

THE ORIGIN OF
FORESTRY ADMINISTRATION
IN WESTERN AUSTRALIA
1829 - 1929

FORESTS DEPARTMENT OF W.A.

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By

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CHAPTER I

THE EARLY YEARS

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CHAPTER I

THE EARLY YEARS

1829 - 1895

For most of the colonial period government regulation of the forests was concerned with limited ends. There was some realisation of the need to prevent wasteful exploitation of the forests. In 1840 local governing bodies known as Town Trustees were established. Part of their duties was to protect the forest resources of their neighbourhood.¹ Two years later Governor Hutt made another attempt to prevent the indiscriminate cutting of timber. No colonist was to be permitted to fall trees without a license from the nearest Collector of Revenue; the licensee could have no more than three fallen trees on the ground at any one time.² It is more than likely that settlers did not abide strictly by these regulations. Supervision of falling operations would have been practically impossible. Moreover, there seems to have been a fairly widespread feeling that the colony was "one vast forest". Such being the case, officialdom's restrictions on the individual's liberty to cut what timber he liked when and how he liked were not only irksome, but apparently quite unnecessary.

Following this first attempt to reduce waste, the colonial authorities' treatment of the problem scarcely contemplated anything beyond the mere registration of those engaged in timber falling operations. Registration fees provided a useful addition to the colonial treasury. The 1842 regulations were supplemented in the following year when the government announced that a block one square mile in area, near Mahogany Creek, could be leased under conditions which would give the lessee the sole right to exploit the timber on

1. G.G. 25 April 1840.

2. G.G. 18 Nov. 1842.

that block. The lease was put up for auction, the upset rent being £20 per annum.³ This system of tenure was embodied and extended in regulations of the following month, the auction system being abandoned in 1847.⁴ In 1844 it was announced that the license fee for any person cutting timber on Crown land would be ten shillings a month.⁵ There was some doubt among the colonists as to the reasons for the distinction between the timber licenses and the sawyers' monthly licenses and as to the privileges conferred by each. Each served a definite purpose. The timber licenses were issued in respect of a certain specified area, and gave the licensee the exclusive right to operate on that area; the sawyers' monthly license applied to an individual, or, as was usually the case, a pair of sawyers, and gave the holder the right to fall timber on unspecified areas of Crown land. Any entrepreneur who engaged in the industry would need to take out a special timber license to cover the area on which he operated, while his workmen were required to take out their individual sawyers' licenses.⁶

Few capitalists availed themselves of these terms. It was this fact which led to an important alteration in the system of timber tenure in the colony. Governor Weld took the initiative in offering attractive conditions to capitalists in the hope that they might be persuaded to invest in the colony. Weld's policy was crowned with success. During the years from 1869 to 1871 negotiations with three different groups of entrepreneurs from the eastern colonies were carried to a successful conclusion. The government granted certain concessions in return for an undertaking to invest substantial sums in the exploitation of the colony's forests. The agreements were known as the Canning, Jarrahdale, and Lockeville or Ballarat concessions. The terms of the agreements varied in their details but were all based on the same general principle.⁷ The government granted a lease for varying terms over a large area of land, 100,000 acres, 250,000 acres and "about 200,000" acres, respectively. A nominal rental was charged - in fact, the Lockeville concession was free of

3. G.G. 7 Aug. 1843

4. G.G. 10 Sept. 1847.

5. G.G. 5 April 1844

6. The position was explained in the G.G. of 2 May 1848.

7. For the terms of these concession agreements see P.P. 1870-1, No. A.

rent. However, government revenue did not suffer because the concessionaires also paid license fees for so much land as was being worked each year and the normal fees were paid in respect of those sawyers employed by them. The agreement gave each of the three companies the exclusive right to cut over their particular leases subject to the proviso that the government was to be permitted to remove timber therefrom for public purposes, while the government also reserved the right to grant to pairs of sawyers a license to go on to these concessions to cut timber. In effect, the three concessionaires were protected from competition in their particular areas, and were given an advantage over possible future rivals in the industry. Without exception the companies thus favoured failed to make a success of their venture, but in later years other entrepreneurs were to derive benefit from these early concessions. The last concession did not expire until the end of 1929. Their existence proved to be a serious obstacle in the way of implementing a satisfactory forest management policy in the first three decades of the twentieth century. Although Weld's policy may have created problems for the future, his was a sound move judged by the needs of the time.

The new policy was systematized when supplementary regulations were issued in February 1875.⁸ Special reference was made to promote the introduction of new industries, and to that end the Governor in Council was empowered to grant special timber licenses for periods up to fourteen years subject to such rents, fees and conditions as the Governor might prescribe. M.C. Davies availed himself of this offer and his negotiations with the government finally resulted in him receiving a license over 46,000 acres of karri forests in the southwest corner of the colony. This estate was generally referred to as the "Karridale concession."⁹ Other entrepreneurs of lesser importance commenced operations under the terms of the special timber licenses. With the building of the government railway line into the Darling Ranges east of Perth provision was made for smaller businessmen who wished to supply the local market. Regulations of

8. G.G. 15 Feb. 1875.

9. See CSO/2565/89 and SDUR/D4/490-1 in the records of the Dept. of Lands and Surveys, located in the State Archives.

23 October 1883 created a special timber area along the Eastern Railway.¹⁰ Approximately a score of forest lots, as they were termed, were surveyed, each three square miles in area with a frontage of one mile along the railway line. The upset rent for each lot was £100 per annum.

The beginning of large-scale exploitation provoked a reaction in the interests of forest conservation. A warning was sounded in 1874. Perhaps for the first time in the history of the colony emphasis was laid on the fact that the timber resources of Western Australia were not inexhaustible.¹¹ The authorities did not accept the implications of this belief; in the same year, in reply to a Colonial Office circular, the Western Australian government declared that it was as yet too early to institute a policy aimed at conserving the forests.¹² Two years later the government began to have second thoughts. In 1876 a select committee of the legislative council appointed to consider the land regulations drew attention to the enormous damage done to the colony's forests by the indiscriminate falling and hewing of "great trees". The Surveyor-General, Malcolm Fraser, when moving the adoption of the committee's report, gave it as his opinion that the destruction wreaked by a person hewing large piles or baulks was worse than that which resulted from the operations of one hundred sawyers.¹³ In an effort to discourage such a wasteful method of exploitation or, failing that, in the hope that hewers would return to the Crown revenue commensurate with their greater destructive tendencies, a heavy additional fee was imposed for hewing licenses. The council offered no opposition to the government's proposals; but the promulgation in September 1878 of the regulations announcing the increased charges¹⁴ caused "great excitement" in the timber industry. The manager of the company operating on the Lockeville concession pleaded that the industry could not support this new imposition and discharged several of his workmen to prove his

10. G.G. 23 October 1883.

11. Herald 4 Nov. 1874.

12. CSO/778.

13. P.D. Vol. 1, p. 139.

14. The monthly license fee was raised from 5/- to £3. The government had proposed these increases in 1876, but the response of the people interested in the timber export trade had been so antagonistic that the introduction of the new fees had been postponed. W.A.T. 3 Oct. 1870

point. Public meetings were held, and it was decided to approach Governor Ord and request the withdrawal of the new fees. Newspapers attacked "this outrageous tax". The need for conservation was realised; but, it was asked, had the time come for action? The government's move may have been well intentioned; but was not too great a burden being imposed upon the timber industry? The government did not think so: it stood firm, although temporary remission of the higher fee was granted pending the completion of existing contracts.¹⁵

Meanwhile, in August 1877 a Royal Commission had been appointed to consider and report on those steps which might be taken by the government to regulate and encourage the export of timber and to conserve the forests of the colony.¹⁶ Three government officials and two members of the legislative council were entrusted with this rather self-contradictory task. Those interested in the timber trade anxiously looked forward to the report of this commission.¹⁷ They were disappointed. In 1881 a legislative councillor asked whether or not the commission had made a report.¹⁸ He was informed that one was forthcoming, but it seems that no such report was ever presented. The incident is indicative of a certain carelessness characterising the attitude of the authorities to the problem of protecting the forests.

Various plans were advanced by enthusiasts outside the legislative council. It was suggested that sawyers should destroy the debris from fallen trees so as to reduce the danger of forest fires, that the wasteful pile trade be abolished altogether, that it should be made a penal offence to cut jarrah below a certain girth, and that an export duty should be placed on the valuable tuart timber, supplies of which were limited.¹⁹ Proposals such as these were years in advance of their time. Though the government claimed, in replying to a Colonial office circular of 1880, that

15. See CSO/333/13; I. 2 Oct. 1878; Gov. Ord to the Secretary of State for the Colonies 31 Oct. 1878; Col. Sec's Letter Books (State Archives) 62: Nos. 209, 210, 251 and 321; 63: No. 112; G.G. 31 Oct. 1878.

16. G.G. 4 Sept. and 4 Dec. 1877.

17. Herald 29 Dec. 1877.

18. P.D. 1881, p. 100.

19. I. 13 Nov. 1878 and CSO/1461/70.

considerable attention had been paid already, and would be paid in the future, to the matter of conserving the colony's timber resources,²⁰ its action fell far short of the various suggestions made to it.

Sir Malcolm Fraser's General Information respecting the present condition of the Forests and Timber Trade of the southern part of the Colony appeared in 1882.²¹ Fraser gave his considered opinion as to the nature of the forest policy suitable for the colony. The Colonial Secretary had no doubt that forest preservation was a very important matter and he did not need to be persuaded that the exploitation of the forests was accompanied by a considerable amount of waste.²² Randell, a member of the legislative council, recommended to Fraser that there be appointed a permanent board, such as had been instituted in South Australia, with full powers over conservation and afforestation matters. Baron Ferdinand Von Mueller, three years earlier, had advocated the creation of local forest boards with similar powers in respect of their individual districts.²³ Fraser felt that the untouched forest area was so enormous that no anxiety need be felt as to the exhaustion of supplies for very many years. The Colonial Secretary did not see the need for afforestation, but he could see some need for forest protection, especially measures aimed at preventing bush fires, stamping out wilful waste, and conserving immature trees. He agreed with J.S. Harris, resident magistrate at the Vasse, that the appointment of an official whose task it would be to keep an eye on the colony's forests - one man by himself would be able to do little more - could be of benefit to the colony, but saw no call for any but a nominal expenditure on forest management although he did envisage the setting up of some proper organisation for forest control "before long". Fraser's rather indecisive conclusion was probably a reasonable enough summing up of the colony's needs, bearing in mind the limited resources of the government and the then comparatively small extent of timber cutting operations. However, this finding was based on faulty information, for Fraser greatly overestimated the area of

20. Gov. Robinson to the Secretary of State for the Colonies, 16 Feb. 1881.

21. This was printed, together with a Report on the Forest Resources of the Colony by Baron Ferdinand von Mueller by the Government Printer, Perth.

22. Fraser, General Information, etc., pp. 19-20. 23. Ibid, p. 26.

timber forests in the colony. He spoke of jarrah as extending over almost nine million acres, of karri as extending over one-and-a-half million acres, and of tuart as extending over 320,000 acres. As well, six-and-a-half million acres of white gum and one-and-a-half million acres of york gum were included as timber forest. Perhaps Fraser's attitude towards forest conservation would have been different if he had been aware of the actual acreage of Western Australia's prime forests.

One legislative councillor was determined that more definite action be taken. On 18 September 1882 T.C. Carey, the member for Vasse, asked the council to present an address to the Governor requesting him to take steps to protect and conserve the forests. The motion was opposed unsuccessfully by those who feared that the timber industry might be hampered.²⁴ Carey's opponents need not have feared: it would be difficult to imagine any action less likely to harm the interests of the timber industry than that subsequently taken by the government. A forest ranger was appointed: the man chosen was J.S. Harris, he who earlier had recommended to Fraser the creation of such a post. Harris was only too pleased to accept the position. The appointment scarcely can be held to signify an important innovation in forest protection policy. Harris retained his former post as resident magistrate - his duties as forest ranger were only incidental to his other official duties - and the only additional expense incurred by the government and chargeable against forest protection was a £50 forage allowance commencing on 1 February 1883. Nor was this all. Doubt was expressed, and not without reason, as to Harris' physical fitness for his post. The colony's first forest ranger should have retired from public life in 1873. He had declined to do so, being successful in persuading the authorities to allow him to continue to carry out his duties in a temporary capacity. He remained a "temporary" resident magistrate for another seven years until in 1880 another attempt was made to retire him. The executive council was firm on this occasion, Harris' protests were over-ruled,

24. PD. Vol 8 (o.s.) p.180.

25. PD. 1883 pp.180-1.

and he was compulsorily retired on account of his "infirmity and old age". However, he was not yet vanquished and a year or two later, "completely restored in health", or so Fraser assured an anxious councillor was the case, he managed to regain his comfortable niche in the government's employ.²⁵ Thus, the first man directly charged with the responsibility of "protecting the forests" of Western Australia was a stubborn old man who could congratulate himself on his success in receiving a government subsidy for some pleasant rides on horseback in the bush adjacent to his home. Harris' activities in the interests of forestry in Western Australia consisted of the preparation of three interesting reports, printed in Parliamentary Papers, relating to the mills in the southern districts of the colony.²⁶ He seems to have viewed his position less as one which entailed certain responsibilities in regard to the forests, than as one which gave him an unrivalled opportunity to advance the claims of Busselton as against Bunbury as the port most suited to the export of timber from the forests of the far south-west corner of the colony.²⁷ He did not enjoy his sinecure for long as he died in 1886.²⁸

For almost a decade following Harris' appointment little attention was devoted to the matter of forest conservation. In February 1883 Baron von Mueller forwarded various suggestions to the Colonial Secretary including one for the establishment of nurseries, but no action resulted.²⁹ In September of that year John Forrest promised Shenton that he would see what could be done to lessen the damage caused by fires started by bush locomotives.³⁰ Two years later Governor Broome expressed the same views as had Fraser in 1882 when he denied the existence of any pressing need for forest conservation in Western Australia but recognised the government's obligations to posterity.³¹

26. See CSO/3321/85.

27. Harris' three Reports on the Timber Trade in the Sussex District appeared in the Parliamentary Papers as follows:- 1884-No. A8; 1885-No. A23; 1886-No. 34.

29. CSO/1519/22.

28. B. H. 15 July 1894.

30. P.D. 1883 p.453.

31. Albany Mail 12 May 1885.

There were significant developments in the 'nineties. At the end of the decade the rate at which the forests were being exploited increased spectacularly. But before this, perhaps influenced by a new sense of responsibility following the removal in 1890 of the restrictions of Downing Street, the Forrest government had taken steps towards the implementation of a forest protection policy. A section of opinion within the colony was pressing the government to take action. In January 1892 Traylen introduced a motion advocating the appointment of a conservator and the introduction of legislation for the better conservation of the forests and emphasised the need for afforestation. There was only a short discussion, most of the speakers supporting Traylen, although one or two spoke of forests as being a hindrance to grazing and agricultural pursuits. Forrest said that the government would consider the matter, but complained of the expense involved, and pleaded that there was little fear of the colony's timber resources being exhausted. He could promise nothing.³² The only action the government took was to communicate with each of the other Australasian colonies asking for information as to their forest management procedure. This request was repeated in 1895.³³ Traylen's concern increased and in 1894 he introduced a motion claiming that the time had arrived "for taking efficient steps for future supplies of timber". Immediately Traylen had concluded his speech the motion was agreed to on the voices.³⁴ In July the Bunbury Herald had thrown its influence alongside those who were deploring the government's neglect of the colony's forests.³⁵

Cabinet had already decided to act in the desired direction. The estimates for 1894-5 provided £250 for the salary of a conservator for six months.³⁶ His duties, as expounded by the premier, would include the prevention of the destruction of young trees, and the cultivation of softwoods. Several speakers complimented the government for taking this step. The recently established Bureau of

32. P.D. Vol.2 (n.s.) pp.181-214.

33. WF 274/00.

34. P.D. Vol.6 (n.s.) p. 639

35. B.H. 29 June 1895.

36. P.D. Vol.7 (n.s.) p.1217.

Agriculture was responsible for engaging the services of a suitable man. Early in 1895 J. Ednie Brown, a forester who had done good work in South Australia, accepted the Bureau's invitation to visit Western Australia. He was to examine and report fully upon the extent and value of the colony's forests and to suggest rules for their systematic conservation and utilisation. Most colonial opinion welcomed the appointment.³⁷ It was hoped that at last there would be an end to those "acts of vandalism and wanton destruction of immature trees" thitherto common in the colony, while if Ednie Brown could show Western Australians how to plant pines on sand waste areas he would be doing them a great service. The long period of comparative neglect had come to an end. The outlook for forest protection was promising.

37. B.H. 29 June 1895;
W.A. 10 April 1895.

CHAPTER II

THE FIRST CONSERVATOR

1895 - 1899

Ednie Brown arrived in Perth on 20 March 1895.¹ He wasted little time in gaining first hand knowledge of the forests with which he had to deal. From the 8th to the 11th of April he examined the Canning concession. After a few weeks spent in Perth he embarked upon an extensive tour of the south-west. Accompanied for most of the time by Newton J. Moore, a surveyor who was to become premier of the State, Ednie Brown spent over half of the next twelve months travelling through the forests and visiting the sawmills of the colony. In that time he covered a distance of over five thousand miles by rail, by buggy and on horseback. His report on his investigations forms a most comprehensive description of the condition of the timber industry at a most interesting point of its development.²

The new Conservator enthused over what he saw. He declared that he had never been privileged to deal with anything so full of possibilities of permanent national wealth. He saw no reason why Western Australia should not embark on modern forest administration of the most comprehensive kind. Ednie Brown's enthusiasm led him to make one very important mistake. He erred more grievously than had Fraser in grossly overestimating the forest areas of the colony. His estimate of a total of twenty million acres of forest land was accepted for over twenty years. This altogether too sanguine an outlook well may have harmed the forests in so far as it contributed

1. For comments on the significance of Ednie Brown's arrival see: W.A. 10 and 11 April and 24 June 1895, and B.N. 26 June and 23 Nov. 1895.
2. The report was printed as a parliamentary paper. See: J. Ednie Brown, Report on the Forests of Western Australia: Description, Utilisation and Proposed Future Management, P.P. 1896, No. 27.

to the careless attitude which arose regarding the destruction of the forests during the two following decades.

Ednie Brown's report embodied proposals for the management of the colony's forests. One of the first steps he desired to be taken was the dedication of forest lands as State forests, areas thus defined being safe from alienation to agriculturalists. Once State forests had been gazetted, a definite system of conservation might be applied to them. Ednie Brown vigorously refuted the argument that the time had not yet come for such measures. A possible code of regulations for the control of forests on Crown lands was also included in the report. These recommendations, if adopted by the government in their entirety, would have resulted in the introduction of many aspects of a sound forestry policy which did not materialise for another quarter of a century. Before any successful forestry work could be implemented two fundamental matters had to be brought to a satisfactory conclusion. Ednie Brown stressed the importance of both. Firstly, there would have to be established a government department to be entrusted with the work of protecting the forest resources of the colony. This department should have its own ministerial head. Ednie Brown rejected as completely impracticable the alternative, proposed at various times, that the forests should be controlled by the police, or by local forest boards, and insisted on the necessity for a centralised department, claiming that the care of the forests was a matter of State policy. Secondly, he deplored the long established system of governing forest lands under the general land regulations. He insisted on the need for an Act dealing solely with the forests. Much of the importance of Ednie Brown's term as Conservator is connected with his efforts to secure the satisfactory implementation of these two fundamental principles.

At first it appeared that Ednie Brown's wishes with respect to the establishment of a separate department were to be realised. Some confusions exists as to the date of the formation of the Woods and Forests Department. The first annual report of this department covered the financial year 1896-97. Ednie Brown described how, towards the middle of 1896, the government had decided that there

should be a Department of Forests as a branch of the Department of Lands and Surveys with the Commissioner of Crown Lands as its ministerial head.³ In the following year there were included in the report figures for departmental revenue and expenditure dating from 1 January 1895. No attempt was made to reconcile this action with Ednie Brown's earlier statement that the department was formed some time about June 1896.

The credit for the formation of the department was given to the then Commissioner of Crown Lands, A. R. Richardson, and the Under Secretary for Lands, R. Cecil Clifton.⁴ Ednie Brown was responsible for the change in name from "Forestry Department" to "Woods and Forests Department". This change almost immediately followed the establishment of the new organisation. The Conservator's reason for this recommendation was that he intended to plant exotic trees for both commercial and aesthetic purposes, and felt that the term "Woods and Forests" better described the department's functions. No objection was raised to the change.⁵ The department was first housed in the Eagle Chambers in Hay Street, but within a year more satisfactory accommodation was found in government offices at the corner of Hay and Pier Streets.⁶

The new department was confronted by numerous obstacles. Although the Under Secretary for Lands thought it was "practically a separate small department,"⁷ Ednie Brown thought otherwise. All applications for special timber licenses and the issuing and controlling of licenses for all types of forest produce was channelled through the Lands Department officers. If the Conservator wanted to know by whom and under what conditions a certain area of forest was being worked he had to apply to the records office of the Lands Department for details.⁸ Timber licenses were granted without any reference to the Woods and Forests Department.⁹ In

3. 1897 Report, p.7.

