

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

Postponed Clause 31—Form and effect of permit:

Hon. J. MITCHELL: I should like the Minister to explain the meaning of these words in paragraph (c) of Subclause 2: "to extend such roads and tramways beyond the boundaries of the permit area."

Mr. O'Loughlen: It is necessary at times, and the Minister is the only man who has control.

The ATTORNEY GENERAL: The clause has been framed in that way at the request of the Sawmillers' Association. Sometimes, owing to the configuration of the country they cannot get over a place, and they require permission to go outside the boundary. This is not a one-man Bill.

Mr. Draper: It gives one man power to do everything.

Hon. W. C. Angwin: It will not be there long; it will be repealed.

The ATTORNEY GENERAL: I have had the privilege of referring to the member for Forrest and to others who understand the working of the forest, particularly men actually engaged in the work. Those are the men whose views we have sought. This clause was put to me by the sawmillers, who explained that they sometimes require the right to extend roads and tramways beyond the boundaries of their permits. It is only meant to encompass the better working of the permit or lease, it is only to enable a tramway to get round some difficulty created by the natural configuration of the land.

Mr. MONEY: I take it the word "extend" should be "construct." Does it really mean to extend?

The Attorney General: Yes.

Mr. MONEY: But the Conservator can have no authority to extend anywhere. The whole thing must be within the area of a State forest. I defy anyone to determine what this authority really is. It should be made clear that the extension shall be restricted to the boundaries of a State forest. I should like a little further explanation.

The ATTORNEY GENERAL: Clause 31 itself is not limited to a State forest. The permit issued may be on Crown land outside the State forest. Power is here given, as at present, to make roads and construct tramways, and, with the approval of the Conservator, to extend those roads and tramways beyond the boundaries of the permit area for the purpose of, say, crossing a creek or river or even a road. Without this provision it is sometimes impossible to cut out the whole of the permit area.

Mr. Draper: This would give power to construct a tramway over private land.

The ATTORNEY GENERAL: No, it could not do that.

Mr. DRAPER: I should like to know why it could not be done. The Minister has explained that the permit may apply to Crown lands other than State forests.

The Attorney General: Well, insert "on Crown lands" after "tramways."

Mr. DRAPER: I move an amendment—

That in Sub-clause 3 after the word "tramways" there be inserted, "upon Crown lands."

The MINISTER FOR WORKS: It seems to me that the proper place to put these words would be at the end of the sub-clause.

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

Postponed Clause 32—Royalty:

Mr. PICKERING: I should like an explanation from the Minister as to the meaning of the words "on the quarter girth system" appearing in Sub-clause 3.

The ATTORNEY GENERAL: The Conservator tells me that they mean, the middle girth divided by four, squared, and multiplied by the length of the log.

Hon. W. C. ANGWIN: Would this clause give the Conservator power to differentiate between the various classes of timber in respect to the royalty imposed? The Forestry Department has acted unjustly towards the State Sawmills in putting the same royalty on karri as on jarrah. Karri cannot serve the same purpose as jarrah without being treated, and has to enter into competition with jarrah in the way of heavier railway rates and so on.

The Minister for Works: There are only karri mills operating now.

Hon. W. C. ANGWIN: I admit that, but the particular timber cut by the State Sawmills is karri. The karri mills have to pay double what some of the other mills have to pay. I do not know whether this is done in order to make the State sawmills, which have shown a handsome profit in the past, now show a deficiency. At any rate they have to pay a royalty of 2s. instead of 1s. Can the Conservator differentiate by regulation upon the different classes of timber coming under this clause?

The ATTORNEY GENERAL: No. At present the regulation is 2s. for karri and 2s. for jarrah. It was carefully considered as to whether a differentiation should be made between karri and jarrah, because it might have been argued that jarrah was more marketable than karri, and that karri was being built up. The object of the increased royalty is not to raise revenue.

Mr. O'Loughlin: How will the royalties affect tuart?

The ATTORNEY GENERAL: They do not apply to that timber.