5. WF 362/97

7. WF 362/97.

4. 1897 Report, p.8.

6. 1897 Report, p.16; 1898 Report, p.7.

8. 1897 Report, p.8.

most cases Ednie Brown would have no knowledge that a forest area had been leased until he received the information from one or other of his forest rangers. The forest ranger, in his turn, would have known nothing about the action of the Lands office until, on one of his rather infrequent tours through his extensive district he was surprised to find men working and a mill rising where before nothing had disturbed the virgin forest. Small wonder that Ednie Brown found himself without "that thorough control and grasp of the working of the Department" which was so essential if any useful work was to be instituted. Ednie Brown asked that control of all the details of the administration of the timber industry be entrusted to his department. The forest rangers were authorised to issue licenses to individual timber getters, but the records relating to the special timber licenses were retained by the Lands Department.¹⁰ This unsatisfactory situation remained for twenty years.

The fledgling department was both starved of finance and badly understaffed. Three years after its formation the Woods and Forests Department boasted a personnel of ten. There were three clerks in the Perth head office, a nurseryman at Hamel, a caretaker at Point Walter reserve and five forest rangers. Patterson was stationed at Chidlow's Well, Brockman was at Donnybrook, Fitzgerald at Waroona, Gregory at Northam and Kelso at Coolgardie.¹¹ The estimates for 1896-7 included an allocation of £2,210 for the administration of the new department. From this sum provision had to be made for the salaries of five or six men, including the Conservator, as well as for office rent and various

9. The name "Woods and Forests Department" was retained, even though it was not a "department" in the sense that the Lands Department or the Mines Department, for example, were departments. It was really a "branch," or a "sub-department" of a department (even though it presented its own individual annual report to parliament). On most occasions in the following text the designation "Department" has been used, but it must always be borne in mind that the new organisation was not a government department in the true meaning of the word. It did not have its own ministerial head.

other incidentals. The amount granted was quite inadequate, but the government showed little inclination to increase the department's vote.¹² From the date of its inception until the end of 1899 Woods and Forests expenditure totalled £13,059. No itemised details are available for the last three years, but in the first two years about three-quarters of the expenditure was accounted for by salaries and allowances. After the payment of "incidentals" and office rent little was left for forestry work. In fact, the department was often hard put to it to find a sum of the order of £100 or £200 to carry out planting operations. And this was despite the fact that during the same period consolidated revenue benefitted to the extent of £64,933/15/8 by means of rents and fees paid by timber getters for the privilege of exploiting this asset of the colony. At the same time timber to the value of over one-and-a-quarter million pounds was exported.

Ednie Brown was not privileged to witness the implementation of his second basic principle - the enactment of legislation concerned exclusively with the management of the forests. Treatment of this matter could not be separated from another problem which was beginning to assume controversial proportions about the middle of the nineties.¹³ The old system of granting special concessions to large concerns had been abandoned. Since new land regulations had been gazetted in 1887 any entrepreneur who wished to engage in the industry - and many did, for the great boom in the industry occurred in the last five years of the nineteenth century - was obliged to pay for his lease at the rate of £20 per annum for each 640 acres. The holders of the concessions cut their timber under much more favourable conditions. Moreover, the government insisted on granting these more recent licenses on a yearly tenure only, with no right of renewal. On 8 August 1895, Alexander Forrest, who

10. 1898 Report, p.7; for an example of Ednie Brown's complaints see WF 1075/98.

12. 1897 Report, p.8.

11. 1899 Report, p.8.

13. W.A. 20 April 1896.

was a partner in the sawmilling enterprise of Gill and Co., asked the government to introduce such legislation as would have the effect of beneficially opening up the jarrah forests by removing the disabilities which afflicted the newcomers to the industry. Forrest was informed that the government was considering bringing down amending legislation. Leake drew attention to the difficulties inherent in the situation by pointing out that if the government acted as Forrest desired it would simply be repeating the errors of the past.¹⁴ The problem was a real one, and one which affected the long-term interests of forestry in Western Australia. Subsequent developments showed only too clearly that the legislators' attitude towards reform in the system of tenure of timber lands was dominated by a consideration of the need to provide for a more efficient and more equitable method of administering the timber industry; the importance of the system of tenure as a factor influencing the possibilities of silvicultural operations was scarcely considered at all.

The government and Ednie Brown lost little time in agreeing on draft legislation to be submitted to parliament. On 26 September 1896, A. R. Richardson introduced the Crown Lands Timber Bill. The second reading debate began on 16 October.¹⁵ Richardson explained that the government desired that the forests should be so managed as to make them an everlasting source of revenue. Among other things the Bill provided for the issuing of timber leases under compulsory working conditions and for minimum girth falling restrictions. The most important of the innovations included in the Bill was that which sought to introduce the appraisement principle. Instead of rent being charged at so much per square mile, as was then the case, timber leases were to be paid for according to their value based upon the quantity of the timber available and "the comparative advantages owing to conditions surrounding".¹⁶ Richardson mentioned as relevant some of those factors upon which was based the sliding scale royalty adopted twenty-five years later. The government's intention was that any

14. P. D. Vol. 8 (n. s.) pp. 191-8.

16. P. D. Vol. 9 (n. s.) p. 890.

15. P. D. Vol. 9 (n. s.) pp. 889ff.

17. P. D. Vol. 9 (n. s.) p. 892.

timber area applied for was to be inspected by a forest ranger and an estimate of the timber contained on the block would then be made. The lessee would pay so much a load on that estimate, with a minimum of ninepence a load. It is not clear why this procedure was preferred to the less cumbersome royalty system.

It soon became apparent that there was no possibility of the Bill being passed at that session. Alexander Forrest followed Richardson, and claimed that the Bill included so much that was new that it should receive long and earnest consideration before judgement was made.¹⁷ The minister fell in with the suggestion that the debate should be adjourned for a week. Richardson had hoped that his measure might at least have reached the committee stages during that session, but the legislative assembly decided otherwise. No objection was raised when, a week later, a move was made to discharge the Bill from the notice paper.¹⁸ A similar Bill was introduced in the following session but was withdrawn before the second reading stage was reached.¹⁹

In March 1897 George Throssell replaced Richardson as Commissioner of Crown Lands. Despite Ednie Brown's claim to the contrary²⁰ it seems that the new minister's attitude towards the Conservator's plans was less sympathetic than that of his predecessor. Throssell did not look favourably upon the appraisal proposal, feeling that its introduction would lead to friction between the department and timber lessees.²¹ Moreover, the amending legislation which the government introduced in 1898 repeated the mistake of earlier years. There was to be no separate measure concerned exclusively with the forests. Instead, the new proposals appeared as a section of the Land Bill.

The history of the Bill's passage through parliament was very different from that which Ednie Brown had hoped would be the case. Part XII of the Bill as introduced dealt with the regulation of timber lands and this was the only section which envisaged any substantial alteration from past procedure. The legislators

18. P.D. Vol. 9 (n.s.) p. 1102-3.
20. 1897 Report, p. 10.

19. P.D. Vol. 11 (n.s.) p. 1230.
21. WF 628/97.

devoted special attention to this section, but there was little indication that they were possessed of a realization of any need to implement Ednie Brown's recommendations with respect to forest conservation. When moving the second reading of the Bill, Throssell stressed the importance of the compulsory working clauses as a means of putting an end to that speculation in timber leases which was rife at the time. He also pointed out that an important feature of the Bill was the adoption of the principle: "once a jarrah forest, always a jarrah forest".²² In order to give effect to this principle, which the government had "always had in view" the Bill empowered the government to enter upon portions of a lease which had been denuded of mature timber and take steps to preserve the young trees growing thereon. John Forrest also expressed the hope that timber companies would take some interest in trying to plant trees to replace those removed.²³ Most of the few speakers who followed Throssell devoted a considerable portion of their time to Part XII of the Bill, but they adopted the businessman's outlook, not the forester's,²⁴ and scarcely mentioned reforestation or conservation. As soon as the second reading stage had been passed a select committee was appointed, on the initiative of Alexander Forrest, to consider the timber section of the Bill.²⁵ John Forrest was elected chairman of this committee on which business interests were very strongly represented for, apart from the mover, two other members of the committee, Frank Wilson and W. J. George, were also interested in the timber trade. This committee took evidence from one man - A. J. McNeil, managing director in the colony of the Rockingham-Jarrahdale Jarrah Forests and Railways Co.²⁶ The committee's report suggested considerable alterations of which the most noteworthy were modifications of the compulsory working conditions - on each lease there was to be

22. P.D. Vol. 12 (n.s.) p. 636.

23. P.D. Vol. 12 (n.s.) p. 644.

24. See, for example, the speeches of Alexander Forrest, pp. 639-40, and of W. J. George, pp. 640-2.

25. Part XI, dealing with pastoral leases, was also considered. The committee was appointed on 2 August. P.D. Vol. 12, p. 735.

26. For the committee's report see P.P. 1898 No. A16.

erected plant capable of cutting five loads of sawn timber a month for each 640 acres included in the lease, an increase in the term of the leases from twenty years to twentyfive years, and an increase from fifty thousand acres to seventyfive thousand acres in the maximum area that could be held by any one lessee. With one or two minor exceptions the assembly agreed to the recommendations of the select committee.²⁷ George Randell, the Colonial Secretary, when moving the second reading of the Bill in the council mentioned that these alterations were not regarded favourably by the department.²⁸ However, no one in the council suggested any return to the original provisions of the Bill and the only significant amendment made in the upper house slightly worsened the position from Ednie Brown's viewpoint.

The debate on the Bill had shown that the legislators were more concerned with the exploitation than the conservation of the forests. On the one hand this was reflected in the provision of liberal terms for entrepreneurs. But in another vital aspect it was made clear that the principle of conservation was not strongly entrenched amongst the colony's leaders. Mention has been made of one or two references to the principle of "once a jarrah forest, always a jarrah forest". The general tenor of the debate certainly did not indicate widespread support for this principle. Instead, expression was given the feeling of resentment shared by many that the holders of timber concessions should be in a position to refuse farmers permission to select cut-over forest land within the boundaries of their concessions. Clause 23 of the 1896 Bill had dealt with one aspect of this problem. It was therein provided that when the Commissioner of Crown Lands was satisfied that any timber lease, not being a forest reserve, was carrying a quantity of timber above the minimum girth for falling, not exceeding three loads to the acre, he could give the lessee a month's notice of his intention to resume the area and throw it open for selection. This would be a most objectionable provision in the eyes of the forester, since it could be so administered as to

27. P.D.Vol.13; pp.2075-8.

28. P.D.Vol.13; pp.2335.

preclude any regrowth at all, even on what had once been prime forest country.²⁹ Throssell realised the weakness of this clause, but his proposal was in some respects scarcely an improvement. He declared that there were in the forests many "favoured spots" which were admirably suited to agriculture.³⁰ By Clause 126 of the Act power was given the Commissioner of Crown Lands to resume such of this description of land as was included in any timber lease granted under the Act. It was for the minister to decide whether any plot of land was "suitable for cultivation". The select committee wished that this provision might be made applicable to the previously granted concessions. This amendment was out of the question since it would involve an infringement of the rights of the concessionaires. In its interview with A. J. McNeil the committee was concerned solely with the problem arising as a result of the alleged tendency of the timber companies, deplorable in the eyes of the members of the committee, to block the agriculturalist.³¹ John Forrest desired that the timber companies should be prevented from monopolising the soil.³² He claimed that he appreciated the importance of the timber industry, but he did not want agricultural development to be held up by it. Randell emphasised how necessary it was that the government should reserve the power of dealing with agricultural lands within timber leases.³³ The only significant amendment agreed to in the council was that which clarified the position with respect to the government's power in this matter.³⁴ In many respects the Land Act of 1898, in so far as it concerned timber land, well might have been entitled: "An Act for the more ruthless exploitation of the forest resources of the colony and for the more effective alienation to the agriculturalist of prime timber land".

The first reaction of Eadie Brown, supreme optimist that he was, to this measure was, on the whole, one of scarcely

29. P.D.Vol.9; p.894

30. P.D.Vol.12; p.636

31. Evidence and report of select committee; p.3.

32. P.D.Vol.12; p.733

33. P.D.Vol.13; p.2335

34. P.D.Vol.13; p.2494.

qualified approval. He felt that the Act was more in favour of the lessee than was absolutely necessary, but he consoled himself with the thought that there was a great advantage in the fact that the department had some definite basis for its work. The significance of Clause 120 was emphasised:

(i) The lessee of a timber lease shall, as far as practicable, protect all seedlings and saplings, and, as the timber is removed, persons appointed by the Minister may, notwithstanding the lease, enter on the portions of the lease which are being cleared of timber for the purpose of replanting such portions.

This, thought Ednie Brown, was quite a satisfactory provision, and he interpreted the resumption clauses to mean that cut-over portions of the timber leases would be turned over to his department for reforestation measures. He could also point to Clause 129 which provided that the minister could at any time revoke any license if the licensee failed to observe the terms of the Act or any regulations made under its authority. Ednie Brown was always willing to look on the bright side of things. He seems to have had an altogether too sanguine a view of the government's intentions. Probably his hopes had been raised by the action of the then Commissioner of Crown Lands, in February 1896, in instructing that a large area of forest on the lower Blackwood should be reserved exclusively for forestry purposes.³⁵ To be sure, this was an encouraging sign, but the subsequent fate of his proposed forestry legislation should have afforded Ednie Brown ample indication of the fact that members of the ministry did not see the forestry problem in the same light as did the Conservator.

Disillusionment soon followed. A year after the passing of the Land Bill Ednie Brown had changed his opinion as to the merits of this particular piece of legislation. When, in 1899, Throssell complained about the excessive amount of waste involved in timber cutting operations the Conservator commented that the difficulty would not have arisen if rent had been charged on the appraisalment principle.³⁶ In July Ednie Brown declared that the select committee of the assembly had

made "a complete mess of the whole thing" and complained that his suggestions had been so altered that they bore "very little resemblance" to the Bill originally drafted by the Conservator.³⁷ It had taken Ednie Brown an amazingly long time to come to the conclusion that the Act was unsatisfactory.

Despite unsatisfactory legislation and a rather unsympathetic government, though dealing with a public opinion that was largely apathetic, and even openly hostile when vested interests were able to make their voices heard, Ednie Brown employed his meagre resources of staff and money to do what little he could to lay the foundations of a forest policy in Western Australia. Perhaps the most important aspect of his work was that in connection with afforestation. He established sandalwood plantations at Meckering and Pingelly, and sowed wattle seed on a few acres of land adjoining the railway line at Spencer's Brook and one or two other stations in the agricultural areas. Experimental planting of date palm and carnuba palm was attempted in a few goldfields areas.³⁸ Planting was carried out on Rottnest Island,³⁹ and the Woods and Forests Department was made responsible for the protection and beautification of a public park at Point Walter, a caretaker being appointed at a salary of £100 a year.⁴⁰ The sum total of this work was of very little benefit to the forest resources of the colony.

Of greater importance was the attempt to establish pine plantations in the colony. To this end the Commissioner of Crown Lands decided that a State nursery should be formed "for the propagation chiefly of plants of the softwoods of commerce."⁴¹

35. W.A. 14 Feb. 1896. 36. WF 586/99. 37. WF 628/97.
 38. 1899 Report pp. 10-12. 39. 1898 Report p. 20; Report for
 the six months ending 31 Dec. 1898, p. 7.
 40. 1898 Report, p. 23; Report for the six months ending 31 Dec.
 1898, p. 7.
 41. 1897 Report p. 13.

Pending selection of a permanent site use was to be made of an area at Guildford. Pine seedlings were raised there, but the temporary expedient was not very successful.⁴² A more suitable permanent site was needed, and that without delay. The Conservator chose a one hundred acre site on the Preston River, about three miles from Bunbury and half a mile from the Picton railway station. This land was owned by people resident in England. They were prepared to sell, and Ednie Brown urged the government to buy the block. Apparently, the government did not share Ednie Brown's enthusiasm and made no move to appropriate the land when it was offered for sale at a public auction. This setback proved to be only a temporary one, and an alternative site was soon found. An area of seventy-five acres of deep black soil, well watered, located on the South West Railway about two miles south of Waroona, was reserved. The block was once part of the de Hamel estate and the new nursery retained the name. Some work had begun before the end of 1897. By June 1898 somewhat less than £350 had been spent on the area, an amount so inadequate that Ednie Brown was forced to admit that the general appearance of the Hamel nursery did not "warrant a very critical inspection".⁴³ But the nursery was thoroughly established. It was the department's most successful institution. For the next few years a large proportion of the space in the annual reports of the Woods and Forests Department was devoted to lists of the numbers of seedlings of each type raised at the nursery and of the number of trees distributed throughout Western Australia. The policy of distributing trees and shrubs free was commenced in 1897. In that year over twelve thousand plants were despatched from Hamel, with a 50% increase in 1898. Some controversy attended this innovation for, not unnaturally, private nurserymen raised objections. Both Ednie Brown and his successor at the head of the department recognised that the interests of the nurserymen were being infringed to some extent, but felt that the seriousness of this competition was being overstated, while

42. 1897 Report p.11.

43. 1898 Report p.12.

the advantages of the policy were so great as to more than outweigh objections of this nature. The Hamel nursery proved to be a success; not so the subsequent pine planting.

Early in the winter of 1897 Ednie Brown recommended that one hundred and fiftynine acres of the Bunbury commonage be resumed for the purpose of planting softwoods. The area was situated on the sea coast and quite close to the town. His advice was taken and planting operations began almost immediately. Pine seedlings were sown in the low-lying spots and also half way up the dunes, while the crests and more exposed places were sown with wattle seed. It was hoped that in this way shelter belts would be provided for the pines. Various species were planted: Pinus insignis, P. pinaster, P. halepensis (the Aleppo pines of southern Europe) and P. pinea. An area of one hundred and fifty acres was fenced with barbed wire, the total cost of the plantation being about £140. In January 1898 the caretaker reported that the planting had been a complete failure. Approximately 10% of the seedlings were still alive, and all of these had died by the middle of the year. Naturally, Ednie Brown was disappointed. The long dry season was blamed for the failure, but Throssell felt that the unsuitable soil was the major factor. Ednie Brown agreed, and expressed a desire to try planting in localities where there was some "stiff soil". In the meantime, he meant to attempt once more to grow pines on the Bunbury sand dunes. Planting was carried out in June 1899. Only the hollows were planted with pines, wattle again being used on the crests and on the slopes as well. The seedlings were placed eight inches apart in holes dug eighteen inches square on top and two feet deep. In September Ednie Brown said that he hoped that "with a reasonable season" a satisfactory result might be forthcoming. A report at the end of 1899 was quite promising, but this promise was short lived. The results of the second planting were no better than those of the first.⁴⁴

44. See WF 50/96 and 403/97; 1897 Report pp.11-2, 1898 Report p.10.

Criticism of Ednie Brown's choice of site as being unsuitable is beside the point. The Conservator had a definite and sufficient reason for planting where he did. He explained that he was quite aware that trees would grow luxuriantly in various parts of the colony. His object was to try and show that the comparatively large areas of "so-called worthless sandy land" along the coast might be "advantageously and profitably used for the purpose" of growing softwoods in commercial quantities. It seems highly probable that Ednie Brown's action was consequent upon a feeling that there would be little chance of obtaining areas of better soil in a colony wherein there was already a strong pressure to destroy the forests in order to provide more land for the farmer. There was good reason for such fear. Over thirty years later, in a period when the public's forest consciousness had been aroused to a greater extent than it had been in Ednie Brown's time, agriculturalists stubbornly objected to the use of land for pine plantations when such land might be deemed suitable for farming at some time in the future.⁴⁵ But even while he was carrying out this experiment Ednie Brown could have been more active in impressing upon the government the need for a fairly substantial pine planting programme in more favourable locations.

The Conservator could do comparatively little towards regulating timber cutting operations in the colony. A promising beginning was made. Early in July 1896 regulations were gazetted along the lines of those advocated in the Conservator's report of that year. Minimum girth restrictions were imposed: no jarrah tree was to be felled unless it exceeded sixty inches in circumference, with the bark on, at a height three feet from the ground. Varying limits were imposed for other trees, that for karri being ninety inches.⁴⁶ Piles and poles were to be sold by the Conservator only, subject to terms and conditions to be approved by the Commissioner of Crown Lands. Unfortunately, the

45. South West News 3 July, 1931. 46. 1897 Report, pp. 14-16.

1898 Land Act made no mention of this provision, although Ednie Brown sought to prohibit by regulation the indiscriminate removal of poles and piles by timber lessees.⁴⁷ The regulations of July 1896 also provided that all persons cutting timber under licenses which extended for a period of three months or more had to brand all timber cut by them and register their brand with the office of the Woods and Forests Department. Ednie Brown pointed out that these regulations were intended merely as a measure preliminary to the passing of "the proposed Forests Act." In fact, with one or two exceptions, this code proved to be the most comprehensive reform move that Ednie Brown was able to effect.

The Conservator seems to have fallen far short of his own ideal in the matter of securing the permanent dedication of prime quality forests. To be sure, he secured the gazettal of a considerable area of country, mainly in the south-west, as timber reserves or State forests. Ednie Brown's idea, however, was not to dedicate State forests in the sense in which the term is applied today, but simply to ensure for the settlers and the small men cutting under ordinary licenses a sufficient area of forest for their needs, free from control by the big timber companies.⁴⁸

Ednie Brown was able to use his administrative powers to effect the introduction, to a limited extent, of a reform which had failed to receive the support of the legislators. In February 1899 it was announced that all timber cut on reserves was to be paid for at the rate of one shilling a load royalty.⁴⁹ This move involved the Conservator in difficulties similar to those which were to plague the Forests Department during its first decade. Ednie Brown had already shown his desire to aid the smaller timber getter as against the larger. His policy was partly dictated by the belief that the former would be more

47. Report for the six months ending 31 Dec. 1898, pp. 5-6.

48. 1898 Report p. 25.

49. WF 1193/98.

amenable to government regulation. He had established special timber reserves, and he advised the government to construct railways which would open up the forest country to the man of limited means. After February 1899 the small man did not see much advantage in cutting timber on areas specially reserved for him when he had to pay for his timber at a rate greatly in excess of that paid by the large concessionaires and leaseholders for their timber. Complaints soon were forthcoming. John Byfield, who came from a family which had long been engaged in the timber industry in a small way in the ranges east of Perth found that practically all the available timber country in his area was denied him except under the expensive royalty system.⁵⁰ The problem was an insoluble one: any authority charged with the responsibility of safeguarding the colony's interests in its forest asset was bound to act so as to ensure that the government should receive something approaching true market value for its timber; but to do this in respect of that timber over which such an authority still exercised control was to grant the leaseholders and concessionaires a considerable advantage over their competitors. Given on the one hand the existence of the early concessions and the later leases on a rental basis and, on the other hand, the necessity for the eventual introduction of the royalty system of payment, it was inevitable that for some time there should be some timber firms operating on more privileged terms than others. It was as well that Ednie Brown adopted what steps he could to start Western Australia on the path towards the adoption of the royalty system.

On 26 October 1899 Ednie Brown died at his home in Marmion Street, Cottesloe. He was still a comparatively young man of forty-nine.⁵¹ He had been in the colony for a little over four-and-a-half years and his work had barely begun. Viewed in relationship to what had happened before 1895, Ednie Brown's achievement was no mean one. He had initiated a policy of planting softwoods; he had steered the new department through

50. WF 606/99.

51. B.H. 28 Oct. 1899.

its infancy and had endeavoured, although without a great deal of success, to erect a satisfactory legislative framework within which the forests might be better organised. Perhaps most important of all, he provided the first example of a public man in the colony intensely enthusiastic about the needs of forestry in Western Australia; his example well may have injected some sense of responsibility into others. Care must be taken not to over-estimate the importance of Ednie Brown's work for viewed from the vantage point of 1958 his achievement appears far less impressive. Little had been done that was of practical benefit to the forests of the colony. In part, his failings were an inevitable concomitant of the poor materials - inadequate staff, insufficient money, and an almost complete lack of scientific knowledge about Western Australia's forests - with which he had to work. As well, however, some of his failings were due to his own shortcomings. He was not a scientifically trained forester, and he seems to have been rather impetuous at times, while on other occasions one feels that he might have done more to impress his views upon his superior in the Lands Department. His very enthusiasm was responsible for what was probably his worst mistake - his dangerously optimistic estimation of the forest resources of the colony. While it must be recognised that Ednie Brown's enthusiasm was poor substitute for the almost complete lack of a scientific approach to the problems of forestry in Western Australia, it must also be admitted that Western Australia's forests suffered as a result of the early death of the first Conservator. The value of Ednie Brown's services are perhaps the more readily appreciated in the light of what was to follow.

NOTE:

Ednie Brown was a scientifically-trained forester. Indeed, he was Australia's only professional forester. Trained at forestry school in Scotland & France, he had previously held office as Conservator in S.A. and NSW. See Australian Dictionary of Biography.

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CHAPTER III

THE RICHARDSON INTERREGNUM

1899 - 1916

Ednie Brown's successor as head of the Woods and Forests Department was Charles Gough Richardson. Richardson had entered the government service in March 1889 as a clerk in the Lands Department. In 1896 he was asked to transfer to the recently formed Woods and Forests Department. He was most reluctant to do so, but finally consented, on the understanding that his new post would still be under the jurisdiction of the Under Secretary for Lands. Richardson was second in seniority to Ednie Brown in the small sub-department. The first annual report following Ednie Brown's death was presented by Richardson "acting for Conservator of Forests". From 7 September 1900 to 16 May 1902 he was styled the Acting Conservator of Forests; from the latter date until 8 February 1905 he was termed Secretary of the Forests Department; and from 1905 until his replacement in 1916 his official designation was Acting Inspector General of Forests. Richardson's salary fluctuated according to his title. It appears that his main ambition was to remain at the head of this government department - under what title and in what capacity he did not mind particularly - for as long as possible. He succeeded to such an extent that of the six people who have been in charge of the Woods and Forests Department or of the Forests Department only one - Kessell - has held the position for a period longer than that of Richardson.

Within three weeks of Ednie Brown's death Richardson indicated his attitude towards forest policy in Western Australia. Rarely did he depart from this attitude throughout his sixteen years and five months of office. On 13 November, when replying to a question in parliament, Throssell let it be known that the question of appointing a successor to Ednie Brown was under consideration.¹ Richardson became apprehensive. On 18 November he addressed a minute to his minister in which he set out his six point plan for managing Western Australia's forests.² Replanting by the agency of man in the south-west forests was altogether unnecessary, as nature solved this problem; thinning was "quite impracticable" because of the vast areas involved and because, contrary to the position obtaining in Europe, there was no market for the thinnings; therefore, all that could be done was to protect the younger timber and prevent the ruthless destruction of the forests generally; this could be carried out with an efficient staff of forests rangers; all that it was necessary to do with regard to the planting of exotic trees was to follow the advice of Ednie Brown; and so, Richardson summed up, he failed to see what remained for the forest expert to do: the government would simply be paying a highly trained professional man for knowledge which could not be applied in the existing circumstances. Throssell seemed to agree with Richardson, but one other official - the signature is illegible - expressed the opinion that the colony "should have someone in charge of the Forests Department who understands forestry". The gist of Richardson's arguments also appeared in the first departmental report issued over his name.³ It remained to be seen how successful he would be in persuading both the public and the government of the day that his attitude was the correct one.

*John
Forestry*

In the first six or seven years of his term as the head of the Woods and Forests Department Richardson fought and won his most strenuous battles. During these years vocal public opinion seems to have been aware of the significance of the late Ednie Brown's enthusiastic plans for the better management

1. P.D. Vol. 15 p. 2212
3. 1899 Report p. 23.

2. WF 738/99

of the forests. Considerable attention was devoted to the matter, in parliament, in the press, and elsewhere. Above all, advocates of a new deal for the State's forests stressed the need for a new man at the head of the department. Year after year one or other member of parliament would ask the government to explain what had been done towards securing the services of a qualified man as conservator.⁴ The replies elicited varied from cold indifference to an assurance that an officer would "soon" be appointed; the result was always the same. Richardson adhered tenaciously to his sinecure, reasonably certain that he had the assistance of public and official apathy in his efforts to deflect the attack from the would-be reformers.

In November 1900 the government disclosed that several applications had been received for the post of conservator. None had been considered suitable, but parliament was given to understand that there was no intention that Richardson should hold his position permanently.⁵ Months passed and no appointment was made, and in August 1901 H.J. Yelverton, M.L.A., a prominent figure in the timber trade, spoke of the need for a conservator.⁶ The Bunbury Herald had already expressed similar views, deploring the "policy of drift" "absolutely ruinous to the State" which had followed Ednie Brown's death.⁷ Richardson defended himself in a minute to the minister drafted immediately he had read this criticism of his department. He claimed that the Bunbury Herald's article had been inspired by a disappointed applicant for the post of conservator and went on at considerable length in the attempt to demonstrate his critic's complete ignorance of the subject.⁸ That the Bunbury Herald's allegations that the State's forests were being "shamefully despoiled and sacrificed to the exigencies of trade" were not entirely groundless was demonstrated

4. For example: 1901, P.D. Vol. 19 p. 706; 1902, 22, 2787-8; 1903, 24, 2785; 1904, 25, 670 and 26, 1973-6; 1906, 30, 2631-2; 1909, 35, 1289-96 and 37, 1866-8; 1910, 39, 1601; 1911, 37, 1853-9.
 5. P.D. 18, 1676. 6. B.H. 17 Aug.1901. 7. B.H. 15 Aug.1901.
 8. WF 587/01.

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by an incident which followed this criticism. In September the Timber Merchants and Mill Owners Association of Western Australia passed a resolution which opposed the suggested appointment of a conservator. It was claimed that the department had worked satisfactorily under Richardson, and that if the government required advice on matters of urgency recourse could be made to outside experts. A deputation of the association waited on the minister and made known its views. The minister was pleased to find that Richardson was satisfying the sawmillers. His own idea was that the services of a "practical man in preference to a scientific man" should be obtained. Teesdale Smith, the "Little Napoleon" of the industry, who had not been at the meeting which had passed the resolution, disagreed with the majority of his associates and thought that a "really first class practical man" should be appointed as conservator.⁹ So long as Richardson filled his then position the timber companies could rest assured that there would be little governmental interference with their activities. Richardson's early attitude towards the introduction of the royalty system provides one example of a policy which might have been designed to suit the interests of the timber companies. In 1902, despite the decided opinion of Ednie Brown, now supported by many members of the staff,¹⁰ Richardson opposed the extension of the royalty system of payments, arguing that this move would increase the cost of supervising the industry and that it would tend to create continued friction and litigation between the timber getter and the government.¹¹

The years from 1902 to 1905 were critical ones in the history of forestry in Western Australia. As well as the non-appointment of a qualified conservator, other limitations in the government's policy did not pass unnoticed. Discontent came to a head in October 1902 when the government was requested to carry out a searching enquiry into all aspects of forest policy. Two years passed before the work of this "searching enquiry" was finalised. For another year the possibility seemed not far

9. WF 642/01

10. WF 1193/98

11. WF 943/02, 628/97

distant that reform might result from these investigation. But the level of concern subsided and little had been achieved. Interest waned, and forestry suffered from a public apathy more depressing, because more ill-timed, than had yet been experienced.

Late in January 1902 the legislative assembly debated the vote for the Woods and Forests Department for 1901-2. The administration of the department was subject to stronger criticism than had yet been the case in parliament, and a disturbing state of affairs was brought to light. Jacoby, the member for Swan, deplored the folly which had led to the ringbarking of between twenty and thirty thousand acres of jarrah forests on the Mundaring Weir catchment area. Thousands of pounds worth of timber had been destroyed so that the run-off into the Weir might be increased.¹² One speaker prophesied the coming extinction of Western Australia's forests and visualised barren hills denuded of the once-flourishing hardwood. The discussion on the department's afforestation work was equally disconcerting. This portion of the debate was noted chiefly for its levity. Leake, the premier, knew very little about the subject and his remarks tended to give the impression that he cared less.¹³ It appears not unlikely that this unusually extended discussion was due, in the case of most members, less to concern at the department's shortcomings, than to the exigencies of the parliamentary situation, since the opposition wished to prolong the estimates debate as much as possible.

A small minority was not to be deterred. On 10 September A.E. Thomas, the member for Dandas, introduced a motion asking the government to acquire any large tract of tuart forest within a reasonable distance of any State railway line.¹⁴ For some time there had been consideration of this matter in the country, but

12. P.D. 20, p. 2566. Those responsible for the decision to ringbark were not aware that the trees reduced the seasonal variation in run-off and also reduced the salinity of the water. One of the first pieces of work carried out by the new Forests Department in 1919 was the reforestation of this area.

13. P.D. 26 pp. 2567-9

14. P.D. 21, p. 1039.

Thomas was the only member given an opportunity to speak on his motion. Almost a month later, on 8 October, Charles Harper, the member for Beverley, submitted for the consideration of the legislative assembly a six point motion which envisaged a radical departure from the prevailing governmental attitude. Harper's motion was worded as follows :-¹⁵

That in view of the rapid depletion of our hardwood forests, it is desirable that a searching enquiry should be made into the conditions of the trade in this class of timber, with a view to ascertaining :
1. The world's supplies of timbers which come into competition with those of this State. 2. The supplies available in this State of each variety. 3. The area of Jarrah and Karri forests, respectively, already cut out. 4. The rate at which the forests are being depleted. 5. Whether the frequent reports of enormous waste are correct, and if so, what steps are necessary to prevent the same. 6. That until Parliament is in possession of this information, and can provide for the better conservation of supplies no further leases of jarrah or karri forests shall be granted.

During his speech on his motion Harper referred to the recent amalgamation of eight foreign timber companies into Millar's Karri and Jarrah Forests Ltd., a step which brought practically the whole of the Western Australian timber industry under the control of one concern. Harper doubted not that this combine was directed by "some of the shrewdest business men in the world"¹⁶ and felt that, as a consequence, added urgency attached to the matters he had raised: it behoved the State to act quickly to look after its own interests. Every speaker agreed with Harper on the need for some such action as was contemplated; but there was some doubt as to whether his methods were the best that might be adopted. The sixth clause was most criticised, and an unsuccessful attempt was made to excise it.¹⁷

15. P.D.21, 1453. 16. P.D.21, 1453-5.
17. In the Hansard report of the debate it is stated that the amendment which sought to delete the sixth clause was carried. This is a misprint. The amendment was negatived, and the record in the minutes of the proceedings of the assembly (V. & P. Vol. I (1902), p.266) gives the correct version of the result.

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Several speakers showed an awareness of the problems peculiar to hewing, a form of exploiting the forests which involved great waste. One member declared that the only way to prevent injury to the forests was to have special rangers who would mark the trees which could be felled¹⁸. Others agreed that there should be stricter supervision of the timber-getting activities of the lessees and licensees. Harper's motion was carried in the form in which it had been introduced¹⁹.

Richardson did not approve of the assembly's action. He admitted that there was much waste involved in the exploitation of Western Australia's hardwoods, but rightly claimed that this was inevitable, as the State had not yet reached that stage of development which would ensure a market for the timber which went over the fire chute²⁰. As for the sixth clause of the resolution Richardson had no doubts as to the disadvantages attendant upon its acceptance as government policy. It would, he stated, "prevent newcomers from taking up country, create a monopoly in the timber trade, block fresh enterprise, and eventually compel the small mill owner to close down." The premier, Walter James, was not so sure that the motion was unnecessary. He supported the demand for a searching enquiry and was quite determined that the policy of refusing all new timber leases should be "rigorously applied". In one important respect the premier showed himself more sensible of the problems affecting forestry than was the acting head of the department. Richardson had protested that the motion was dealing with an unreal danger, and based this claim on Ednie Brown's estimate that there were millions of acres of good forests in the State. James commented that Ednie Brown's report was based on guesswork to a large extent, and was altogether too sanguine. Nothing was done to carry out Parliament's request as embodied in Harper's motion and it was not

18. P.D. 21. 1459.

19. P.D. 21, 1453-65.

20. WF 983/02.

until he was prompted by a private member speaking on the department's estimates for 1902-3 that James asked Richardson if he could suggest someone from eastern Australia who would be a suitable person to be entrusted with a Royal Commission to carry out investigations. Richardson could not bring ^{anyone} to mind. One could scarcely expect him to do so, since the subjecting of his administrative shortcomings to investigation by anyone who knew what should be the task of the head of a forestry department might have had undesirable consequences - in Richardson's eyes. Yet another period of a few months was to lapse before the government acted according to parliament's wishes.

The fate of the Land Act Amendment Bill of 1902 affords some indication of the obstacles confronting would be forestry reformers. In October 1902 the premier moved the second reading of a piece of legislation which included some amendments to the timber clauses of the Land Act of 1898 ²¹. The most important amendment was that in clause 14 which sought to give legislative sanction to the introduction of the royalty system in respect of all timber removed from any reserve or State forest. Only a minority of those who spoke on the Bill referred to its timber clauses. Harper ²² and a few others ²³ expressed concern at the wast involved in the trade in piles and poles; they thought that the Bill was too liberal in this regard. However, the Bill passed the assembly without amendment. There was scarcely a mention of the timber regulations in the council debate until the committee stages were reached. Then E.H. Wittenoom, chairman of the local board of directors of Millars' Karri and Jarrah Forests, moved for the inclusion of a new clause which sought to remove one difficulty which was confronting the "combine" ²⁴. The Land Act prohibited any company from holding more than seventy-five thousand acres of land under a timber lease. The new company wished to become registered as the proprietor of the timber leases held by the eight original timber companies. To

21. P.D. 21, 1394-9.
 23. P.D. 22, 1976-8.

22. P.D. 21, 1399.
 24. P.D. 22, 2331-2.

this end, Wittenoom asked the council to agree to an amendment which would give the Governor in council the power to grant requests for exemption from this particular provision of the Land Act. The council offered no opposition to this suggestion; not so the assembly. Despite the protestations of Teesdale Smith and H.J. Yelverton - who, as interested parties, could speak but could not vote on the question - the council's amendment was not agreed to by the assembly²⁵. The council, by eight votes to five, refused to alter its position²⁶. By this time Wittenoom's amendment was the only bone of contention between the two houses: but it was enough to lose the Bill. James declared that the council was overstepping its duties and that the government could not "for a moment tolerate the legislative powers of the country being controlled entirely in the interests of one company"²⁷. No doubt James was justified in protesting against control from vested interests. But the rejection of the council's amendment benefited the State very little, for the company retained its large holdings under the names of the eight individual firms, while the loss of the Bill meant that postponement of the introduction of some useful reforms in forestry management.

Interest in the forestry problem quickened in the following year. In June a report of a Royal Commission on the Public Service strongly recommended the appointment of a professional conservator²⁸. In August Harper again referred to the waste involved in timber milling in a motion which called on the government to offer a substantial reward for the discovery of some practical method by which mill logs might be more fully utilised. A brief discussion ensued before the motion was passed²⁹. The estimates debate of December was availed of for yet another attack on the government's apathy³⁰. One grain of hope was an

25. P.D. 22, 3142.

26. P.D. 22, 3165.

27. P.D. 22, 3210.

28. WF 528/03. It was recognised that some difficulty might be experienced in obtaining the services of a suitable man.

29. P.D. 22, 621; 23, 1360.

30. P.D. 23, 2787.

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assurance that one of the first measures to be introduced in the following session would be a Bill to deal with the State's forests. Presumably, this legislation would be based upon the recommendations of the Royal Commission which was even then pursuing its enquiries. For, at long last, the government had acted as requested by parliament in October 1902.

The Royal Commission of Forestry was entrusted with a task of no mean magnitude. Under date 22 April 1903 it was commissioned to inquire into and report upon the matters specifically raised by Harper. It was also requested to consider what steps, if any, might be taken to plant softwoods in Western Australia. Two months later, on 24 June 1903, the Commission's task was extended to include consideration of the methods of harvesting and distributing timber in Western Australia; the efficacy of existing forestry regulations; possible lines for future development in State forestry; and the establishment of State forests under Statute. Finally, the Commission was to concern itself with any other aspect of forestry and the timber trade, a consideration of which might be desirable in the public interest.

The chairman of the Commission was Charles Harper. The other members were Robert Hastie and William Atkins, both members of the legislative assembly, W.V. Fitzgerald, who resigned on 8 March 1904, and Newton J. Moore. Because it was convinced of the "immediate importance" of suggesting conditions under which the forests then reserved might be opened to would-be sawmillers the Commission presented an interim report, along with one hundred and ninety-two pages of evidence, before the end of the parliamentary session of 1903. The government was fully occupied with other matters and the Commission was disappointed in its hopes of the immediate introduction of a Bill embodying some of its recommendations. A final report, thirteen pages in length, to which was attached evidence amounting to forty-one pages, was presented early in the parliamentary session of 1904³¹.

31. The Reports of this Commission appeared as follows: First Progress Report in P.P. No. 24 of 1903-4; Final Report in P.P. No. 11 of 1904.

The Royal Commission made a gallant effort to answer the questions of fact asked of it. Definite answers to the inquiries contained in the resolution of parliament and embodied in the Commission issued were given "so far as they could be obtained within the limits of time and expense considered justifiable by the Commission"³². Most of the factual findings were based upon evidence collected from sawmillers. The Commission found that there were "very few merchantable timbers in the world" which did not come into competition with jarrah and karri in a greater or lesser degree. Such was the cost of working and transporting the heavy Western Australian hardwoods that softwoods, especially oregon pine, were able to compete against local timber within the State of Western Australia itself "even to the very borders" of the forests. However, the Commission doubted whether the jarrah trade was likely to be affected adversely by the hardwood supplies of the Eastern States³³. The progress report estimated that there was an area of two million acres of virgin jarrah suitable for milling to the north of the Blackwood River. At the then rate of cutting, which the Commission found to be approximately sixty thousand acres per annum, yielding an average of 3.1 loads to the acre, this would amount to about thirty years supply. To the south of the Blackwood River there were considerable supplies of jarrah, but the Commission could give no fair estimate of the quantities, owing to jarrah's intermixture with karri, blackbutt and red gum. In addition, it was reported that there were several million acres of jarrah country which were not of sufficient commercial value for milling purposes but which would, as the railway system developed, afford immense scope for sleeper-hewing - or so the Royal Commission hoped³⁴. Certainly, the attitude herein adopted was much more realistic than the fantastic exaggerations perpetuated by Ednie Brown in his report of seven years earlier. An

32. Final Report, p.5.
 34. Final Report, p.6.

33. Final Report, p.6.

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approximation closer the correct figure was also given by the Commission in estimating the total area of karri forest at 1,200,000 acres, of which one hundred and fifty thousand acres had been cut over³⁵. About five hundred and thirty thousand acres of jarrah forest had also been exploited by sawmillers³⁶.