Hon. W. C. Angwin: The clause merely says timber, and you have power to differentiate.

The ATTORNEY GENERAL: Yes.

Mr. O'Loughlin: That 2s. is the maximum on any timber?

The ATTORNEY GENERAL: No. The maximum is not stated. The extra 1s. upon karri is not a burden upon it, because it will be set apart for the purpose of the regeneration of the karri forests. It will not be a burden, either, on the Minister for Works in connection with the State sawmills for that reason. Jarrah has been largely cut out, but karri has only just been started on.

The MINISTER FOR WORKS: So long as the conditions apply equally all round, the State sawmills cannot complain. I admit that if the royalty were 1s. instead of 2s. the return from the State sawmills would be larger. Provided we are put on the same footing as the other mills then the State sawmills in their working should either justify their existence, or show that they should not be there. There are some provisions in the Bill with which I do not agree, but here I am relying upon the common-sense of the Conservator and the broad sympathies of the Minister in charge. If the Minister is convinced that a 2s. royalty is too much, or is hampering the industry it will not be difficult for him to formulate some scheme that will act fairly for all concerned.

Clause put and passed.

Postponed Clause 33—Form and effect of license:

Mr. O'LOUGHLIN: I take it that the proviso in the first paragraph will be dealt with as being consequential upon Clause 22a, and that it will be struck out.

The Attorney General: It is consequential and will come out.

Clause put and passed.

Postponed Clauses 34, 35—agreed to.

Postponed Clause 36—Forfeiture:

Mr. PICKERING: I move an amendment—

That the following proviso be added:—
Provided that before any permit is forfeited notice in writing of the breach or non-observance of the provisions of this Act or the regulations or of the conditions and of the intention to forfeit shall be given to the permit holder, and that the permit holder may within one month from the service of such notice appeal to the Minister against such forfeiture.

If I have the Minister's assurance that the provision is unnecessary, and that the Bill itself will cover the appeal, I ask leave to withdraw the amendment.

The ATTORNEY GENERAL: The Bill does not cover the matter in the way the hon. member suggests, but it is a custom, handed down to me from other Ministers, that the Minister should at the request of the person affected by the cancellation review the whole position.

Mr. O'Loughlin: I have never heard of a case of hardship.

Amendment by leave withdrawn.

Clause put and passed.

Postponed Clauses 37, 38—agreed to.

Postponed Clause 39—Revenue to be paid into Treasury:

The ATTORNEY GENERAL: I move an amendment—

That the following be added to Subclause 2:
"Provided that a scheme for such expenditure shall be submitted annually to, and shall be subject to the approval of, Parliament."

The member for North-East Fremantle interjected on this subject during my second reading speech. My intention always was that expenditure should be subject to the approval of Parliament, but this was not expressed as clearly as it might be, and in deference to the suggestion of the member for North-East Fremantle, and in conformity with my promise, I now submit this amendment. Clause 40 provides that the annual report to be submitted to Parliament shall contain details of expenditure.

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

Postponed Clause 40—agreed to.

Postponed Clause 41—Regulations:

Hon. W. C. ANGWIN: I move an amendment—

That Subclause 8 be struck out.

I see no necessity to bring the Conservator into the question of control of parks and reserves. These are controlled already by special boards. The subclause represents an interference with local government.

The ATTORNEY GENERAL: The Forestry Department have no desire to interfere with the administration of any park; but it has come to the department's knowledge that some country boards governing parks have entirely misunderstood their functions, and look upon the parks as sources of revenue. There is a park on the Darling Range, one of the largest national reserves we have; and the board controlling it, if you please, have issued licenses to cut timber on this park, which is supposed to be reserved for all time as a national park.

Hon. W. C. Angwin: Then shift the board.

The ATTORNEY GENERAL: It is a board comprised of local authorities, and we do not want to squabble with local authorities.

Mr. Pilkington: As it is, the board have no right to issue timber licenses.

The ATTORNEY GENERAL: We want an authority to keep an eye on park boards to prevent the doing of such things. The control will be exercised by way of regulation.