Evidence submitted by Richardson and various of the forest rangers disclosed appalling shortcomings in the State's forestry administration. The head of the department was obliged to confess his almost complete ignorance of forestry. His subordinates likewise informed the Commission that they had had no forestry training and that the duties which devolved upon them in their official capacity relegated them to the role of revenue collecting authorities. The Royal Commission recommended steps whereby this position could be rectified. It was quite satisfied that the evidence submitted proved most emphatically that no forest conservation worthy of the name was practicable until the forests had been reserved from alienation and placed by Statute under the control of a well-manned and properly equipped Forests Department³⁷. This department should be placed under the control of an Inspector General "qualified by experience and scientific training" and directed by a board of three persons "qualified by knowledge of local conditions".

Certain improvements could be begun pending the implementation of all these reforms. The Commission felt that a board established locally would find ample occupation in creating some degree of order out of the existing destructive chaos³⁸. The abolition of the system of leasing forest land for timber cutting purposes was advocated: timber should be disposed of only under the royalty principle³⁹. Experiments in the planting of pines could be undertaken. The Commission saw no reason why the State could not also carry out experiments in the re-afforestation of

35. Final Report, p. 7.

37. Progress Report, p. iii.

39. Progress Report, p. 3.

36. Final Report, p. 9.

38. Final Report, p. 11.

cut over jarrah forests. A concrete proposal was made. A block of 640 acres of what had been prime jarrah country in the Chidlow's Well area should be fenced. A resident officer should be placed in charge of this block and instructed to apply thereto the first principles of forest conservation. These the Royal Commission enumerated as follows :-

1. Protection from depredation.
2. Protection from fire of desirable trees.
3. Destruction of undesirable growth.
4. Training saplings.

Good work in directions such as these could be begun almost immediately, even before the services of a trained man had been secured. Most important of all, steps could be taken to reduce waste. The Commission devoted considerable attention to this problem. It recognised that the great cause of waste in sawmilling arose when the mill was so far from the metropolitan market as to make scantling a waste product suitable only for the fire chute, and was forced to admit that little could be done to alter this state of affairs. But something could be done in other respects. For instance, the Commission recommended that piles and poles should be cut only under the supervision of an officer of the department. An exhaustive test was made of the relative waste involved in the two processes of timber getting - hewing and sawmilling. A practical test was carried out at Mornington. From a number of selected logs taken from virgin forests hewers yielded a recovery of 57.12% of marketable timber and the sawmill 72.73%. Hewing thus appeared as being 25% more wasteful a process than sawmilling. The result definitely proved that sleeper hewing in high class virgin forest involved enormous loss to the State. From this fact the Royal Commission drew the conclusion that it was in the interests of the State that no jarrah trees suitable for milling should be converted into hewn sleepers, provided that they were reasonably accessible to log-haulers⁴⁰. However, when it came to the point of listing a series of definite recommendations the members of the Commission

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hedged a little. It was merely pointed out that since hewing was a more wasteful form of exploitation than milling the regulations controlling it should have this fact in mind⁴¹. No specific steps were suggested whereby the threat of wasteful hewing could be checked.

There was no doubt, however, as to the warning issued on the question of forestry as a whole. Everywhere, "the same dark shadow of the Nemesis of neglect" threatened. An immediate legislative corrective was thought essential. Measures, men and money had to be secured, and that quickly⁴². Included in the final report was a passage which stated the position in unequivocal terms :-⁴³

Your Commission is of the opinion that in the interests of the State it would be a wise policy to discourage any increase in the rate of timber cutting till the consumption of scantling is fairly apace with the export of the larger sizes.

State acquiescence in the destruction of good timber only because the export trade demands it, is a crime against coming generations; and any attempt to increase the export in the interests of foreign companies, or with the object of inducing more men to join in timber getting at the expense of posterity needs wise resistance.

Lane-Poole was later to speak of this Commission in most favourable terms.

Some time elapsed before any move was made to give legislative embodiment to some portion of the Commission's recommendations. On 21 December 1904 Robert Hastie, the Minister for Mines and Justice in the ill-fated Daghlish government, moved the second reading of the Land Act Amendment Bill (Forestry)⁴⁴. Hastie explained that the government had intended to introduce a consolidating forestry bill but, for various reasons, such a step had proved to be impossible of achievement. As the end of the parliamentary session approached, the government became anxious that certain powers should be given immediately to the Woods and

41. Progress Report, p. iv.
43. Final Report, p. 10.

42. Final Report, p. 13.
44. P.D. 26, 2150-1.

43

Forests Department. An amendment of the Land Act was decided upon as the simplest procedure to adopt. The most significant change in forestry administration included in the Bill was an alteration in the system of tenure. No further leases were to be granted under the Land Act of 1898. However, Hastie was careful to point out that the Bill did not seek to interfere with existing vested rights. Nothing could be done about past mistakes; it was simply a case of ensuring that these mistakes were not repeated in the future. Thenceforth, those who wished to engage in the sawmilling industry would have to apply for a saw mill permit. These permits were to be issued in respect of an area proportional to the horse-power of the mill proposed to be erected, provision for ten year's cutting being the basis for calculation. No maximum area was stipulated. Permits were to be granted for a period of up to twenty-one years. Holders of sawmill permits were to pay a royalty on all logs cut at the mill. The disastrous rental system was to be given no further legislative sanction.

The Bill included other reforms⁴⁵. The government was empowered to appoint an Inspector General of Forests who was to be charged with the conservation, management and control of the State forests and timber reserves to be established under the Act. Three clauses dealt with the establishment of a Forests Advisory Board. The ministry need not have been so apologetic regarding the limited nature of the reforms introduced by the Bill. Admittedly, the Bill was only a temporary measure and fell short of what was desirable. Newton Moore complained that the Bill did not go far enough and criticised the government for continuing the Lands Department control of the Woods and Forests branch⁴⁶. Admittedly, the legislation had nothing to say with respect to many of the recommendations of the Royal Commission; and the adoption of the principle of a life of ten years for a timber mill ran directly counter to all ideas of good forestry. Nevertheless, this small amendment to the much publicised Land Act of 1898 was, in so far as the management of

45. See Drew's second reading speech in the council P.D. 26, 2232-8

46. P.D. 26, 2224.

the forests was concerned, of considerably greater benefit than the principal Act. K4

The debate on the Bill did not reassure the forestry reformers. Discussion on the proposed appointment of an Inspector General showed that members were less concerned that a man should be found than they were apprehensive that a new appointee might not be aware of the peculiar silvicultural problems pertaining to Western Australian hardwoods or that he might not possess a true realisation of local economic conditions. Many members felt that a man imbued with ideas and ideals about forestry might threaten vested interests⁴⁷. In the council some opposition was raised on the ground that the Bill had been rushed through parliament too quickly. An attempt to shelve the Bill was unsuccessful. However, an amendment was agreed to which limited its operation to the period ending on 31 December 1905⁴⁸.

The parliamentary situation changed before this expiry date was reached. The Dalrymple ministry had fallen from office and with its demise there was lost any hope there may once have been that a comprehensive piece of forestry legislation would be introduced. A further amendment of the Land Act was considered by parliament in 1905. Its last clause repealed the time limit clause of the 1904 Act. This was the only reference in the Bill to the forestry question and in the debate which followed not one speaker mentioned the matter. The government made it clear that it had no intention of introducing further amending forestry legislation⁴⁹. After the report of the Royal Commission, the promise of the Dalrymple ministry, and the criticisms of Moore, who now held the Lands portfolio, this legislation was a most disappointing anti-climax.

The work of the Forests Advisory Board was scarcely any less disappointing. Early in January 1905, only a fortnight after the amending forestry legislation had become law, J.M. Drew, the Minister for Lands, advised the premier that the time had

47. For example, A.J. Wilson, P.D. 26, 2225.

48. P.D. 26, 2314-5.

49. P.D. 28, 540-2.

45

arrived for setting up "an Advisory Board of Forestry." Cab. agreed with the suggestion and Drew submitted three names for its consideration. One of Drew's proposed nominees was C.G. Richardson. However, cabinet refused to make this appointment - a rebuff that must have been particularly galling to the gentleman concerned. J.C. Port, a prominent figure in the timber trade, was appointed in place of Richardson. Newton Moore became chairman of the board, and Thomas Adams was the other member⁵⁰. Each member was to receive a fee of two guineas for each meeting attended. The board met frequently, submitted numerous recommendations, and made a few reports. The records of its deliberations and recommendations fill three bulky files⁵¹.

The first important result of the activities of the Forests Advisory Board was the gazettal of new timber regulations at the end of July 1905⁵². Tree marking in a negative sense was provided for - a forest ranger could mark a tree to signify that it was not to be touched by fallers. Stumps and fallen trees were to be branded. Every permit holder was to confine his operations at any particular time to certain defined sections of his holding marked out by officers of the "Forestry" department. Once marketable timber had been removed the sections were to be closed to cutting with the object of encouraging the growth of young timber. This controlling measure was to be applied on the basis of a two year cutting period. On the first day of every month permit holders were to furnish the Inspector General of Forests with a return showing details for the preceding month of logs sawn at the mill. Departmental officers were empowered to inspect the machinery and the books of the permit holders. Cancellation of a permit could follow any "unnecessary destruction of trees". No jarrah tree on a permit area could be felled if it was less than ninety inches in cir-

50. WF 196/05.

52. G.G. 29 July 1905.

51. WF 337/05 (3 vols).

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cumference, with the bark on, measured three feet from the ground. The limit for karri was one hundred and eight inches. The amount of royalty payable of jarrah and karri was 1/- a load measured in the round, and for hewn timber 2/6 a load measured in the square. These regulations read well, but it must be remembered that their strict enforcement was virtually an impossibility and that, of necessity, the emphasis was on protection rather than regeneration. Moreover, they could only be applied to holders of saw mill permits under the 1904 Land Act. Not unnaturally the people thereby discriminated against voiced their protests. The government felt that it could do nothing to meet their grievances.⁵³

The subsequent history of the Forests Advisory Board was in the nature of an epilogue. Shortly after the July regulations of 1905 the Dalglish government was defeated. Moore became the Minister for Lands in the Rason government. He consequently resigned his post as chairman of the board on 24 August 1905. No one was chosen to replace him. The board continued to function for a few more years, but it seems to have been rather ineffectual. After the controversial regulations of 1905 no further timber regulations were issued until 17 May 1907⁵⁴ and these merely repeated the 1905 provisions with a few verbal changes. Adams resigned on 31 January 1908 to become a forest ranger, and Port resigned on 20 March 1908. No successors were appointed and the board thus died a natural death.

The relationships between the Forests Advisory Board and Richardson were hardly conducive to the efficient control of the State's forests. The board was responsible directly to the minister and was independent of Richardson, although it could confer with him if thought necessary. The members of the board travelled the forest country making investigations on the spot of defects in the department's administration. It is not at all unlikely that each of the three members of the board knew more about the forests of the State than did the head of the department entrusted with their control. Newton Moore, once he

53. W.A. 22 Aug. 1905.

54. C.F. 17 May, 1907.

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was minister, explained his interpretation of the relation which should exist between these two authorities. He thought that Richardson should listen to the board and take advantage of any practical suggestions it made. Furthermore, he expressed his desire that the acting Inspector General of Forests should 'confer with the Board with regard to' the various recommendations it made.⁵⁵ The position was an anomalous one which must have been quite annoying for Richardson. However, the rot of apathy set in, the board soon disappeared, and the acting head of the department was once again left to his own devices.

The demise of the Forests Advisory Board was accompanied by some slackening of interest in the forestry question. Perhaps the would-be reformers were becoming discouraged. The appointment of a conservator was referred to in the 1906 estimates debate,⁵⁶ but in the two following years the department's vote was agreed to without mention of this matter. There was a little attention given the problem in the press⁵⁷ and in 1908 the West Australian published a series of articles stressing the need for conservation.⁵⁸ Promises of action continued to fall from the lips of ministers. In 1909 James Mitchell agreed to recommend to cabinet that a conservator be appointed.⁵⁹ A year later O'Loughlen was informed that, in fact, no applications had been invited for the position.⁶⁰ Mitchell was stirred to take some action and within a few weeks he announced that he 'believed' that the position was advertised and expressed the hope that soon it would be filled. The minister 'realised the importance of the position' and expressed a desire to obtain a capable man to control the Woods and Forests Department.⁶¹ The estimates for that year contained the usual provision for six months salary for the long-awaited conservator.

The acting head of the department continued to advance arguments showing that there was no necessity for appointing a

55. WF 779/06

56. P.D. 30, 2631-2
57. See, for example, W.A. 10 Jan. 1907, and 5th, 9th, and 15th

58. See, for example, W.A. 5th, 7th, and 15th Sept. 1908.

59. P.D. 37, 1867/

60. P.D. 39, 1601

61. P.D. 39, 2455-6

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qualified man as conservator. Richardson's views on the needs of forestry in Western Australia had scarcely changed in the decade following Ednie Brown's death. In 1906 he wrote of the impracticability of "Various visionary schemes" of conservation which some thought should be applied to Western Australia. Since the State was in a transition stage of development wherein the selector eagerly sought undeveloped Crown lands which could be brought under cultivation it was "palpably absurd", argued Richardson, for the department to spend large sums of money in re-forestation of large areas of country. Who could be sure that land on which money had been spent in forestry work would not soon be alienated to the agriculturalist?⁶² Since a "scientific" man would be absolutely useless at the head of the department if he had no money to spend, and since, as Richardson had proved, to his own satisfaction at least, there was no justification for any large scale expenditure on forestry work in Western Australia, the conclusion naturally followed that Richardson was more fitted to fill the position of Inspector General of Forests than was any scientific expert who might be imported from overseas. Richardson's insidious influence on government policy was thus a two-fold one: he was quite unsuited to his post, and it was in his interest to stifle any proposals for improvement in order that his incapacity might be the less noticeable.

Richardson would have denied this contention. He claimed that he was interested in his work, that he had bought and studied the latest works on forestry and that he had gained "great" practical knowledge of the forests of the State. He was not opposed to all reform. He advocated the replacement of sleeper hewing by small portable sleeper mills. However, he realised that unemployment would be an inevitable accompaniment of reform and that "the usual cry would be raised that the government was favouring the capitalist and the monopolist at the expense of labour" and so he did nothing.⁶³ It needed a man of the calibre of Lane-Poole to press for reform in the face of such difficulties. Richardson also thought better of his earlier opposition to the introduction of the royalty system.

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He recommended the adoption of a mixture of both rental and royalty systems - a rent of £2 for every one thousand acres or part thereof as well as a royalty of 1/- a load in the round - in that amending legislation of 1905 which failed to materialise.⁶⁴ And in 1909 it was finally decided that experimental re-forestation work should be carried out on a small scale. Little credit is due to Richardson for this step, however. It had been suggested by the 1903 Royal Commission, Richardson was urged on by his subordinates in the field, and Richardson himself was not particularly forward in impressing upon his minister the need for some such scheme.⁶⁵ An area of about four hundred acres near Waroona was recommended by forest ranger Fitzgerald as being a suitable plot for this experimental work. In mid-December 1908 Richardson made his first request for money to enable unemployed to work on this area. He wrote six minutes on the matter before, in April 1909, he secured the necessary approval, and it was October before work was begun. However, Richardson seemed to take considerable interest in the project, and descriptions of its progress were printed in the department's annual reports. The work carried out consisted of removing old and useless trees and burning all the debris left on the ground from past falling operations. By 1911 the work was completed and a year later Richardson was able to report a satisfactory result, for a second crop of fine young jarrah was growing. Richardson thought the experiment would "be of great value to future generations, as it would show what nature could do in the way of regeneration in the State's jarrah forests if assisted by man, and protected from...fire". An important conclusion to be drawn from the experiment, however, was that the cost of the work was so high that the application of these methods to large areas would be quite out of the question. Nevertheless, Richardson was prepared to continue such work on an experimental basis. On 20 April 1911 he recommended to the Under Secretary for Lands that re-forestation work might be carried out over areas near the city by directing firewood

64. WF 95/05.

65. For details see WF 306/11; 1911 Report p.10, and 1912 Report p.9.

cutters to clear cut over areas of useless timber. There is no mention of such a scheme being put into operation.

Richardson was most ardent an advocate of the interests of forestry when it so happened that they corresponded with his own private interests. In 1909 a special Public Service Board recommended that the Woods and Forests Department be abolished as a separate department with a division of its own on the estimates and be re-organised as a branch of the Lands Department.⁶⁶ It seems that the sole reason for this recommendation was that the centralisation of accounts, records and administration in the Lands Department would be an economy measure. Richardson fought strenuously against closer integration with the Lands Department. He thought that amalgamation was "diametrically opposed to the interests of the department, the timber industry and the community at large". He quoted from the report of the New South Wales forestry commission and also from the findings of the late Forests Advisory Board to support his argument. As well, he wrote to the forestry authorities of Victoria, New South Wales and South Australia, all of which replied urging that the department in charge of the forests be kept as independent as possible of the Lands Department. Clifton, the Under Secretary for Lands, supported Richardson in his opposition to the proposed amalgamation, even though he took "a great interest in the timber and forestry business".⁶⁷ But the then Minister for Lands - James Mitchell - had different ideas. He was never one to adopt a casual attitude towards an opportunity for an increase in his power, and he probably saw in the board's recommendations a chance of bringing under his thumb the very interest which might conceivably stand in the way of future land settlement schemes. Mitchell ordered the implementation of the board's recommendations. However, while the advice of his permanent officials had no effect on his determination to proceed with the amalgamation, the fact that the Lands Department was crowded and could not find room for the forestry branch proved to be a stumbling block.

66. WF 9196/09.

67. Clifton to Bath, 27 Nov. 1911, WF 9196/09.

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Mitchell was unable to supervise the absorption of the Woods and Forests Department by the Lands Department. The matter was still undecided when, at the general elections of 3 October 1911, the Wilson ministry was defeated, and the Labour party took office. John Scaddan was the new premier.

The change of government was of no little significance in the history of Western Australian forest policy. Why had so little been done to implement a system of sound forestry management? One might instance Richardson's influence, one might point to public apathy, but one must also feel that much of the blame for the deteriorating situation rested upon successive governments. It was for the government to take the initiative in any move for improvement. The most important single step it could have taken was the appointment of a qualified man as conservator. Although this matter was raised on numerous occasions no appointment was made. The position was advertised, and perhaps ministers scarcely could be blamed for the failure of these advertisements to attract the right man if no such man was available. Nevertheless, one feels that a little more attention to duty might well have brought results. Short of the appointment of a trained conservator there was still room for reform. Perhaps an outside expert might have been induced to spend a year or so in the State advising on work to be done. Some more determined effort could have been made to implement various of the recommendations of the Royal Commission of 1903. The government could have acted along the lines pointed out by the most crucial proposal of the Commission; that cutting should be restricted so as to ensure the permanency of the timber industry. Surveyor Absolom urged Richardson to adopt this proposal.⁶⁸ Private members of parliament indicated directions in which the government could act pending the appointment of a conservator. O'Loughlen pleaded with the premier to carry out a detailed classification of timber areas in order that the State might have a reliable guide as to how much timber it actually

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did possess.⁶⁹ Jacoby urged the government to devote more attention to pine plantations.⁷⁰ Troy advocated the expenditure of £3,000, not £300, on afforestation work.⁷¹ All in vain. The government's interest lay elsewhere.