Hon. W. C. ANGWIN: We may have regulations issued covering every portion of this clause. Such regulations are not subject to amendment by Parliament, which must either approve of them, or disallow them, in their entirety. The Conservator might forbid park boards to cut down trees, for the purpose of beautifying the parks, or advantaging the other trees. If the present boards are not competent for their duties, let them be removed from office and let other boards be appointed. We have had quite sufficient interference by departments with local government. I hope the subclause will be struck out.

The ATTORNEY GENERAL: In this connection I draw hon. member's attention to Clause 70, which cannot be applied to a park unless the Government proclaim such park by notice in the "Government Gazette." That is the protecting power.

Hon. W. C. Angwin: I intend to move that that be struck out also.

The ATTORNEY GENERAL: In view of that protection, the Conservator cannot interfere with any park unless with the approval of the Governor, notified in the "Government Gazette."

Mr. DRAPER: Would this provision apply to King's Park?

The Attorney General: Not unless King's Park were specially gazetted under Clause 70.

Mr. DRAPER: It does seem rather strange that a body like the King's Park Board should be interfered with.

The Attorney General: The King's Park Board will never be interfered with.

Mr. DRAPER: Then why ask for the power?

The Attorney General: If the King's Park Board went mad and started to chop down all the trees in the park, they ought to be gazetted.

Mr. DRAPER: Better insert a provision giving the Conservator power to regulate the whole State. Then we shall know where we are.

Hon. J. MITCHELL: There are parks and reserves in this State which to-day are not looked after by anybody, and we ought to give the Conservator power to protect them. Moreover, there are some trees on the roads of this State which ought never to be destroyed.

The Attorney General: That is provided for in the regulations.

Hon. J. MITCHELL: Whilst I agree that the King's Park Board are capable of looking after King's Park, and that there are many other park boards in the same category, yet there are reserves which require protection.

Amendment put and negatived.

Mr. SMITH: I move an amendment—

That the following be added to stand as Subclause 14a:—"Prescribing for the surrender of hewers' registration certificates, and the payment by the Conservator, with the approval of the Minister, of such sums as may be mutually agreed upon as consideration for the cancellation of such certificates."

I do not think that under existing regulations the Conservator has such power. I can quite imagine that the occasion might arise when a hewer would desire to surrender his certificate:

and it would be advisable for the Conservator to have this power when he and the hewer mutually agree upon a sum as consideration.

Mr. O'Loghlen: The registration certificate costs only 2s. 6d.

Mr. SMITH: I know that; but the hewer might be established in a forest earning his living, and he might have gone to considerable expense in erecting the home. Then he might wish to get away. The Conservator might think it advisable to pay some consideration for the cancellation. It is desirable, I think, that the Conservator should have power to buy up the certificates if there is a mutual agreement.

Mr. Pickering: I will support the amendment.

Mr. O'LOGHLEN: It is only necessary for me to point out that a great majority of the men engaged in the industry will not be able to go back to it. Many have been maimed and wounded and others have had a couple of years of adventure and excitement and perhaps will not want to go back to the bush. Yet the amendment proposes to buy them out. If Parliament thinks that a hewer is such a menace that he will be required to be bought out, we should say so. This is a matter which will automatically adjust itself. I would not attach any value to the certificate. After all it is only a certificate to allow him to follow the hardest calling in Western Australia.

Mr. Smith: Perhaps he attaches some value to it.

Mr. O'LOGHLEN: It is a certificate which enables him to earn his living at a calling that he has followed.

Hon. W. C. Angwin: And the Conservator may put up such conditions as to encourage him to make an application.

Mr. O'LOGHLEN: The conditions are so drastic that there will be no inducement for men to go into the bush. At any rate, after the decision of the House we are not going to set out that the issue of a certificate for the hardest toil in this country is going to be worth something, and that as the hewer is such a menace, it will pay us to buy him out.

Mr. Smith: Not at all.