A first glance would lead one to feel that the forests should have been well served by governments in the years from 1905 to 1910. Newton Moore, he who had accompanied Ednie Brown on his famous tour of investigation of the colony in 1896, who had later been a member of the 1903 Royal Commission and who had then been chairman of the Forests Advisory Board, was Minister for Lands from August 1905 till 7 May 1906, and from that date until 16 September 1910 was premier of the State. Surely one might have expected a happy era for the forests to follow the rise to power of one so conversant with forestry's needs. But such was not to be; and that for an easily discernible reason. The Moore government, and the Wilson ministry which succeeded it, pursued a remarkably vigorous land settlement policy. Since emphasis was laid on the throwing open of the land in the eastern districts, the industry which ranked second in the State's export economy was neglected. Richardson thought it right that this should be so. He welcomed a situation wherein the community's interest in the development of the State's agricultural and mineral resources and the necessity for considerable expenditure in these directions precluded the expenditure of large sums of money on experimental work in forestry.⁷² Mitchell, who became Minister for Lands in 1910, had no time at all for forestry, and in his case neglect hardened into opposition. To him, trees were little more than obstacles in the way of land development. There was another reason for the government's indifference to the reckless exploitation of the State's forests. The Moore and the Wilson ministries were composed of men drawn from the non-Labour parliamentary groups. One might reasonably expect them to be the less likely to cause a change in a state of affairs which greatly,

69. P.D. 37, 1853-9
71. P.D. 39, 2457.

70. P.D. 37, 1848.
72. WF 102/02

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suiting the timber companies, especially as Wilson had interests in the timber industry. One would not wish to exaggerate the difference in the party political attitudes towards this problem. Time was to show that there were also men in the Labour party whose interest in land settlement blinded them to the needs of forestry; and the non-Labour parties had never been without their advocates of forestry reform. As late as 26 January 1911 Moss, the senior Non-Labour member of the legislative council, moved for the appointment of a Royal Commission to inquire into "the condition appertaining to the production, exportation, importation and distribution of timber in and from Western Australia" and in so doing expressed his concern at the growing power of Millars' combine.⁷³ At the end of May the Wilson government announced that it intended appointing a conservator "in the course of a few weeks".⁷⁴ But the fact remains that during six years of Liberal government little had been done for the State's forests. Wilson's period in office ended on a disappointing note. Parliament adjourned after only a short debate on Moss' motion and no vote was taken on it. No success followed the government's latest advertisements for a conservator. Richardson experienced difficulty in securing funds sufficient to carry out re-forestation work on a small area of tuart forest near Capel.⁷⁵ Mitchell refused to appoint a Western Australian representative to an interstate conference of foresters convened by New South Wales.⁷⁶

The new government adopted a different attitude towards the forestry problem. A satisfactory decision was soon made. On 27 November 1911 Drew, the Colonial Secretary, minuted on the file dealing with the abolition of the Woods and Forest Department: "The merging of the Woods and Forests branch in Lands Department not to proceed." Certainly, Scaddan did not reverse Mitchell's decision not to send a representative to the interstate forestry conference,⁷⁷ apparently agreeing with his opponent that there was no one fit to attend such a conference. However, a fortnight before Christmas Bath, the new Minister for Lands, informed parliament that he was considering the possibility of calling a conference

73. P.D. 40, 3345.

75. WF 1062/11

77. This conference opened on 20 November and lasted till 25 November

74. WF 6837/11.

76. WF 6837/11

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of Western Australian foresters to discuss matters such as the classification of timber areas and the best methods of reproducing the State's forests.⁷⁸ Two months later the minister announced the adoption of certain steps which, it was hoped, would check the alienation of forest country to agriculturalists. Promise was given of conservation work to be carried out in the near future.⁷⁹ The estimates for 1912-13 provided for the expenditure of £14,547 by the Woods and Forests Department - £4,000 more than the vote for the previous year and the highest allocation in the department's history. This increase was in part due to the salary increases granted to forest rangers but it was also in part due to an extension of the operations of the department.⁸⁰ In May 1912 Bath had decided that the task of classifying the timber areas should be commenced. Surveyors and officers of the Woods and Forests Department were working together to prepare plans showing the various classes of country according to the quantity of timber carried as well as to the quality of the soil. It was hoped that the government would thereby be furnished with that detailed and accurate information as to its timber resources which was essential before a decision could be made on future policy. The vote provided £2,000 for re-afforestation work to consist of "assisting natural afforestation". This was the first item of such a kind to find a place on the revenue estimates.⁸¹ Applications were again being called for a conservator. The year 1913-14 was marked by what Richardson thought was the most important step yet taken in the history of forestry in Western Australia: the government decided to prohibit the hewing of sleepers in virgin bush.⁸² Western Australia was represented at the next interstate forestry conference held at Melbourne. A paper was read on the forest wealth of Western Australia.⁸³

The public service was under review again in 1912 and on this occasion a beneficial reform eventually resulted. The Public Service Re-Classification Board drew attention to the

78. P.D. 41, 874.
80. P.D. 45, 3695
82. 1914 Report, p.9.

79. W.A. 19 Feb. 1912.
81. P.D. 45, 3696.
83. 1913 Report, p. 7

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fundamental principle that it was desirable that a department whose major interest lay in the direction of alienating, clearing and settling the land should not have control over a department whose major interest lay in the direction of the non-alienation of timber country. It was recommended, therefore, that the Woods and Forests Department should be removed from the jurisdiction of the Lands Department to that of the Mines Department.⁸⁴ Bath asked the acting Under Secretary for Lands to comment on this recommendation. That officer pointed out that an amendment of the Act would be necessary before any transfer could be effected. He would not admit that the Lands Department had not protected timber as a general rule. He then went on to give the foresters reason for doubting the justice of this claim, by lodging a complaint against the Woods and Forests Department's attempts to have timber areas declared Class "A" reserves, safe from alienation except with the concurrence of parliament. By adopting this attitude the acting head of the Lands Department was making out a good case for separation. Bath decided, on 16 October 1912, that for the time being, the department should not be transferred. One reform was instituted. Bath empowered the head of the forests branch to deal directly with himself as Minister for Lands. Thitherto Richardson had addressed all matters to the Under Secretary for Lands, who then discussed them with the minister. On his return Clifton opposed both the proposal of the Re-Classification Board and the alteration effected by Bath, claiming that this would in fact mean the creation of a new department. But he was struggling against majority opinion. Richardson pleaded for the transfer from the Lands Department. The Timber Workers' Union, at its annual conference, passed a resolution asking that the department be separated from the Lands Department, re-organised, and made a separate department. O'Loughlen forwarded this decision to Bath. On 2 June 1914 cabinet finally decided on the transfer, to become effective as from 1 July. The West Australian approved of the step.⁸⁵ The necessary legislative approval was given by Act No.3 of 1915, assented to on 20 January 1915. The report of the Woods and Forests Department for the six months ended 31 December 1914 appeared as Division VIII of the

84. WF 1015/12. 85. W.A. 4 June 1914.

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Mines Department report. The 1915 report was treated similarly. This reform though limited and, as it turned out, temporary, was none the less a real one.

Philip Collier, the Minister for Mines, was now in charge of the Woods and Forests Department. Soon after taking on this responsibility he set about the task of finding someone who could fill the post of conservator. He experienced a little difficulty in finding a suitable man.⁸⁶ Meanwhile, he had taken advantage of an unexpected opportunity which presented itself when, in 1914 D. E. Hutchins, a recently retired forester of considerable ability and experience, visited Australia to take part in a meeting of the British Association. Hutchins remained for two years to study and report on Australian forestry and Collier engaged him to pay special attention to the problems confronting forestry in Western Australia. Hutchins' report was published in Perth in 1916.⁸⁷ It also appeared in London in 1917. His remarks anent Western Australia were sound, but the importance of this man and his report in the history of forestry in Western Australia lies in the fact that he was closely associated with the appointment of the State's first trained conservator. Perhaps the Hutchins' report made Collier more determined than ever to secure the services of a qualified man to check the rapidly deteriorating situation. Certainly, it was Hutchins who suggested Lane-Poole to Collier and probably it was Hutchins who persuaded Lane-Poole to come to Western Australia. Lane-Poole was appointed Conservator in March 1916 and the sorriest era in the history of forestry in Western Australia had been brought to a close.

Richardson did not remain long in the Woods and Forests Department. On 14 November 1916 he wrote to his new superior, claiming that for the best part of seventeen years he had given his best service to the State, and explaining that his recent relegation to a subordinate position, which was accompanied by

86. P.D. 51, 1504.

87. D.E. Hutchins, A discussion of Australian Forestry, with special references to Forestry in Western Australia, etc. (Perth, 1916).

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a salary reduction of £108 per annum, left him with no desire to remain in the government service. Lane-Poole adopted a kindly attitude and Richardson retired as from 31 March 1917, being granted the money equivalent of seven-and-a-half months long service leave which was due to him.

A review of the forestry work accomplished during Richardson's leadership of the Woods and Forests Department makes depressing reading. The department's staff had more than doubled. In 1903 there were seven forest rangers and three departmental employees in head office.⁸⁸ Eight years later Richardson had four clerks under him in Perth, there were fourteen forest rangers, as well as the manager of the nursery and the caretaker at Ludlow.⁸⁹ Apart from this, twelve men were employed inspecting and branding timber exported from the State. This was one of the more important duties of the department. In 1910-11, for example, a total of 2,038,169 sleepers were branded for export, along with 5,232 loads of building scantling. Fees collected for these services rendered totalled £2,800.⁹⁰ In 1914 ten additional forest rangers were appointed, it being intended that all timber inspection would be carried out by these officials as well as their usual work of patrolling the forests.⁹¹

The revenue of the department had increased gradually over these years. Annual income dropped from £30,150 in 1898, a figure that was inflated by the speculation in timber licenses in that year, to £17,000 in the following year. Thereafter, until the outbreak of the war began to make its effects felt, there was an almost uninterrupted rise in the annual income of the department, the 1898 peak being first exceeded in 1909-10. The continuing prosperity of the timber industry was responsible for this tendency, and the partial introduction of the royalty system ensured that the State Benefited more from this increasing activity than it would have done otherwise. From 1 January 1899 to 31 December 1916, that is, for a few months longer than the period of Richardson's leadership, the total income of the Woods

88. 1903 Report, p.5.
90. 1911 Report, p.8.

89. 1911 Report, p.4.
91. 1914 Report, p.8.

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and Forests Department was £528,788. This revenue was made up of timber getters' license fees, rents for leases, royalty payments, inspection fees, and other miscellaneous revenue. One would like to know what proportion of the department's revenue came from each of these sources. Unfortunately, no systematic division between various types of revenue was employed during these years. Figures are available for the twenty-four months from 1 July 1912 to 30 June 1914. They show that rents on timber leases netted the department £20,649 over this period, timber licenses, royalty on timber, and sandalwood income totalled £68,302, and fees for timber inspection amounted to £12,234.⁹² This three-fold classification contrasts strongly with the detailed itemisation to be adopted by Richardson's successor.

Departmental expenditure also increased over this period, but always lagged far behind revenue. A total of £127,965 was spent between 1 January 1899 and 31 December 1916 - £400,823 less than had flowed into the coffers of the State in payment for the right to exploit its forest asset. This fact reflected unwise parsimony of no mean order. As with revenue, there was no satisfactory itemisation of this expenditure. The only figures we have relate to the financial year 1913-14 and to the calendar years 1915 and 1916. In these thirty-six months the Woods and Forests Department spent £30,537. Of this, £25,561 was absorbed by salaries and allowances, £577 was devoted to maintaining the State nursery and pine, wattle and sandalwood plantations, £88 was paid by way of workers' compensation, reforestation expenses totalled £135 and "incidental" expenses £4,175.

Little had been done to increase the potential wealth of the State's forest resources. The experimental re-forestation work carried out at Waroona has been mentioned. Nothing had been done towards providing the essential basis of sound forestry policy - the dedication of timber country as State Forests to be devoted to forestry purposes for all time. Richardson recognised the importance of this principle but did not rectify the position.

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A considerable area of land was set apart as "State Forest" and as "Timber Reserves", but these terms were quite misleading. For example, in 1902 and 1903 a total of approximately two million acres was set aside as "State Forest". However, all but a very small fraction - about 2% - of this so-called "State Forest" was located in the goldfields districts.⁹³ The numerous "reserves for the preservation of timber" which Richardson later spoke of as having established, were confined, for the most part, to areas along the Great Southern, Eastern, Yilgarn, and Midland Railways. Late in his period in office Richardson spoke of the fact as "unfortunate" that most of these reserves had been alienated in the interests of settlement, while that there was not one permanent reserve for timber in Western Australia was "regrettable".⁹⁴ This concern was not deep-seated enough to move Richardson to advocate the permanent reservation of the jarrah and karri country for forestry purposes, and it reads strangely when set alongside his tender solicitude for the interests of the agriculturalist expressed in his correspondence with his various ministers.

Richardson's afforestation work was no more satisfactory. No planting could be carried out in 1902 because the then Minister for Lands, Dr. Jameson, decided that all clearing for plantation purposes should be performed by prison labour which was not available at that time.⁹⁵ The experiment at Buxbury began by Ednie Brown had proved to be a failure. Richardson drew the conclusion that no more planting should be attempted on the coast, as the land was too poor even for pines.⁹⁶ By 1904 a plantation of sixty acres of P. insignis had been established at Picton, but the Woods and Forests Department's most important softwood planting programmes were located at Hamel and at Ludlow. A permanent pine plantation had been established at the State nursery at Hamel in 1898. Richardson continued development work there - in 1907 one hundred and fifty acres were planted with pines - and in 1908 began planting on another area a mile south of the nursery on the west side of the railway line.⁹⁷ In 1907 the government authorised the

93. 1902 Report, p.17; 1903 Report, p.15. 94. 1913 Report, p.71.
95. WF 1463/04; 1902 Report p.8. 96. 1901 Report, p. 8.
97. 1908 Report, p. 4.

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formation of a plantation at Ludlow. Arrangements at once began for the clearing of five thousand acres.⁹⁸ It was hoped that the following season would see the planting of some hundreds of acres of seedlings. However, difficulties arose, and no planting took place in 1908,. Two years later clearing on an extensive scale was recommenced. A camp of thirty men, forty bullocks and two traction engines was at work at Ludlow.⁹⁹ In most of the following years about one hundred acres was planted, and by 1915 the plantation covered an area of five hundred and seventy-five acres.¹⁰⁰ Richardson was very pleased with progress at Ludlow, but his mistakes emerged later. A variety of pines was planted: Pinus pinaster (cluster pine), P.insignis (Monterey or Remarkable pine), and P.laricio (Corsican pine) were among them. Richardson was quite sure in his own mind that pine which could be grown most profitably and successfully in Western Australia was the P.insignis ¹⁰¹ Lane-Boole found on his arrival that the Monterey pine had not progressed as well as had the P.pinaster, AND so Richardson's policy of preferring the former was reversed.¹⁰² The planting operations of the department were not confined to pines. Some experimental planting, which proved to be quite unsuccessful, was carried out on the goldfields.¹⁰³ A small area was sown with wattle seed.¹⁰⁴ But the most impressive work of the Woods and Forests Department along these lines was the operation of the Hamel nursery. Richardson showed considerable interest in this institution and by 1914 could claim that it was a most attractive spot.¹⁰⁵ The annual reports of the department usually included long lists of trees raised at and distributed from the nursery. The attention devoted to this single activity of the Woods and Forests Department is a measure of the limited extent of the work it performed. The department's efforts to ensure an adequate supply of softwoods for Western Australia's future use were hardly inspiring.¹⁰⁶

98. WF 1314/06.

100. 1913 Report, p.4; 1915 Report, p. 175 of the Mines Dept. Report.

101. 1909 Report, p.4.

102. 1916 Report, p. 4.

103. 1901 Report, p.9.

104. 1912 Report, p.4.

105. 1914 Report, p. 5.

106. As well as the sources quoted see WF 1463/04.

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It has been said that Western Australia had no forestry policy in the interregnum between the death of Ednie Brown and the appointment of Lane-Poole.¹⁰⁷ It was not for one man, acting in a temporary capacity, to decide that this should be so. Speaking in 1918, the then minister responsible for the control of the forests, declared that the murder of forestry must be laid at the door of politics.¹⁰⁸ Indeed, successive governments must plead guilty to the charge of neglecting their responsibilities. It was for government to pull the forestry question out of the slough of apathy. The band of would-be reformers was too small a minority and could not persuade the community to show any concern over the destruction of the forests. The early history of the Western Australian Forests League indicates the great difficulties in the way of arousing a forest consciousness in the public mind: after a year's earnest work this league numbered less than twelve members.¹⁰⁹ A real appreciation on the part of the government of the danger of the situation would have led to the removal of Richardson; had the community been alive to the threat it could have forced the government to take action. But trees did not have votes and so forestry interests were neglected. Richardson was not the only one at fault: but a man prepared to put the interests of the community before his own ambition might have acted differently.

107. W.A. 22 Sept. 1920.
109. P.D. 51, 1493.

108. P.D. 58, 344.

CHAPTER IV.

LANE - POOLE

1916 - 1921.

Charles Edward Lane-Poole was appointed Inspector General of the Woods and Forests Department on 25 March 1916. On 29 September 1916 his title was changed to Conservator. Lane-Poole was born at Eastbourne, Sussex, on 16 August 1885 and was a graduate of the National Forestry School of France at Nancy. In 1906 and 1907 he had spent eleven months studying under Hutchins, the then Conservator of Forests in Cape Colony. Lane-Poole's work during these months included the study of exotic trees, chiefly Australian eucalypts and wattles. He had been entrusted with the task of organising a forestry department in Sierra Leone in 1915, and two years later was made Conservator of Forests in that colony¹.

An enormous task confronted Lane-Poole on his arrival in Western Australia. He had to create a "forest consciousness" in the people of the State; to organise a department to administer the forests; to draft a comprehensive piece of legislation which would define satisfactorily the work of this department; and then carry out practical steps towards the protection and better management of the State's forests. Though two of the first three of these tasks would have to be finalised satisfactorily before much could be done in connection with the fourth,

1. Information supplied by the Forests Department from Lane-Poole's personal file.

Should this
read 1913?
Appointed
in W.A.
March 1916
see 6 pages
back

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Lane-Poole found that certain reforms could be instituted even within the framework of the existing legislative and administrative structure. His first two years in the State were not confined exclusively to planning behind the scenes. By the time parliament was called upon to debate the new Conservator's legislative proposals the community had been given a clear indication as to his aims and the methods he intended to adopt in order that they might be achieved.

From the commencement Lane-Poole was confronted with governmental antipathy. He was able to carry out virtually no forestry work owing to a lack of funds. He alleged that there was a distinct understanding that the income from the increased royalties of 1916 would be channelled into forestry work. Lane-Poole accused the government of a breach of faith when this money was "engulfed by the treasury"². The department continued as it had been under Richardson - a revenue collecting machine³.

Lane-Poole made a vigorous effort to impress upon the public the need for a drastic alteration in its attitude towards the forestry question. Readers of newspapers and magazines were confronted with numerous lengthy articles dealing with the subject⁴. Newspaper editors devoted favourable attention to the Conservator's opinions. Considerable publicity surrounded a ten days' tour of the southern forests by a party which included, besides the Conservator, R.T. Robinson, the minister responsible for forests, H. Brockman, the chief forest ranger, and F.E.S. Willmott, M.L.A.⁵. The Western Australian Committee of the Commonwealth sponsored body, the Advisory Council of Science and Industries, urged upon the government the need for scientific investigation into the utilisation of waste timber products⁶.

2. 1917 Report, p.4.

3. 1918 Report, p. 3.

4. See, for example, W.A. 20 April 1916; W.A. 25 June and 5 July 1917; W. Mail 25 May, 24 June and 27 Aug. 1917; S.T. 24 June and 1 July 1917.

5. W.A. 16 Jan. 1917 et. seq.

6. W.A. 7 June 1917.

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Great interest was taken in the potentialities of Western Australian hardwoods, especially karri, for paper-making⁷. Attention was directed to the possibilities of exploiting the long-neglected red-gums⁸. It was claimed that greater use could be made of the bark of Western Australian trees for tanning purposes⁹. The decision of a public meeting to re-establish the old Forest League of Western Australia¹⁰ indicated the strength of the revival of interest in forest conservation¹¹. O'Loghlen, representing the Timber Workers' Union, R.T. Robinson, and A.J. McNeil, representing the sawmillers, were present at this meeting. The secretary of the rejuvenated League, S. de Malraison, contributed to the Western Mail a series of articles on forest conservation¹². In May 1918 appeared the first issue of Jarrah, the League's official organ. It was hoped that this would continue as a quarterly, but, in fact, the last issued appeared in December 1919¹³. Forestry journals give credit to the then Governor-General of Australia, Sir Ronald Munro Ferguson, himself a keen forester, for helping to attract public sympathy to the cause of forestry¹⁴. The first Interstate Forestry Conference to be held in Perth took place from 15 to 24 November 1917. R.T. Robinson took a keen interest in the proceedings of this conference, and expressed himself satisfied with its achievement¹⁵.

Pending the creation of a separate Forests Department the Woods and Forests Department was made more independent of the Mines Department. Duplicates of the records of leases and permits were kept in the Woods and Forests office, and the Woods and Forests Department was provided with a monthly statement of its accounts¹⁶. These changes followed a request made by Lane-Poole in May 1916. The department was enabled thereby to keep

7. See W.A. 29 Aug. 1916 and 14 Jan. 1918; D.N. 18 June 1917; W. Mail 15 June 1917.

8. W. Mail 11 April 1919. The name "redgum" caused confusion with the Murray River redgum of eastern Australia. The Western Australian tree was therefore once more called "marri", the native name. 1920 Report, p. 3. 9. W.A. 14 June and 4 Sept. 1917, 26 Feb. and 12 July 1918; W.A. 8 June 1917; W. Mail 8 June 1917. 10. See above, p. 11. W.A. 22 June 1917. 12. W. Mail 26 March 1917 et. seq. 13. W.A. 24 August 1929.

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a closer supervision over business which was primarily its own concern. The annual report of the Woods and Forests Department for 1916 appeared as a document completely separate from the Mines Department report.