Mr. O'LOGHLEN: He pays 2s. 6d. for the right to hew timber. What does he give up? If he desires to go out of the industry he loses his 2s. 6d. If he does not desire to go out of it there should be no means adopted to put him out, after the decision we have already arrived at. Why put a provision in the Bill attaching a value to the right to work?

Mr. HOLMAN: On a point of order, the hon. member's proposed amendment will involve expenditure, and it cannot be introduced without a Message from the Governor.

The Attorney General: The Bill has already been introduced by Message.

Mr. HOLMAN: But the member for North Perth has no right to move such an amendment.

The CHAIRMAN: I uphold the hon. member's point of order and rule the amendment out of order.

Mr. PICKERING: I move an amendment—

That after the word "person" in line 1 of Subclause 23 the words "except mill hands" be inserted.

It would be desirable to ask these people to be registered because they come and go from day to day.

Mr. HOLMAN: This amendment is not required, and neither is the subclause. Why should a man who goes into the bush, a swamper, a labourer or

navvy, have to register? If the amendment is passed it is quite possible that the Government will slip into this regulation provision for the payment of a fee. A swamper at the present time has to pay £1 a year for the privilege of earning 9s. 7d. a day. It is absurd to charge such fees. We should know the reason for the subclause. It is quite possible that there will be a provision to compel all the employees to pay a fee. It puts one in mind of the old days in Victoria, when the diggers had to take out their annual licenses. It is getting back to the old convict days, when a man had to be numbered. At some of the timber mills will be found men who work only one day, on a casual job.

The ATTORNEY GENERAL: It is essential that it should be known who is operating either in the mill or in the forest. At the present time it is not so necessary as it will be later, because the mills now have all their men listed; but as the mill moves on and the department comes in behind it with reforestation and regeneration, the very greatest care will have to be taken, and we shall require to know who is lawfully working in the forest or at the mills.

Mr. Holman: But some of the men are off the ships, and work only two or three days at the mill.

The ATTORNEY GENERAL: That is an extreme case. We are thinking of the men who stick to the industry. All that is desired is that the department should have a record of the men engaged in the industry. The license system of the past has given place to the registration of timber workers under an arrangement made by a deputation which was introduced to me by the member for Forrest.

Mr. O'Loughlen: I did not think swampers were to be included.

The ATTORNEY GENERAL: In the past a deposit had to be lodged as a guarantee that no damage would be done. We have abolished that deposit, and we have submitted registration in place of the license system. But no matter what system may be employed, it is necessary that we should have a registration of all engaged in the forests.

Mr. O'LOUGHLIN: The Minister's defence of this provision has been exceedingly weak. He has not given us any reason why swampers, navvies, and casual labourers should be included in this. The primary object of the provision is to get control over the hewers and the fellers. No objection has been lodged to that, but why should the swamper and the navvy be included in the registration? I will support the amendment, but I think the provision should apply to none but the hewer and the feller. The Bill is full of penalising provisions, and I fail to see the utility of this one. It may be required in another decade, when the forest is regenerating, but it is not necessary to-day.

Mr. PICKERING: I agree with the hon. member. It was an oversight on my part that I did not include in the amendment all casual labourers. I am quite willing to accept any addition to my amendment in that direction.

Mr. HOLMAN: We should strike out all except fellers and hewers. Why should the names and addresses of all the casual workers in the forest be scheduled? The Minister will next require them to wear a canvas jacket with a number. The amendment does not go far enough.

Mr. Pickering: We might make it read "except mill hands, swampers, navvies, [and casual labourers."

The ATTORNEY GENERAL: If there is one man who should certainly not be missed it is the swamper. He is the individual who goes around taking out valuable saplings. We require to be able to regulate him.

Mr. O'Loughlen: Well, let the provision apply to fellers, hewers, and swampers.

Mr. NAIRN: Is the Minister disposed to consider the question of this subclause applying only to swampers, fellers and hewers? There seems to be some danger involved in the suggestion that has been put forward. There are many other classes of men engaged in the timber industry upon those things which come under the definition of forest produce. There is the removal of gravel, for instance.

Mr. O'Loughlen: This only requires the names and addresses of the men.