Within six months of Lane-Poole's arrival new regulations had been gazetted¹⁷. The controversy aroused was a foretaste of much which was to follow. The royalty payable on both sawn and hewn timber removed from Crown lands other than concessions and leases was increased by 50%; each hewer was compelled to register with the department a brand of his own, and to pay an annual fee of £2; it was made an offence for anyone to light a fire within any State forest without taking reasonable precautions; and fallers were to be compelled to stack up the lop and top of a tree once it had been felled and the trunk sawn into lengths. A few of these regulations were accepted by most concerned; some were the subject of an opposition ranging from the reasonable questioning of the Bunbury Herald¹⁸ to the bitter denunciation of the sawmillers. Criticism was most vehement in respect of the increase in royalties and in respect of the last mentioned proposal. It was contended that the adoption of this measure, however justifiable it might be in theory, would impose an unbearable burden on the timber industry. Deputations protested to the minister, public meetings were called, and opposition was expressed through the press¹⁹. R.T. Robinson and Lane-Poole decided to give way and in December the offending regulations were cancelled.²⁰ Similar opposition was encountered in August 1917 following the gazettal of a new series of regulations²¹. During this controversy F.E.S. Willmott, a man who had been a forester ranger and who was at the time an honorary minister in the Lefroy government, in speaking at Balingup to an audience

14. AFJ Vo. III No. 8, p. 229.

16. WF 216/16.
WF 780/16.

21. G.G. 10 Aug. 1917, p. 1267.

15. W.A. 28 Nov. 1917.

17. G.G. 25 Aug. 1916, pp 1550-

20. G.G. 1 Dec. 1916.

22. W.A. 21 Sept. 1917.

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largely composed of timber hewers devoted much of his time to a criticism of the Conservator's new regulations²². A month later a deputation of hewers, contractors, and interested business people waited on the minister to revoice their protest.

The work of classifying the timber lands of the south-west was continued, and the former work checked. At the end of January 1917 Lane-Poole addressed a lengthy minute on the subject to the minister. He concluded by recommending that all land then classified as prime timber country be constituted a Class "A" reserve and that the work of classifying all the karri country right through to Denmark be taken in hand in the coming financial year with a view to the permanent reservation of the bulk of the land carrying marketable quantities of this timber²³. In February Robinson informed parliament that cabinet would soon consider adding to the 1,995 acres which by that time constituted the total area permanently reserved for forestry purposes²⁴.

Early in the spring of 1918 Lane-Poole's draft legislation was presented to parliament. R.T. Robinson moved the second reading of the Forests Bill on 17 September. He began his remarks by claiming that he esteemed it the greatest privilege and honour to be Minister for Forests at such an important point in the history of forestry administration in Western Australia²⁵. The claim was not meaningless. Robinson had long taken a keen interest in forestry, and had shown himself a strong supporter of the reform movement initiated by Lane-Poole. Although in some matters Robinson did not go so far as did Lane-Poole, the Conservator might well have considered himself fortunate that a man so sympathetically inclined towards his views was ministerial head of the department. Robinson spoke for two-and-a-half hours, describing the aims and merits of a forest policy rather than summarising the terms of the Bill. In the early part of his

23. FD 1435/20.

25. P.D. 58, 345.

24. P.D. 54, 1793.

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speech he traced the sorry history of forest administration in Western Australia. The conclusion to draw from this tale of neglect was that, although much damage had been done, yet it was not irreparable. There was still time to repair the destruction of the past. But action would have to be taken immediately. If the policy of drift was continued any longer the complete destruction of the State's forests would emerge as a distinct possibility. The time had come for the parting of the ways²⁶. It was the government's intention that the decision should be made there and then to embark on the road towards a sound forest conservation policy.

The programme envisaged was based upon four basic principles. All prime timber country should be permanently reserved for forestry purposes; the rate of cutting should be restricted to that quantity which the forests could reproduce; silvicultural operations should be carried out in cut over areas in order to ensure the regeneration of the best quality timber for future use²⁷; and an area of pine plantations should be established sufficient to supply the softwood needs of the State²⁸. The implications of this policy were not only economic, but social as well. A significant modification, potentially of great benefit, was to be made in the way of life of the timber workers. Restriction of cutting was meant to be applied to each individual mill so that each could be assured of a permanent life. Deserted mill villages would become a thing of the past. Timber companies would be given an incentive to provide more attractive accommodation for their employees²⁹.

The Bill was received favourably. Scarcely a speaker refrained from stressing its importance. Sanderson declared that there was not even a suggestion of any party or personal matter being connected with the Bill³⁰. No speaker questioned the basic assumption of the measure, but Sanderson's remark was a

26. P.D. 58, 343-45.
28. P.D. 58, 353.
30. P.D. 59, 1339.

27. P.D. 58, 346.
29. P.D. 58, 345.

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little sanguine. Strictly speaking, the proposed legislation had nothing to do with party politics; but several interests were affected by various of the new proposals and these interests voiced their fears in parliament. Each member commended the government for introducing the Bill, and expressed an appreciation of its necessity. But the piecemeal criticisms offered were of such a nature as to lead the government spokesman in the council to warn members that if all the amendments suggested were agreed to the government scarcely would have effected any improvement at all.³¹

One of the most contentious matters debated concerned hewing. Robinson declared that the conversion of a straight jarrah log into sleepers by hewing was a direct destruction of wealth and that therefore hewers must not be allowed to work in prime jarrah forests³². O'Loghlen was the chief spokesman for the hewers, arguing that the wielder of the broad axe exploited forest which would otherwise be left untouched.³³ There was some support for his contention that in some cases it was more economical for the axe to be brought to the log than for the logs to be brought to the sawmill. But his most powerful argument was not an economic one. He claimed that the hewer had as much right to follow his calling as had any other member of the community. This argument elicited strong support, especially as so many ex-hewers were at that moment members of the Australian Imperial Forces fighting in France. However, O'Loghlen compared the hewer's right with that of the carpenter, lawyer or merchant to follow their vocations; once the hewer was compared with the robber, which he was in so far as there was truth in the contention that he destroyed an asset of the State, the "rights of man" argument was considerably weakened. Some attempt was made to prove that hewing was not so destructive a method of working timber as Robinson and Lane-Boole claimed, but this contention

31. P.D. 59, 1343
33. P.D. 58, 460ff.

32. P.D. 58, 350-1.

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had little in fact to support it. Robinson gave O'Loughlen the credit of speaking from his heart and not from his head, and asserted that it was necessary to view the problem from the standpoint of that which was best for the State³⁴. The question was discussed at length in both houses. At one stage it seemed possible that the hewers might be permitted to continue their occupation with little restriction from government, but eventually a compromise was reached which was accepted, perhaps somewhat reluctantly, by the government.³⁵ The amendment finally agreed to was based on a general recognition of the merits of the view put forward by Pickering, that a time must come when hewing would have to be abolished altogether but that, in the meantime, the State owed a duty to those men who had left the hewer's occupation in order to go to the front.³⁶ It was decided that only those who had followed the occupation prior to the passing of the Act were to be permitted to hew timber within the boundaries of any State Forest.

Another extremely controversial point concerned the position of the conservator. The Bill gave him exceptional powers and this fact was strongly criticised by many speakers, O'Loughlen being perhaps the most vehement. Robinson remained unshaken in his determination that the Forests Department and the conservator should be as independent as possible of political influence³⁷. During the committee stages in the council an unsuccessful attempt was made to reduce the conservator's term from seven years to five years.³⁸ Such opposition was overcome and the Bill emerged from Parliament with the conservator's powers unaltered. O'Loughlen, and others, lived to criticise another day.

Parliament modified the financial clauses of the Bill. It was originally provided that half of the gross revenue of the

34. P.D. 58, 594
36. P.D. 58, 471
38. P.D. 59, 1389

35. P.D. 59, 1779-81.
37. P.D. 58, 594.

Forests Department should be devoted to the work of improving the State's hardwood forests. Robinson explained that this sum would not be nearly sufficient to repair the damage of the past but hoped that it would be enough to make a start. Later, as the benefit of the foresters' operations became widely recognised, the government might be prepared to provide money from general revenue.³⁹ However, several members protested that the Bill envisaged the spending of too much money on forestry work. Strong pressure was exerted to effect some alteration of this financial clause. A compromise resulted which made little difference to the practical effects of the financial provisions: it was agreed that three-fifths of the net revenue of the department, "to be certified by the Under Treasurer", was to be placed to the credit of a special fund for the improvement and re-forestation of the State's forests and the development of forestry⁴⁰. Such fund could be expended by the conservator "with the approval of the Minister" without any other authority than the Act, although a scheme for such expenditure was to be submitted annually to parliament and to be subject to its approval. It could scarcely be claimed that the position was clearly defined by the Act, but, in practice, it soon became apparent that the conservator had virtual financial independence within the limits of his three-fifths net revenue reforestation fund.

The agricultural interest was comparatively silent during the debate on the Bill. Nairn did allude to the fallacious "timber or men" argument,⁴¹ but Robinson quickly retorted that without trees there could be no men.⁴² Sanderson claimed to speak in the interests of the settlers and the roads boards and protested against the "blocking of settlement" which he declared

39. P.D. 58, 353.
41. P.D. 58, 589

40. P.D. 59, 1497-1501, 1746, 1782-3
42. P.D. 58, 590.

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would follow the dedication of State forests. He went on to assert that country members would have reason for regret if the Bill passed in its original form⁴³. However, the clause providing for the dedication of State forests passed with little trouble. Sanderson met with no success in his attempt to empower either house to revoke such dedication in place of the Bill's provision that a resolution for revocation needed the support of both houses⁴⁴.

The Greenbushes tin mining interests were more successful. The council added a new clause to the Bill to exclude from the provisions of the Act and the area comprised within the Greenbushes State forest. The mine owners wished to have green straight jarrah for firing their engines. They had removed all such timber from their own leases and they wished to have access to the neighbouring State forest free from all Forest Department restrictions. At first the assembly refused to agree to the council's demands, but in the struggle which followed the government was forced to give way⁴⁵.

The final stages of the Bill's passage through parliament were critical. The council had made twenty-four amendments at its first consideration of the measure, and after each house had again discussed the points at issue there were still seven amendments on which the two houses disagreed⁴⁶. A conference of managers was arranged at which, it appears, the council had the better of the bargain.⁴⁷ But the Bill was saved, finally passing all stages on 20 December 1918, the last day of the session. It was assented to on 3 January 1919.

The Act is looked upon as a model of forestry legislation. Most of its more important provisions have been mentioned in the foregoing discussion. Of the others, clause 7 established the Forests Department which was to have "under the direction of the Minister" such powers as were provided for in the Act. It was to have exclusive control of all matters of forest policy. The

43. P.D. 59, 1394.

45. P.D. 59, 1746-7, 1783-4.

47. P.D. 59, 1807-9.

44. P.D. 59, 1394-5.

46. P.D. 59, 1837-9.

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next five clauses defined the method of appointment, powers and powers of the conservator. There followed six clauses setting out various conditions concerning the appointment of officers under the conservator. Part III of the Act dealt with State forests and Timber Reserves and obliged the conservator to prepare working plans for each forest under departmental control. The system of tenure to be adopted was outlined in Part IV. Sawmilling permits were to take the place of the saw mill permits under the Land Act Amendment Act of 1904. The term of a permit was not to exceed ten years, but it could be renewed. It was to be granted subject to the payment of royalties for all forest produce removed from the permit area. Permits were to be submitted to public auction or tender and the royalty thereby ascertained. The conservator was to prepare for presentation to parliament an annual report containing a statement in detail of the revenue and expenditure of the department for each financial year. The Governor, "on the recommendation of the Conservator", could make regulations on all matters connected with the carrying out of the objects of the Act. Part VII detailed penalties for offences under the Act, and included a number of miscellaneous provisions, such as that setting aside one day every year as "Arbor Day". As well, each Conditional Purchase holder was to be required to use not less than 2% of the acreage of his holding for the growth of timber or other forest produce. Those who planted trees on their land were not to be penalised by the timber being taken into consideration when computing the value of such land as rateable property for taxation purposes.

The Western Australian Forests Act is usually accepted as a monument to Lane-Poole's skill and foresight in planning the organisation and development of a forestry service. Perhaps it is not widely realised that Lane-Poole himself was far from being completely satisfied with the Act as it emerged from parliament. He objected to various amendments. He admitted that there were "a few minor good points" about the Bill, but

felt that these were overshadowed by certain of the amendments forced upon the government. The easing of the restrictions regarding hewing, the unsatisfactory alteration of the fire protection clauses, and the successful lobbying of the Greenbushes tin mining interests were instanced by the Conservator. Lane-Poole felt that it would be possible to lay the foundations of a sound forestry policy in the years to follow. Nevertheless, he felt that an amending Act was very necessary. It was to be hoped, wrote Lane-Poole, that public opinion would demand this before the State's timber heritage was so destroyed as to make the cost of regeneration almost prohibitive.^{48.}

Few share this pessimistic outlook. In 1951 J.G. Rodgers, after careful investigation and mature deliberation, expressed it as his opinion that the Act was an admirable piece of legislation, having operated fairly and satisfactorily since the department's inception. It would seem that, despite the unsatisfactory amendments it suffered at the hands of the legislature, the passage of the Forests Bill was a great triumph for Lane-Poole. From the vantage point of 1958 it does appear that Lane-Poole had secured legislative approval for his proposed forestry work and might reasonably have expected future progress to be comparatively plain sailing. But Lane-Poole had to deal with the immediate situation, and there was in the immediate situation good reason for the pessimism voiced by Lane-Poole.

Top vigour of the opposition which confronted the Conservator whenever he endeavoured to institute the reforms he considered to be essential showed no signs of abating after 1918. Indeed, so hostile was the attitude often adopted towards Lane-Poole's administration of the Forests Department that one begins to wonder how it was that the Forests Bill came to be passed at all.

Opposition came from many quarters. Hewers protested against the restrictions placed upon their activities and fulminated against that clause which prohibited most outsiders from hewing

48. 1919 Report, pp.9-10.

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on Crown Lands.⁴⁹ Demagogues declared that Lane-Poole could not be clothed with such dictatorial powers⁵⁰. Agriculturalists naturally disliked Lane-Poole's policy. Sawmillers asserted that the Conservator's imposts were forcing the industry into an impossible position.

The serious opposition which Lane-Poole encountered in his endeavours to implement a policy designed in the best interests of the forests of the State was the inevitable result of the long period of neglect which had ended so recently. Timber getters were accustomed to doing more or less as they pleased in the forests. No attempt had been made to create a forest consciousness in the community. When this state of affairs changed and rigorous reforms were instituted the timber getter not unnaturally objected to this interference with his long-wonted freedom. All too often, it seems, the public was not yet in a position to see the wisdom lying behind Lane-Poole's controversial innovations. His policy might well have commanded more widespread and general support. In part, the opposition ^{encountered} by Lane-Poole was a result of his own personality. In the eyes of those who disagreed with him, the new Conservator's enthusiasm appeared as an obstinate refusal to listen to the views of others. Lane-Poole antagonised those who claimed that he was blinded to the legitimate requirements of interests other than forestry. Even today some of his reforms seem rather too rigorous. But for the most part Lane-Poole was confronted with an opposition which would have raised itself against any conscientious forester at that time and in that situation. If the interests of forestry were not to be submerged altogether beneath other interests a battle had to be fought there and then. Lane-Poole was pre-eminently fitted for this task. He was possessed of technical ability of a high order and he was conscientious and hard-working. He saw himself as a man with a mission. To these

49. See W.W. 7 March & 22 Aug. 1919: B.H. 26 Feb. 1919: P.D. 61, 133

50. See for example, O'Loughlen's remarks, P.D. 64, 757.

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qualities he added a fine command of the English language⁵¹. He was thus able to argue his case clearly, logically, and very forcibly. In one sense Lane-Poole lost the battle, for he resigned from his post. A long term view, however, seems to indicate him as the eventual victor, for his views are accepted today throughout the community and by most of those in authority. Lane-Poole's tenure of the office of Conservator was perhaps little less important for his contribution to this struggle than it was for the very real material improvements effected in the practice of forestry in Western Australia.

A new set of forestry regulations was gazetted in November 1920⁵². Timber workers were obliged to register with the Forests Department. The minimum girth falling restrictions were increased to ninety inches for jarrah and one hundred and eight inches for karri, measured four feet three inches from the ground.. Other controversial proposals were included, and within a fortnight a deputation from the Sawmillers' Association waited on the Conservator to lodge a protest against certain of the innovations.⁵³ Very strong objections were raised to regulation No. 85 which provided that in future all trees should be cut within eighteen inches of the ground, except in cases where the butt was faulty. The deputation also protested against the regulation which required permit holders to transport over their railwaylines government-owned forest produce at a freight rate not exceeding a penny a ton-mile, against that prohibiting the export of untreated karri sleepers except with the written consent of the Conservator and against an alteration in the method of measuring the contents of mill logs for the purpose of determining the royalty to be paid. As from 1 January 1921 the Hoppus', or quarter girth, system was to be replaced by a system of measurement

51. The Conservator's father, Stanley Lane-Poole, M.A. Litt.D., was an historian, archeologist and Egyptologist, for some time Professor of Arabic at Trinity College Dublin. Who's Who in Aust. 1922, p. 153.

52. G.G. 12 Nov. 1920, pp.2061-8

53. WF 489/20.

which would give the true volume of each log.- a figure 21½% above that which resulted under the Hoppus' measurement. This change meant a corresponding increase in the amount of royalties payable by sawmillers. Lane-Poole gave way to the deputation on only two minor points. At little later, however, as the complaints of the sawmillers were reinforced by the protestations of those most affected - the fallers - the government decided to withdraw regulation No. 85⁵⁴. Although Lane-Poole realised the defects of the flat rate royalty charge and foreshadowed the introduction of a differential scale of payments it was left to his successor to remove anomalies. No relief was offered to the sawmillers, although they continued to declare that royalty charges were too high. Another matter for complaint was the sawmillers' lack of secure tenure, for Lane-Poole, in order that a more effective check might be kept on the activities of permit holders, used his discretionary powers and issued permits for a period of twelve months only.⁵⁵

Within parliament Lane-Poole's administration was subjected to severe criticism. W.J. George, when he was Minister for Trading Concerns, claimed that the timber industry had been partially stifled by Lane-Poole's regulations⁵⁶. The outspoken private member Underwood thought that Lane-Poole was "both ignorant and arrogant"⁵⁷. Angwin remained convinced that parliament had made a mistake in granting such extensive powers to the Conservator⁵⁸. When Lane-Poole expressed the opinion that the State Saw Mills was exploiting its timber areas "with a maximum of waste and without any view to the future" and consequently advised the government to sell the concern to a French syndicate,

54. FD 46/21.
 56. W.A. 28 June 1919.
 58. P.D. 62, 1147-69.

55. W.A. 27 Aug. 1921
 57. P.D. 62, 618.

he received a sharp rebuke from Angwin, a keen supporter of State enterprise⁵⁹. Angwin's attitude was important because he was deputy-leader of the Labour party and was to become Minister for Lands in the next Labour government. Lane-Poole's administration of the department was criticised from many quarters during the debate on the estimates in October 1920⁶⁰. Worse was to follow. When speaking during the Address-in-reply debate in August 1921 the premier, James Mitchell, bitterly attacked the Forests Department. In two years the department had spent £50,000. Mitchell viewed such prodigality with horror. He did not think that the State could afford to spend so much money each year upon its forests. When a private member - a supporter of the government - asked him if he did not think that this amount would be returned tenfold Mitchell retorted that this would "take too many days" for those then living - scarcely a statesmanlike attitude to adopt⁶¹. The premier could spend millions on land settlement as if there was no limit to the loan indebtedness which the State could carry, but when it came to a question of spending on the forests a portion of the revenue that the State had derived from its timber asset, he took a different view. Mitchell suggested that parliament should consider the wisdom of allowing the Forests Act in its then form to remain on the statute book. He deplored the fact that the minister could not control his department⁶². Later that month, in reply to a deputation of the Sawmillers' Association, he repeated his belief that the Act gave the Conservator too much power, and that amending legislation was necessary. He expressed the hope that this would soon come about⁶³. Other members of parliament joined in condemnation of Lane-Poole. O'Loughlen, that staunch advocate of

59. P.D. 62, 1162-3

60. P.D. 62, 1147-69.

61. P.D. 64, 142

62. P.D. 64, 143.

63. W.A. 27 Aug. 1921: S.T. 18 Sept. 1921.

forestry reform found distasteful many of Lane-Poole's regulations, such as those which interfered with hewing⁶⁴. Scaddan, the Minister for Forests, echoed him in raising the democratic issue: was it good policy that a public servant should have such tremendous powers vested in him? or should the policy approved of by the people be carried into effect?⁶⁵ The history of forestry in Western Australia provided a sufficiently definite commentary on the merits of this "democratic" issue. The serious nature of Lane-Poole's difficulties may be judged from the fact that even his own minister declared that some of the Conservator's regulations were absurd⁶⁶. Perhaps many would not have gone so far as Mitchell, Angwin and others, but would have agreed with the member for Bunbury that Lane-Poole was fully seized of the importance of the State's forests but was apt to see nothing else as a result⁶⁷. Lane-Poole faced an uphill struggle in his efforts to impress upon those in authority that drastic action such as he was carrying out was essential if the State's forests were to be protected.