Mr. NAIRN: It requires that there shall be registration.

Mr. O'Loughlen: That follows.

The Attorney General: The removal of gravel does not apply.

Mr. NAIRN: The definition of forest produce applies to the removal of gravel, sand, firewood, the bark from trees, and so on.

Mr. O'Loughlen: And honey.

Mr. NAIRN: Yes. If we limit the classes of persons to whom this is made to apply we shall probably exclude those to whom it is necessary that it should apply. I agree that mill hands and casual hands should be exempt.

The ATTORNEY GENERAL: There are other classes of persons who collect forest produce, such as strippers of mallet bark, collectors of wattle bark and red gum, and there may be collectors and strippers of cork. We want to include everybody, though I do not seriously object to excluding the persons mentioned by the member for Sussex. I do not like the expression "casual hands," because the swamper may be a casual hand and we want him included.

Mr. Holman: Every worker on the mill is a casual hand and is only engaged from day to day.

The ATTORNEY GENERAL: Let the hon. member exclude mill hands and navvies if he likes.

[Mr. Foley took the Chair].

Mr. HOLMAN: Will the Minister include general labourers? There are many men who do not work in connection with the timber at all, but are yard hands, and so forth, but this covers all persons engaged in the timber industry.

The Minister for Works: No. Take the case of Mundijong, for instance.

Mr. HOLMAN: That is within the State area.

The Attorney General: What do you want?

Mr. HOLMAN: I do not want the man who only does labouring work in a mill to be compelled to fill up a form and send his address to the department from every job he goes to. Mill hands, navvies or general labourers should be excluded. Anyone who interferes with the forests in its growth should, of course, be registered.

The Attorney General: If a man wants to cut posts, say, at Korrelocking, he must be registered.

Mr. O'Loughlen: Ridiculous.

Mr. HOLMAN: This goes even further, because it prohibits the employment of any man whose name and address have not been registered.

The employer himself may be penalised if he employs such a man.

The ATTORNEY GENERAL: I want to meet the hon. member.

Mr. HOLMAN: Persons engaged in interfering with the actual produce of the forest should be registered, but to go outside that is absurd. If the Minister will promise to look into this and not compel the registration of those persons I have mentioned, and will see that provision is made only to embrace those who actually interfere with the produce of the forest, I will agree to this.

The Attorney General: I think this does go too far, and have taken a note of your suggestions.

Hon. J. MITCHELL: Apparently, the employer will be prosecuted under this if he engages a man who is not registered, notwithstanding what the Minister has said. I think paragraph (c) should be struck out.

Mr. PICKERING: I should like to add to my amendment the words "general labourers." I think this would, in view of the assurance of the Minister, give us all we require. My amendment would then read "except mill hands, navvies and general labourers."

Amendment put and passed.

Mr. NAIRN: I move an amendment—

That in line 2 of sub-section 23 after the word "industry" the following be inserted—"or in the cutting or removal of forest produce."

Apparently through an oversight this sub-clause only applies to the timber industry and not to forest produce, such as bark, stone, gravel, and so on.

Hon. J. Mitchell: Persons engaged in that way do not require to be registered.

Mr. NAIRN: They must be registered. The question of registration fees has to be applied. To make this effective the sub-clause should apply to the cutting or removal of forest produce, otherwise only those employed in the timber industry itself would be registered. I understand it is intended to register more particularly those who are removing or handling other forest produce.

Hon. J. MITCHELL: The hon. member seems hardly to realise that the addition of these words would mean the inclusion in the clause of men removing gravel.

The Attorney General: Nearly every road board has its own gravel pit.

Hon. J. MITCHELL: But the Conservator, I take it, wants to know only the men engaged in the timber industry.

Amendment put and passed.

Mr. O'LOGHLEN: I move an amendment—

That in Subclause 23, paragraph (b), after the word "thereof," there be inserted "and requiring the payment of a registration fee not exceeding the sum of 2s. 6d. per annum."

This will give effect to the decision of the House to reduce license fees from £1 to 2s. 6d. per annum.