Lane-Poole's last year in office was dominated by a controversy arising from the question of the concessions and leases. At the time of the Conservator's arrival in the State different timber getters were operating under a variety of terms and conditions regarding tenure and payment of rents and fees to the government. In the 1870's and 1880's various groups of capitalists were granted extremely favourable timber cutting rights by the colonial authorities. The Land Act of 1898 provided for the issuance of timber leases at a rental of £20 per annum per square mile. In 1899 the royalty system had been introduced in respect of timber cut on Crown land other than leases or concessions. As from October 1902 no further leases under the Land Act of 1898 were issued and the amending legislation of 1904 provided that in future all timber getters who entered into contract with government should pay for their timber on a royalty basis. The

64. P.D. 61, 1330-3
 66. P.D. 64, 757.

65. P.D. 64, 756.
 67. P.D. 64, 692.

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introduction of this necessary reform inflicted an injustice upon the small sawmiller and upon the newcomer. These groups were obliged to pay far more for their mill logs than was paid by the privileged lessees and concessionaires. One firm enjoyed this privileged position. Millars' Timber and Trading Co. held all the concessions, extending over an area of 378,139 acres as at 30 June 1919. With the exception of one small lease, operations upon which were negligible, Millars' at the same time held all the leases under clause 113 of the 1898 Land Act. When, in 1921, the Timber Corporation surrendered their lease near Greenbushes and took up a permit in lieu thereof, under section 6 (b) ii of the Forests Act, Millars' was left the sole holder of leases and concessions amounting to 590,314 acres.⁶⁸ In 1918-19 £7,888 was paid for cutting rights by leaseholders, and £697 by the concessionaire, while holders of permits covering 722,892 acres, issued under the 1904 Land Act Amendment Act paid £28,985 in royalty.⁶⁹ The government's freedom of action was hampered by the existence of these non-payers of royalty, and it was forced to continue selling its timber even to royalty payers, at a price lower than it would otherwise have considered justifiable. Richardson recognised this problem when he opposed an increase in royalty charges suggested by Moore and Mitchell.⁷⁰ Lane-Poole was confronted by the same insoluble problem. Only the existence of the favoured "combine" prevented him from raising royalties to a greater extent than he actually did.

Such differential treatment of timbergetters was not the only unfortunate legacy of the policy initiated by Weld years earlier. The government had little control over the operations of concessionaires and leaseholders. Ednie Brown had thought that the interests of forestry had been protected under the Land Act⁷¹ but later developments were to prove him wrong. Richardson had interested himself in this problem and had attempted to obtain a decision on the matter. In 1907 he decided that as soon as there arose a clear case of Millars' cutting undersized timber the Woods and Forests Department

68. 1921 Report, p.7 69. 1919 Report, pp.8-9. 70 WF 1511/09.

would prosecute them. An opportunity for action came in 1909. Forest ranger Fitzgerald visited Jarrahdale and saw an undersized tree being felled. The two fallers were proceeded against by the Government. However, before the case came before a magistrate the Crown Law department decided that Millars' had every right to cut young timber on their concessions and the prosecution was dropped.⁷²

When first appointed Conservator Lane-Poole investigated this matter. He discussed all its aspects with officers of the Crown Law department and determined to test the government's powers over the operations of Millars' on their concessions. In 1918 the firm was charged with having between 23 May and 15 September at Barton's Mill removed trees under the standard size. The case was heard at the end of January 1919 before A.S.Canning, Police Magistrate. The verdict was for the company.⁷³ Lane-Poole agreed with the Crown Law department that an appeal against this decision was not worth considering.⁷⁴

In the meantime, Lane-Poole had suffered another rebuff. When drafting the Forests Bill the Conservator took care to see that no clause was inserted which might conceivably extend the rights of the concessionaires and leaseholders. However, using the difficulties experienced by the industry during the war as an excuse, "this very large vested interest" - that is, Millars' Timber and Trading Co. - persuaded Robinson to give leaseholders and concessionaires an opportunity to extend their holdings for a period equal to that during which their mills were closed down during the war. Lane-Poole opposed the amendment, but to no avail.⁷⁵ The relevant clause, as it appeared in the Act, read as follows :

- 6. The Governor may -
 - (a)
 - (b) so far as the operations under any existing timber concession or timber lease have been temporarily suspended in consequence of the present state of war -

71. 1898 Report, p.5. 72. WF 1141/06. 73. W.A. 4 Feb.1919.
 74. FD 794/20 75. 1921 Report, p.8.

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(i) extend the term of such concession or lease subject to payment, during the period of such extension, in lieu of the rent thereby reserved, of a royalty on all timber acquired at the prescribed rate of royalty under this Act for timber acquired under permits; and to the regulations in force for the time being, subject to the proviso to section forty-three; or
(ii).....

The proviso to section forty-three above referred to read:-

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.

Lane-Poole was assured that the Act gave the government the power to make regulations in respect of any such extended period as that provided for in clause 6, but he soon realised that such, in fact, was not the case. The leaseholder had a right to cut any timber over ninety inches girth, while the concessionaire could cut all growing trees on his land and averred that he had a right to cut the forest flat and burn it if he so desired.⁷⁶ While he did not exercise this right, he was, so Lane-Poole claimed, gutting the forest of piles and poles. The sad result of the Forests Act, in the Conservator's opinion, was to lose to the government in large measure the right of passing regulations for the conservation of the forests held under concessions and leases.⁷⁷

The Conservator determined to effect an improvement in this state of affairs.⁷⁸ In May 1920 he asked the premier for authority to negotiate with Millars' in the attempt to persuade them to surrender their leases and concessions in return for permits under the Forests Act as provided for in clause 6 (b) ii of that Act. Lane-Poole pointed out the many advantages that would accrue to the State if he was successful in such negotiations. Mitchell gave the necessary authority, and Lane-Poole proceeded. One would scarcely expect that the company would be likely to listen to a proposition such as that Lane-Poole put before them. However,
76. 1919 Report, p.8. 77. 1919 Report, p.9.

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it appears that some progress was made. While in England later in 1920 attending the British Empire Forestry Conference Lane-Poole conferred with the London directors of the company. These men were prepared to listen to Lane-Poole and the latter was hopeful that the company might agree to forego its advantages and accept these apparently one-sided proposals. But the company was not considering giving something for nothing. Lane-Poole was soon disillusioned. On his return to Western Australia Lane-Poole was confronted with a counter-proposal. Millars' asked the government to guarantee that the royalties payable by the company should be fixed for a ten year period. Under the terms of the Forests Act to accept Millars' proposals would have been to peg all royalties for a decade. This Lane-Poole could not do; in fact, one of his reasons for entering into the negotiations was his hope that substantial increases in royalty might follow. Lane-Poole decided to continue the attempt to obtain satisfactory conditions from the company, but before very long the situation took a new turn.

The Mitchell government was returned at the general elections of 12 March 1921. A month later Millars' presented demands for compensation in accordance with the provision of clause 6 (b) 1 of the Forests Act. Lane-Poole's energies were now directed towards the maintenance of the status quo. It was obvious that his task would be a difficult one. Mitchell and Scaddan had shown themselves to be far from kindly disposed towards Lane-Poole's attitude, and the non-Labour government might be expected to be the more likely to accede to the wishes of the private capitalist. For a time Lane-Poole saw an opportunity to arrive at a compromise solution. If the government was given the same power in respect of leases and concessions as it possessed in respect of permits he would be prepared to consider the question of granting the company's request.

Yet another complication then arose. This concerned the meaning of the word "may" in the phrase "The Governor may" at the beginning of clause 6 of the Act. The Minister for Forests felt that the government was under a distinct obligation to comply with Millars' request. He based this opinion on his interpretation of "may" in a mandatory sense. Lane-Poole, on the other hand, was certain that the "may" was permissive, and argued so at length, quoting section 32 of the Interpretation Act which had become law shortly before the Forests Act appeared on the Statute Book. This Act distinguished between the mandatory "shall" and the permissive "may". Opinion was all with Lane-Poole's reading of the Act. The Minister for Justice agreed with the Conservator, the Crown Solicitor was absolutely certain that Lane-Poole's view was correct, and the West Australian supported the Conservator's viewpoint.⁷⁹ Strangely enough, the question of the meaning of "may" and "shall" had arisen in a completely different context during the discussion on the forestry legislation in committee of the council. It was then agreed that, following the Interpretation Act, any possibility of confusion was removed since "may" meant that power might or might not be exercised, whereas "shall" meant that it should be exercised.⁸⁰

Scaddan would not listen to these arguments. He felt that the discussion on the Bill had shown that parliament meant that the power should be exercised. With almost indecent haste cabinet decided that the company's request should be granted, although it did not actually authorise the granting of the extensions specifically asked for by the company. Lane-Poole was practically ignored in the final stages of the moves which led to this decision. Perhaps it is rather surprising that the Conservator should have accepted this fait accompli in direct contravention of his advice, but it appears that he was not certain that an irrevocable decision in fact had been made. Others shared this doubt for the cabinet had

79. W.A. 15 July 1921 . 80. P.D. 59, 1395.

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by no means made the matter clear. However, Lane-Poole was soon left in little doubt as to the government's attitude towards himself. The claims made by the company had to be submitted to detailed examination by the government. Lane-Poole discovered an instance wherein, so he claimed, Millars' was asking for an extension in respect of a period during which the concession in question actually had been worked. Millars' disputed this claim.⁸¹ The matter was referred to the Solicitor General for his opinion. Dr. Stow became more and more involved in the dispute and it soon became apparent to Lane-Poole that he was being replaced by the Solicitor General as the government's adviser on the concession question. The Conservator's position was becoming intolerable and he determined to obtain a clear definition of the government's attitude towards him.

There followed a series of eventful interviews with Mitchell. The most complete surviving record of these meetings is an account made ex post facto by Lane-Poole. Mitchell criticised the Conservator's action in making these notes and claimed that he was misrepresented in one or two respects, especially in stressing his antagonism towards Lane-Poole. However, there seems to be no reason to doubt the essential accuracy of Lane-Poole's version of these four encounters. The first meeting took place at 9.15A.M. on Friday 1 July 1921. Lane-Poole claimed that Millars' had dictated the forest policy of the State ever since the combination of 1902,

81. The exact nature of this dispute was as follows: Millars' asserted that the Canning concessions had ceased operations for five years and nine months, and claimed compensation accordingly. Lane-Poole pointed out that logs had been taken from this concession for certain periods - totalling two years and seven-and-a-half months - during these years. The logs were milled at Jarrahdale. Dr. Stow, the Crown Solicitor, told Lane-Poole that it was his opinion that the company was not entitled to a compensation in respect of the times concerned. Millars' refused to agree to this. They pointed out that the logs in question would have gone to the Jarrahdale mill even if the Canning mill had been working and that, while the logs were being taken from Canning to Jarrahdale no logs were being taken from the Jarrahdale concession. See FD 794/20.

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and that the course apparently desired by the government would mean that the firm would continue to dictate forest policy until 1931 at least. He alleged that the company had threatened to make things difficult for the government in London financial circles if their interests in Western Australia were harmed. The time to consider an extension of the leases, contended Lane-Poole, was as each one approached its normal expiry date. The adoption of this procedure would help to ensure good behaviour by the company in the meantime. As it was, the first lease was not due to expire until 1924 and the government's intention of granting a general extension three years in advance was very much in the company's favour. At one stage in this interview Mitchell asked Lane-Poole to be as little offensive as possible, accused the Conservator of being unreasonable, and referred to their differences on the land settlement question. The second interview, at 10.30 A.M. on the following day, 2 July, was even stormier. The respective merits of forestry and land settlement were gone into and one can well imagine the discussion becoming quite heated. Mitchell accused Lane-Poole of being difficult to work with and of wanting his own way all the time. Lane-Poole pointed out that he had met continued obstruction, and that the fight for the integrity of the State's forests had so far been a losing one. Lane-Poole asked to be relieved of his engagement and by the time the interview had ended there appeared to be no possibility of reversing that decision. The last two meetings took place at 3.30 P.M. on Tuesday 5th, and at 9.30 on the following morning. A.J. McNeil of Millars' Timber and Trading Co. was present at this last meeting. Little was added to what had gone before.

The issue of the Sunday Times next after the fourth interview expressed the hope that a modus vivendi of some kind would be found.⁸² But it was too late. Already Mitchell had told McNeil that the company's request would be granted

and on 12 July cabinet made its decision final and irrevocable. There followed a detailed investigation into the company's demands. Not until 6 December 1922 did cabinet finally decide on the exact terms of the time compensation to be allowed the company.⁸³ By this time Lane-Poole had long left the services of the State. He had made his decision on 2 July 1921 although he was prepared to continue in office until a successor was found. This arrangement lasted for over three months, until Lane-Poole and Mitchell agreed to bring it to an end, even though no successor had been found. Kessell was appointed acting Conservator and Lane-Poole completed his services for the Western Australian government on Saturday 22 October 1921.

Some might doubt the rectitude of Lane-Poole's action. It could be argued that if he had considered the true interests of Western Australian forestry he would have stayed on at his post in the hope that, despite all obstacles, he might yet perform sterling service to the State. Perhaps the decision to resign was made the easier because, even before the concession question arose, Lane-Poole had had his eyes on a more attractive position. Certainly he seems to have suffered little as a result of his action. On the other hand, a decision such as his was, to resign rather than carry out a policy which he believed to be incorrect, is generally regarded as being the act of a conscientious man. Twenty years later a writer described Lane-Poole's resignation as an "Example of steadfastness and courage" which "was a highlight in his career".⁸⁴ There is little evidence on which to base a claim that this judgement was unduly sympathetic towards Lane-Poole. Even if he could have still served Western Australia after the Mitchell government's decision to grant Millars' request, there was no reason why Lane-Poole should continue to spend his physical and mental resources in so disheartening a struggle. Lane-Poole had been hired to do a job. He had thrown himself into his work body and soul. But as obstacle after obstacle was placed in his way, and as the very men who should have supported him joined in the criticism of his

administration, he began to wonder why he should continue to bear the brunt of the struggle. Thoughts along these lines played an important part in deciding him to resign. He was becoming aware of the strain on his health and, perhaps more important, the continual frustration of his plans was endangering the ardour and enthusiasm which he at first had brought to bear on the problems of Western Australian forestry. He had a duty to himself, and he was becoming a little apprehensive as to how much longer he could retain his ideals in the Western Australian environment. And there was always the consideration that relations between Mitchell and Lane-Poole had reached such a stage that the latter's departure might clear the air and enable a new man to persuade the premier to do more for the forests. Other Australians reaped the benefit of the folly of the Mitchell government. Lane-Poole had already been offered a post on the recently established Victorian Forestry Commission.⁸⁵ Soon after his resignation he was commissioned by the Commonwealth Government to report on the forests of Papua and New Guinea. From 1925 to 1927 he was Forestry Adviser to the Commonwealth Government and from then until 1945 he was Commonwealth Inspector General of Forests.⁸⁶

Lane-Poole's five years as Conservator had been so occupied with the essential preliminary work that he had had relatively little opportunity to do much by way of rehabilitating the State's forest asset. Soon after his arrival Lane-Poole recommended an alteration in the softwood planting policy. He found that the Ludlow pine plantation had been established and managed in such a way that the government would not be repaid for the amount of money that had been expended on it. Lane-Poole had a different species of pine planted there.⁸⁷ A location on the sand plains a few miles north of Perth attracted Lane-Poole's attention, and

85. W.A. 2 and 22 July 1919; D.N. 1 July 1919.

86. Who's Who in Australia, 1955, p.448.

87. ID 942/19; P.D. 60, 263.

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experimental planting was begun there. This became established as the Ghangara pine plantation.⁸⁸ Increasing press publicity was given the need for such work⁸⁹ and no one disagreed with Robinson when he claimed, during his second reading speech on the Forests Bill, that an area of one square mile should be planted with pines every year. The minister stressed the importance of continuity of policy - there must be no break in the planting programme for such would create difficulties when milling operations began a generation later. Robinson was of opinion that pine planting could be financed from loan revenue.⁹⁰ Lane-Poole agreed and, in fact, almost £4,000 of loan money was spent on softwood afforestation during Lane-Poole's years in office. However, less than two hundred acres of pine plantations were established between 1916 and 1921.

Lane-Poole effected a change of policy with respect to the State nursery. He was convinced that the free distribution of trees was a mistake, for he felt that the recipients were apt to value little what they obtained for nothing. As well, the free distribution was costing the State a considerable sum of money.⁹¹ Trees from the nursery were soon being sold at cost price, a change of policy which pleased the private nursery men.⁹² The number sold fell to approximately 25% of the number which had been despatched under the free distribution scheme. In 1916 the list of trees raised at the nursery was relegated to a few lines of print in the last appendix of the report. This was perhaps as good an indication as any of the fact that the Forests Department now intended to extend its activities beyond the raising of trees for free distribution throughout the State.

The Conservator was able to carry out only a modest

88. WF 983/16.
1917.

91. 1916 Report, p.4.
ended 30 June 1918.

89. W.A. 21 Aug. 1917; W. Mail 17 Aug

90. P.D. 58, 353.

92. Report for the six months

amount of reforestation work. One of the department's first tasks was the regeneration of the Mundaring catchment area as laid out in Working Plan No.1.⁹³ The cost of constructing the road needed in connection with this work created quite a stir in the community. The fourteen mile road cost £18,000 and allegations of extravagance were hurled at the department. The 1922 Royal Commission was to investigate this matter. Its report was unfavourable to Lane-Poole. The Commissioners described the expenditure as "a reckless waste of public money" and expressed the hope that "such a serious blunder" would not be repeated.⁹⁴ Working Plan No.2 covered the tuart forests between Capel and the Sabina Rivers. Tuart was a valuable timber required by the Western Australian Government Railways at their Midland Junction workshops. Only limited quantities were available, and natural regeneration for the past decade had been very disappointing.⁹⁵ The third Working Plan covered 37,227 acres of jarrah at Collie, held under coal mining lease. By arrangement with the Mines Department this area was gazetted State forest on 29 October 1920 and thus reverted to Forests Department control. Most of this land was heavily cut over and badly burnt. It was the Forests Department's task to provide a satisfactory supply of timber for the coal mines in the vicinity.⁹⁶ Lane-Poole had little opportunity to extend forestry management under Working Plans to other areas of the State's forests.

The Forests Department continued to spend a disappointingly small proportion of its revenue. Between 1 January 1917 and 30 June 1919 the department collected a total of £100,293 from timber getters. Of this amount, £2,198 came from license fees, £49,007 from log royalties, £3,676 from hewn sleepers royalties and £9,056 from other royalties, and £3,601 from inspection fees. During the same period expenditure from revenue totalled

93. See below p. ; see AFJ, III, 8, p. 234, for a description of this work.

94. Report of Royal Commission, p. 15.

95. 1920 Report, p. 4.

96. 1921 Report, pp. 16-21.

... at the same time loan expenditure reached £16,284, £4,676 of this on the classification work, £1,809 on pine planting, and £75 on the erection of a dry kiln.⁹⁷

Forests Department expenditure increased in the two years after 30 June 1919, but even so it lagged behind revenue. The department collected £134,689 from timber getters during these two years, about half of this amount being in the form of log royalty. In 1919-20 expenditure from the Forests Improvement and Reforestation Fund totalled only £7,240, although in the following year expenditure under this head rose to £50,473. Working Plan No.1 (Mundaring) accounted for almost £10,000, Working Plan No.2 (the tuart forests) for a little over £10,000 and Working Plan No.3 (Collie) for £1,500. Research work cost £2,500 and the classification work £5,400. The largest item, however, was a special appropriation of £15,448 for the liquidation of the Land Improvement Loan Fund.

Difficulties of staffing plagued the young department and, as Lane-Poole pointed out,⁹⁸ it was no use spending money if there was no trained staff to make the most of it. In 1917 the new Conservator was finding the lack of trained staff "a very serious trouble".⁹⁹ The problem was not lightly solved and in 1920 Lane-Poole was complaining that the organisation of the department had been delayed owing to the lack of the necessary trained men. In June 1919 applications were called, in most of the important timber countries of the world, for a Working Plans Officer and, in Australia, for a forests instructor.¹⁰⁰ The latter appointment was filled by S. L. Kessell. Kessell, born at Woolongong in March 1897, studied forestry at Adelaide, enlisted in the Australian Imperial Forces and, after the armistice, worked for a Diploma of Forestry at Oxford. He began his service with the Western Australian Forests Department on 2 April 1920, becoming assistant

97. Lane-Poole took a keen interest in experiments in the kiln drying of W.A. hardwoods.

98. FD 802/20. 99.1917 Report,p.5. 100.W.A.11 June 1919.

Working Plans Officer as well as forestry instructor.¹⁰¹ The acquisition of this extremely able young man was a stroke of good fortune for the State. Lane-Poole was able to effect little improvement in the staffing position before his resignation. In collaboration with the Public Service Commissioner he had worked out a scheme for the organisational heirarchy of the department,¹⁰² but he could not obtain the men to fill the posts he had created. Professional foresters for the positions of District Forest Officers and Assistant District Forest Officers were not available. There was also a shortage of men trained in practical forest management fitted to become foresters and assistant fofesters. As well, the staffing position in the clerical division was far from satisfactory, and the department did not have adequate accommodation.¹⁰³

Lane-Poole realised that the staffing position would remain unsatisfactory until there was an Australian forestry school.¹⁰⁴ The only forestry school in Australia had been founded in 1912 at the Adelaide University. At the Hobart Forestry Conference in April 1920 representatives from all States unanimously agreed that it would be a mistake for each State to establish its own school of forestry.¹⁰⁵ The Premiers' Conference of the following month supported its recommendation that an Australian forestry school should be established in New South Wales.¹⁰⁶ A council was nominated to arrange for the establishment of this school. Lane-Poole was both the Western Australian and the Commonwealth representative on this council. Much progress was made at a meeting held at Sydney at the end of January 1921. Agreement was reached upon a site. In April Lane-Poole and Kessell conferred with the Vice-Chancellor of the University of Western Australia and as a result the government advised that four students from that

101. Information obtained from Kessell's personal file, at the Forests Department.

102. 1921 Report, p.24.