Mr. NAIRN: I am entirely in accord with the amendment, but how far will the registration fee be effective? Will it cover all men engaged in the industry in the State, or is it limited to any area, such as say, the State forests?

The Attorney General: Not so far as I know.

Mr. NAIRN: If applying only to certain Crown lands, it would be ineffective. Will it apply to all workers in the timber industry?

Mr. O'Loghlen: No. We have specially exempted some.

Mr. NAIRN: Will it apply from say, Midland Junction to Albany?

The ATTORNEY GENERAL: In answer, I refer the hon. member to the clause itself.

Amendment put and passed.

Mr. HOLMAN: I move an amendment—

That in Subclause 23 paragraph (b) be struck out.

The paragraph is now unnecessary. Its present effect is to prohibit the employment of any person unless registered.

The ATTORNEY GENERAL: The hon. member's object would be met by inserting after the word "industry" the words "except as aforesaid."

Mr. HOLMAN: I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

The ATTORNEY GENERAL: I move an amendment—

That in Subclause 23, paragraph (b), after the word "thereof" there be inserted "except as aforesaid."

Amendment put and passed.

Hon. J. MITCHELL: I think the whole sub-clause should be struck out. Why should the employer be penalised? First there is the right to prosecute the worker for offering his services without having been registered, and then there is the right to prosecute the employer. It is enough to be able to punish the man who has failed to register.

The CHAIRMAN: The Committee having passed this paragraph so far as the words "thereof except as aforesaid," the hon. member cannot move an amendment that the subclause be struck out.

The ATTORNEY GENERAL: A consequential alteration is required in paragraph (b). I move an amendment—

That in subclause 23, paragraph (d), after the word "fallers" there be inserted "and hevers."

Amendment put and passed.

Hon. W. C. ANGWIN: If this subclause passes in its present form, it will be impossible for a person working a mill to engage a worker unless that worker is registered, no matter how urgently his services might be required. Is work to be delayed while the men seeking employment goes away to some place or other to register?

Mr. Holman: Where is he to register, and with whom?

Hon. W. C. ANGWIN: The man might be miles away from the opportunity of registering. We should provide that the man must register within a certain time, upon the expiration of which failure to register would render him liable to prosecution. Many men go to the timber areas without knowing of the necessity for registration.

The ATTORNEY GENERAL: It can be got over by temporary registration. I will see that provision is made by regulation for that sort of thing.

Mr. HOLMAN: The Attorney General's suggestion will not meet the case of say, a firewood cutter, who will have to register. Where is he to register?

The Attorney General: But he only pays 2s. 6d. per year.

Mr. HOLMAN: Nevertheless, before he is employed he must be registered. Is he to come to Perth for that purpose?

The Attorney General: No.

Mr. HOLMAN: There are, for instance, numbers of charcoal burners in the Canning district. They will have to register. Will they have to register in Perth?

The ATTORNEY GENERAL: I will give an undertaking that those men are protected.

Mr. Holman: There appears to be an intention to inflict as many penalties on the timber getters as possible.

The ATTORNEY GENERAL: We are building up a great national asset.

Mr. HOLMAN: These men are being made semi-convicts. We are compelling them to register before they are allowed to work or before they are allowed to be employed. I do not object to protecting the asset but these penalties are too severe. We shall have to carefully watch the regulations when they are placed on the Table of the House.

The ATTORNEY GENERAL: There is a further consequential amendment in this subclause. The words "except as aforesaid" should be inserted after "workers."

The CHAIRMAN: I will take that as a consequential amendment.

Mr. PICKERING: I move an amendment -

That in Subclause 25, line 6, the word "all" be struck out and "such" inserted in lieu.

Later on I shall move to insert after "document" the words "as are necessary to be inspected." Under the subclause all books of account will be open to the Commissioner if he desires to inspect them. I do not think it is the desire of the department, or that it is necessary that this should be so. I have no objection to placing books that are necessary at the option of the Commissioner.

The ATTORNEY GENERAL: This is one of the clauses that most seriously affects the saw-millers. Their books will have to be disclosed to ascertain the royalties, but we have no desire to inspect anything else than what is necessary to give the information to obtain the royalties. I have the authority of the sawmillers for saying that the clause meets with their approval. It was inserted at the instigation of the mill people themselves.

Mr. PICKERING: In view of the assurance of the Minister that this meets with the approval of the sawmillers I ask leave to withdraw the amendment.

Amendment by leave withdrawn.

The ATTORNEY GENERAL: I move an amendment—

That in subclause 27, before "the use of" in line 2 the word "regulating" be inserted.

Amendment put and passed.

Mr. HOLMAN: The work in the bush may be seriously retarded if locomotives are not allowed to be used. The engines burn wood and sparks are thrown off. To what extent is provision to be made to regulate the use of locomotives. I am not going to help to make provision for practically prohibiting the carrying on of work as it is at present being carried on. To put it in the hands of an over-zealous officer to do what he likes is much too sweeping. I would like an assurance that the intention is not in that direction.

The ATTORNEY GENERAL: North America and New South Wales have a provision similar to this. When we get the regeneration going the clause will be necessary to prevent fire going through the area. In the early stages a fire going through a young growth would spoil the straightness of the trees. It is not intended to restrict the use of engines or locomotives because

we know they are as useful in carrying out operations as the mill itself. The regulations will not be hurried through the House; everyone will have an opportunity of dealing with them, and those who should be consulted will be consulted. There is no intention to harass the people.

Mr. PICKERING: The fuel consumed on these locomotives is merely timber, and I can see great difficulties arising in consequence of the sparks from the engines.

Mr. O'LOGHLEN: With regard to subclause 28, we have to assume that a great deal of common sense will be observed in giving effect to the regulations. I have no recollection of a more drastic Bill having been introduced in this Chamber. I realise there may be a necessity for the drastic nature of many of the clauses, but if we put the penal clauses into effect we shall have something bordering on civil war in some of those areas. A resident will not know when he is breaking the law; he will be doing so at practically every step. The subclause provides for regulating traffic through state forests and timber reserves, and for the prevention of trespass in any portion of a State forest or timber reserve.

The ATTORNEY GENERAL: The hon. member must not look at these classes as if they were going to be used to exterminate people. Hon. members should get into their minds that a huge sum of money is going to be spent in the years to come to establish a big State asset, and it will be necessary to construct roads and regulate traffic. There are places, too, where traffic will be forbidden altogether.

Mr. O'Loighlen: This clause will prevent a man walking across the corner of a timber reserve.

The ATTORNEY GENERAL: No. It provides for the regulation of the traffic through State forests and timber reserves, and for the prevention of trespass in any portion of a State forest or timber reserve. Where the young trees are, we must prohibit people trespassing; there must not be any interference at all. The hon. member may be perfectly sure that the regulations will not be for the purpose of harassing anyone.

Mr. O'LOGHLEN: There are fully a score of such provisions and I suppose we will have 3 agree to pass them. But if they are put into effect they will cause the greatest indignation owing to the fact that we are not accustomed to them. I can only assume that the clauses are required for the further protection of the department, to strengthen the administration and to give effect to a forest policy. I hope that the regulations will be administered in a reasonable spirit; if not, I will not be responsible for what will happen.

Hon. W. C. ANGWIN: I agree with the hon. member. It strikes me the Bill will be the means of increasing the population of Fremantle. Trespassers will be haled before the Court every day. I cannot understand a Minister bringing down a Bill containing provisions such as these. In a State of this size a man is not to be allowed to walk in the bush, six million acres in extent! I hope that when the proposed regulation come down they will be disallowed.

[Mr. Stubbs resumed the Chair.]

Mr. MUNSEE: I want to enter my protest against such drastic provisions as these.

The Attorney General: Surely the traffic through the State forests must be regulated.

Mr. MUNSIE: But the provision goes too far altogether. The Bill reminds one of the Federal War Precautions Act, under which the people of Australia have been bound and gagged. Why should a man be prohibited from walking in a bush extending over three million acres?

The ATTORNEY GENERAL: Nonsense.

Mr. MUNSIE: The Minister has not attempted to show that such power is not there if it is desired to use it. Under this a forest ranger will be able to arrest a man for merely walking in the bush. While I desire to see re-afforestation encouraged in Western Australia, I object to a provision which will prevent a man strolling in the bush.

Mr. HOLMAN: I move an amendment—

That in line 2 the words "and for the prevention of trespass in any portion of the State forest or timber reserve" be struck out.

It is right enough to regulate the traffic through State forests, but to prohibit mere trespassing is altogether too drastic.

The Attorney General: I only want it to apply to regenerated areas.

Mr. HOLMAN: This goes much farther

The Attorney General: Well, you can amend it.

Mr. HOLMAN: In New Zealand, where they are doing a great deal of planting, anybody and everybody is free to walk through the planted areas.

The Attorney General: Add to the provision the words "which has been the subject of plantation or regeneration."

Mr. HOLMAN: No, I think it is better to leave it at regulating the traffic. Even in a pine forest there is very little danger to be feared from a man walking through.

The Attorney General: Why, in a cold country like North America they have lost millions of pounds by fires.

Mr. HOLMAN: We are told that persons will be prevented from walking through our forests.

The Attorney General: I do not wish to press that.

Mr. MONEY: I would point out that this only gives power to make regulations to meet the circumstances of any case. Each regulation will have to be published in the "Government Gazette" and be laid upon the Table of the House.

Hon. W. C. Angwin: You cannot amend them then.

Mr. MONEY: Then let us give Parliament power to amend as well as disallow regulations. It should not in future be a mere formality to lay these regulations on the Table, but there should be some provision whereby the House should be required to go through them. I do not see how the subclause can be improved upon in the circumstances.

The ATTORNEY GENERAL: In order to meet the wishes of the member for Murchison I move an amendment:

That at the end of Subclause 38 the following words be added—"which is the subject of planting or regeneration."

This would mean that the term "trespass" would not be applied to a walk through the forests. It would only apply to the planted or re-growth areas.

[Mr. Angelo called attention to the state of the House; bells rung, and a quorum formed.]

Amendment put and passed.

The ATTORNEY GENERAL: I move an amendment—

That Sub-clause 40 be struck out.

In an amendment which appears on the Notice Paper I intend to deal with permits, sawmill leases and concessions in the actual clauses of the Bill instead of by regulation.

Amendment put and passed.

The ATTORNEY GENERAL: I move a further amendment—

That Subclause 42 be struck out.

Amendment put and passed.

The ATTORNEY GENERAL: I move a further amendment—

That at the end of Subclause 43 the following words be added "including timber acquired."

Amendment put and passed.

The ATTORNEY GENERAL: I move a further amendment—

That the following proviso be added to the clause:—"Provided that so far as such regulations apply to any existing concession, lease, or sawmill permit, such regulations shall not be inconsistent with the rights under such concession, lease, or permit."

The object is to carry out the promise I made, when we were discussing other clauses, that the rights existing to-day shall not be interfered with by either the clauses of the Bill or by the regulations.

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

Postponed Clauses 42, 43, 44—agreed to.

Postponed Clause 45—A forest officer may call for assistance to extinguish a fire.

The MINISTER FOR WORKS: There should be reciprocity in the matter of putting out fires. If a forest officer has the right to call on the holders of land adjoining a State forest to assist in extinguishing a fire in that forest, those owners should have the right to call on the forest officer together with his staff to assist in putting out fires on the adjoining holdings. In fact, it is the duty of every person to assist in putting out fires wherever occurring.

The Attorney General: If the forest officer and his staff did not assist in such a case, they would be sacked.

The MINISTER FOR WORKS: If I cannot convince my colleague, I shall have to move an amendment.

The Attorney General: I will agree to reciprocity as regards Clause 45 if you will agree to reciprocity as regards Clause 46.

Progress reported.

House adjourned at 11:16 p.m.