103. 1920 Report, p.11; 1921 Report, p.24.

104. FD 802/20; 1920 Report, p.11.

105. FD 802/20. 106. FD 116/20.

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University would be nominated to proceed to the Australian Forestry School in March 1922. It was pointed out that since there were only five trained foresters in Australia at the time prospective students had a bright future. But then interstate jealousy put a temporary end to the scheme. Though South Australia had the most satisfactory forestry school in Australia it raised no objection to the federal scheme. Victoria, however, which had established a forestry school of sorts, proved the main stumbling block, and was able to postpone the creation of the School for some years. The School was established until 1926. Because it was at first located at Adelaide Victoria refused to send students.¹⁰⁷ In 1927 the institution was transferred to Canberra.

Within Western Australia Lane-Poole was able to achieve some measure of success in the training of non-professional forest workers. At the 1916 interstate forestry conference it was decided that the State governments should be recommended to provide a sound system of training for all grades of forest workers.¹⁰⁸ Lane-Poole established a training school at Ludlow for forest apprentices. Physically fit boys under fifteen years of age who had passed out of seventh class were eligible to enter the school. The syllabus provided for theoretical and practical training in forestry. A limited number of apprentices gained admission to the school.¹⁰⁹

Educating the community proved to be a more difficult task than educating the specialists. As the foregoing has made clear, the history of forestry in Western Australia can be written largely in terms of the public attitude towards the exploitation, conservation and management of the forests. Lane-Poole's concern with this problem was very evident. Articles, lectures, advertising and other avenues of publicity were em-

107. W.A. 26 March 1926. 108. 1916 Report, p.5; WF 582/16.

109. See C.E. Lane-Poole, A Primer of Forestry, (W.A. Govt. Printer, 1921), p.115; AFJ, IV, 12, p.366; 1921 Report, p.25; 1922 Report, p.14; 1923 Report, p.13; 1924 Report, p.15.

ployed in the effort to bring home to the people the necessity for the carrying out of work such as Lane-Poole was envisaging.¹¹⁰ Considerable attention was also paid the more efficient utilisation of timber produced within the State. Lane-Poole's sojourn in the State coincided with a burst of enthusiasm for local self-sufficiency, and in this connection attention was drawn to the timber industry. The Forests Products Laboratory, an off-shoot of the Western Australian division of the Advisory Council of Science and Industry, was surrounded with a most remarkable glow of publicity. The removal of the Laboratory to Melbourne was a keenly felt affront to Western Australia which was carried out amidst the loudly proclaimed protestations of the community.¹¹¹ Most could see the wisdom lying behind the arguments for a more extensive and more diversified use of local hardwoods; it is less certain that the wisdom lying behind Lane-Poole's forestry reforms was so obvious to all. In November 1918 considered opinion had it that the public had recently become aware that, given proper management, the timber resources of the State might provide a means of national wealth little inferior to any other industry in Western Australia.¹¹² Yet, a year later, the Governor General could speak of the lack of a "forest consciousness" as one of the shortcomings of Australians.¹¹² It is impossible to say to what extent each individual man or woman in Western Australia was or was not imbued with some sense of the importance of Lane-Poole's mission. Though the Conservator had done much to spread his gospel subsequent events seemed to indicate that the Governor General was not being unduly pessimistic.

The Mitchell government's treatment of Lane-Poole was criticised severely. The Daily News expressed regret that the

110. See, e.g. W.A. 21 Nov. 1918, 5 Dec. 1919.

111. For some details of the history of the F.P.L. see the following: WF 698/17; FD 802/20, 1350/20; AFJ, IV, 9, p. 271; and W.A. 22 Dec. 1917, 19 Sept. 1918, 21 March 1919, 8 Jan. and 26 Nov. 1920, 11 Nov. 1921, 20 April 1922, and 22 March 1923.

112. Adelaide Advertiser 17 Dec. 1919.

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State should lose a man of Lane-Poole's calibre.¹¹³ A correspondent to the Westralian Worker condemned the machinations of "the capitalistic exploiter" which had lost the State the services of "an upright and admittedly competent public servant". J. J. Simons echoed these sentiments in the assembly.¹¹⁴ The Australasian criticised "ministerial interference" in forestry matters.¹¹⁵ Lane-Poole found his most determined parliamentary supporter in the person of W. G. Pickering, the member for Sussex. Before the new parliament had commenced sitting Pickering had declared his opposition to the government's treatment of the concession question.¹¹⁶ Soon after parliament met he asked that the papers dealing with the matter be tabled.¹¹⁷ On the following day he asked the premier if the question of renewal could not be left open until the leases and concessions began to expire. Mitchell replied that the extensions had been agreed to already, although he intended to withhold formal notification to the company in order to enable members to peruse the files¹¹⁸ - a gesture that meant practically nothing. In September Pickering moved for the appointment of a select committee to inquire not only into the extension of the concessions, but into the working of the Forests Act generally.¹¹⁹ Mitchell decided that a Royal Commission should be appointed, and parliament agreed to the change.¹²⁰ The Royal Commission began taking evidence in February 1922.

At the time of Lane-Poole's departure from the State Collier, the man responsible for his appointment, summed up his opinion of the man and his work.¹²¹ However much one might disagree with aspects of his administration, Collier said, it must be agreed that Lane-Poole had performed wonders to retrieve the errors of the past and to put the State on the right road. One feels that the last part of this remark was not too eulogistic.

113. D.N. 13 July 1921.

114. P.D. 64, 691. 115. Australasian 16 July 1921. 116. W.A. 19 July 1921.

117. P.D. 64, 35.

118. P.D. 64, 82.

119. P.D. 64, 683.

120. P.D. 64, 1010.

121. P.D. 67, 1874.

Lane-Poole did make mistakes. It could be argued that he was not sufficiently aware of the fact that the drastic change in government policy needed to be put over carefully to the public.¹²² Lane-Poole's strong will might have been modified by a little of the diplomatic art. In spite of all, Collier's qualification was perhaps a little harsh. Any conscientious forester would have encountered strong opposition in the Western Australia of Lane-Poole's time. He had to fight, not only against the vested interest of Millars' Timber and Trading Co. on the one hand and against the vested interest of the hewers on the other; he had to deal with the tremendous obstacle of a well established anti-forestry tradition - the product of years of neglect. It was thus almost inevitable that Lane-Poole's startling reforms should be regarded with a jaundiced eye. It was as well that Lane-Poole was a strong man. Although he did not obtain all he desired, he achieved a substantial measure of success. Tragedy might well have resulted if there had been a temporiser at the head of the Forests Department in its formative years. As it was, Lane-Poole had established satisfactory machinery and, fortunately, he had an able man to follow him. Lane-Poole's vigorous presentation of the case for forestry did much to ingrain in the community a way of thinking which has stood the department in good stead in the years that followed.

122. O'Loughlen argued thus: P.D. 61, 1330-2.

CHAPTER V.

THE DEDICATION CONTROVERSY

1921 - 1930.

S.L. Kessell took over the control of the Forests Department from his former chief at a difficult moment for forestry. Despite all Lane-Poole's efforts there was as yet no deeply ingrained belief in the merits of his policy. The premier had threatened to amend the Forests Act in order to reduce the department's freedom from ministerial control, and a Royal Commission was soon to begin an investigation of all aspects of the administration of the Forests Department. In his last report to the government Lane-Poole had declared that the State's forest policy was passing through a crisis the outcome of which could not be foreseen. "Swept by the full force of vested timber exploiting interests, and lacking support from the one quarter which could give it support," wrote Lane-Poole, Western Australian forest policy threatened "to become a total wreck"¹. His estimation of the situation was scarcely too alarmist.

The Royal Commission began taking evidence at parliament house on the morning of Thursday, February, 1922. W.G. Pickering was chairman, and H.W. Mann and P. O'Loughlen were members of the commission. All three were members of the legislative assembly. Lane-Poole was still within the State, but since he would soon be leaving for Papua² the Royal Commission decided to take advantage of his presence even though

1. 1921 Report, p. 25.

2. W.A. - Feb. 1922.

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O'Loughlen was absent in the eastern States³. The ex-Conservator did not pull any punches when he was giving evidence to Pickering and Mann. He informed his questioners that as soon as he had found that the timber getting operations of the concessionaires could not be controlled by regulation he had made up his mind to resign. However, Robinson had persuaded him to remain. Robinson was thought well of by Lane-Poole; not so Mitchell and Scaddan. The ex-Conservator levelled serious accusations against the two men. He declared that as part of an unprincipled attack upon his administration of the departments, "the two had descended to "actual untruths" in their statements in the assembly. "Anybody connected with the departments," claimed Lane-Poole, "knew that the Premier lacked manners."⁴. He asserted that the public had been deliberately misled by Scaddan and Mitchell in order to camouflage the main issue - the extension of Millars' concessions and leases - and that it would be disastrous to let Millars' cut out the bush "in their own sweet way"⁵. in the terms of their nineteenth century contracts with government. As for the export trade, unless parliament set up controls and restrictions it would cease altogether within the following decade. Lane-Poole had thus taken the opportunity to give a wider currency to the fears he had already expressed in his final annual report on the operations of the Forests Department. The next witness was R.A. Fowler, the officer in charge of the Forests Products Laboratory. Fowler was not heard until 17 February, by which time O'Loughlen had returned⁶. The members of the commission then embarked upon a tour of the south-west forests, accompanied by Kessell and another forester⁷. Evidence was taken at various mill centres on a wide variety of subjects, including references to the pressing agriculture versus forestry issue. Opinions as to Lane-Poole's administration of the department

3. W.A. 9 Feb. 1922.

5. W.A. 9 Feb. 1922.

7. W.A. 23 Feb. 1922 et seq.

4. W.A. 10 Feb. 1922.

6. W.A. 18 Feb. 1922.

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were eagerly sought, attention was paid to wasteful methods of exploitation, and the commission attempted to gather some evidence which would throw some light upon the extent of a "forest consciousness" in the State. A very successful experiment in the use of the Cheney spark arrester was carried out at North Dandalup one night early in March. The Ludlow pine plantation and the Mundaring forestry road were both condemned.

A division within the ranks of the commission widened into a complete cleavage when Pickering decided to accept an invitation to attend the Brisbane interstate forestry conference which began on 30 March. Pickering's fellow commissioners were strongly of the opinion that there was no call for the chairman to be present at this conference, and the government supported their attitude. Pickering attended the conference, paying all his expenses out of his own pocket⁸. During his absence O'Loughlen and Mann, who became acting chairman, continued their investigations and presented an interim report on the controversial question of the use of ten thousand acres of land near Pemberton. Mann adopted a very strong anti-forestry viewpoint and O'Loughlen, who was usually more inclined to sympathise with the claims of forestry officers, was vanquished on this occasion. The commission's interim report recommended the alienation of this ten thousand acres of prime timber country, despite the Forests Department's wishes that it should be retained for purposes of growing karri⁹. Pickering telegraphed his objection to his fellow commissioners' views¹⁰. A month later, the chairman had returned. Parliament received the Royal Commission's final report later in 1922¹¹.

The findings of the Royal Commission were more favourable to forestry than at one time seemed likely to be the case. The financial recommendations were most gratifying to the depart-

8. FD 93/22; W.A. 18 March and 21 March 1922.

9. W.A. 21 and 28 April 1922.

10. Report of Commission, p. 10.

11. The Report of the Royal Commission appears in Parliamentary Papers, 1922-23, No. 31.

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ment. Any proposed reduction in the proportion of the department's revenue to be allocated to forestry work was most strongly depreciated. In fact, it was the opinion of the commission that all moneys allocated under the Forests Act should be devoted to the purpose of forest conservation. Furthermore, the use of loan funds and money from consolidated revenue by the Forests Department was foreshadowed¹². In their recommendation that an Advisory Board of two members be created to act with the Conservator in the more important policy making matters the members of the commission provided another example of the distrust of the independent forester, however, able he may be, which for so long was a characteristic of the Western Australian attitude towards forestry¹³. However, on the other hand, the Royal Commission favoured an expansion of the afforestation programme and congratulated the department on the work done at Gnangara;¹⁴ considered that "unrestricted exportation of prime jarrah" was not "a desideratum to be aimed at" and concluded with a commendation of Kessell¹⁵.

Scaddan praised the recommendations and the work of this Royal Commission¹⁶. It is rather strange that this should be so. The commission was obviously extremely doubtful as to the wisdom of the Mitchell government's policy with respect to Millars' extensions, recommended that steps be taken to acquire the leases and concessions as they fell due, and advised against any further extension along the lines of the provision of the Forests Act¹⁶. In this matter it questioned the merits of past government policy; in another regard it strongly advocated a policy which the government refused to adopt. The commission felt that the time was not far remote when the State would be confronted with the problem of finding its own timber¹⁷. It estimated that 800,000 loads in the round were being cut each year and that annual increment was but 250,000 loads. It

12. Report, p. 5.
14. Report, p. 7.
16. Report, p. 10.

13. Report, p. 20.
15. Report, p. 20.
17. Report p. 12.

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therefore seemed obvious to the Royal Commission that immediate steps would have to be taken to make available to forestry control those areas on which agreement had been reached between the Lands and the Forests Departments. It saw no reason why this approval should be withheld¹⁸. Mitchell had other ideas, and refused to put this recommendation into effect.

For a little over fourteen months Kessell was acting Conservator. Then the government decided that it could not obtain the services of any new man more able than was Kessell and so he was appointed Conservator as from the beginning of 1923. The government's faith was justified, Kessell attaining a high ranking among Australian foresters, a fact evidenced by his appointment to the leadership of the Timber Control section of the Department of Munitions during the Second World War.

Many of the problems with which Lane-Poole had had to deal remained to confront Kessell. Hewers continued to complain that their activities were being unduly hampered by the Forests Department.¹⁹ Overcutting in the industry gave the department cause for grave concern, as the boom of the mid-twenties reached its peak. There was further talk of the need for the placing of restrictions upon exports,²⁰ but Kessell could do little about it except hope that the boom would not continue. The depression which followed was certainly not regarded as an unmixed curse by foresters.

A solution, more satisfactory than any that had yet been devised, was found to the vexed royalties question. Royalties in Western Australia were far below the rates charged in the eastern states. Despite this fact, each successive increase in the rates levied had provoked instant opposition by royalty payers. In June 1920 Lane-Poole had recommended a substantial increase, but owing to delays in gazettal, followed by a slump in the industry, the higher royalty payments were not collected. One of Lane-Poole's last administrative acts was an attempt to enforce these new charges,²¹ but the matter was held

18. Report, p. 10.
20. W.A., 9 July 1926.

19. W.A. 14 April 1922; FD 155/19
21. Daily News 22 Oct. 1921.

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in abeyance pending the report of the 1922 Royal Commission. The Commissioners recommended the levying of an increased royalty as soon as the industry showed signs of recovering from the slump. At the same time, certain anomalies in the existing scale of royalties were pointed out. Attention was drawn to a list of five factors which helped to determine the cost of the logs to the sawmiller and it was recommended that the new charges should be based on a scale which took all of these factors into account.

At first the Forests Department failed to follow the recommendations of the Royal Commission. A scale of charges was drawn up, based on the single factor of the distance of the main line siding serving the mill from the port of shipment. Payments were to range from 7/9 per load for a distance of up to twenty miles to 2/1 for a distance between eighty and one hundred miles. These regulations were gazetted on 15 June 1923, the new charges to come into effect on the following New year's Day. There was an immediate protest by the sawmillers. A deputation asked the Conservator to give further consideration to the matter in the hope that certain anomalies might be eliminated. The government agreed to the establishment of a temporary appraisal board consisting of the Conservator as chairman, A.J. McNeil, representing the sawmillers, and M.J. Calanchini, the Under Secretary for Mines. The members of the board agreed that royalties should be based on the following factors: distance of siding to port of shipment or market; distance of siding from mill; distance between the mill and the bush landing; the quality of the bush, in terms of loadage and recovery; and the accessibility of the timber. After collecting the necessary data a scale of royalties was drawn up and submitted to the sawmillers who had the right of appeal. Several appeals were lodged and were heard before the board. The minimum royalty charge remained at the old flat rate of 2/- a load, and the payments then increased at sixpenny intervals until the maximum of 5/6 was reached. The new scale was

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gazetted on 13 June 1924 and became operative immediately²².

Kessell's first years as Conservator were dominated by one question above all others: the contest between the interests of agriculture on the one hand and forestry on the other. It had long been recognised by foresters that their two major human enemies were the unscrupulous timber getter and the agriculturalist who was bent on the alienation of forest country and the destruction of its timber stands to make way for farms. In the years immediately following the formation of the Forests Department the struggle between the rival interests became a public issue more controversial than had ever yet been the case.

Before 1916 few had been prepared to express an opinion contrary to the agriculturalist viewpoint. This viewpoint was clearly outlined by a legislative councillor speaking in 1881 on a bill to allow Millars' to construct a railway line from Torbey to Albany²³. It would be of advantage to the colony if the company would clear the rich soil of the timber which was such a handicap to the settler. For years trees were looked upon as "handicaps to settlement"²⁴. Discussion on the Land Act of 1898 exemplified this feeling. In 1904 Newton Moore was doing little but expressing prevailing opinion when he declared that the karri country contained some of the richest soil in the state and included land which was surely suited to closer settlement²⁵. Most drew a distinction between karri and jarrah forests. Generally it was accepted that the soil in the jarrah country was not suitable for agriculture and that this land could be best set apart for growing jarrah trees. Even so, however, as has been seen, farmers complained that land held by the concessionaires was not being made available for settlement after the jarrah had been removed²⁶.

The 1903 Royal Commission, so alive to the need for forestry reform in many respects, was a little undecided on this matter. When it spoke of the million acres of virgin

22. See AFJ Vol. VII, No. 7, p. 189; 1922 R.C. Report, p. 17; FD Reports for 1921, 1923 and 1924.

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karri forests it referred to the "very active demand for new farm lands", termed this country the "Gippsland of the West", and proclaimed it as being "blessed with a fertile soil and an abundant rainfall." It then went on to say that it was "not a foregone conclusion that the future value of the karri would justify the inclusion of all karri lands in the State forests, sacred to the exclusive production of that tree." Time might prove the value of the land to be greater for other purposes²⁷. Since no State forests were created, no question arose of the interpretation of the Royal Commission's rather indefinite conclusions regarding the future use of the karri lands.

Richardson showed some realisation of the fact that the interests of the forests might suffer at the hands of the agriculturalist²⁸. His efforts to protect his charge were not impressive. An arrangement was effected whereby all land applied for was inspected by forest rangers who ascertained whether the block in question carried timber valuable enough to warrant its reservation from alienation. In this way, Richardson claimed, a careful watch was maintained upon the forest asset of the state²⁹. Such inspections involved a considerable amount of work for the department's officer. In 1906-7, for example, 572 applications for homestead and conditional purchase holdings were referred to the department; in 1911, 230³⁰. Richardson gives no indication as to how many of these applications were refused on the recommendation of the forest rangers, but years later forester McIvar stated that it was a common occurrence for their recommendations to be ignored, and that many blocks containing good timber were alienated³¹. Much land went the way of a section of the timber lease 191/113, held by the W.A. Jarrah Sawmills Co. Pursuant to section 126 of the Land Act of 1898, 130 acres of this lease, being "practically denuded of marketable jarrah, karri

27. 1903 R.C. Final Report, pp. 7 & 12.

28. 1909 Report, pp. 18-9. 29. 1907 Report, p. 9.

30. 1911 Report, p. 9.

31. FD typescript copy of 1923 state foresters' conference.

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or tuart timber" was thrown open to selection in January 1906³². Robinson in 1918 told of how Newton Moore had ordered the ringbarking of large areas of karri forests near Manjimup and declared that an immense amount of timber must have been destroyed in checkerboarding the forests with farms which were not farmed. A correspondent to the West Australian in 1912 testified to the destruction of large areas of forest which were ring-barked, although no settlement followed³³.

Richardson made a rather premature claim in 1912. He congratulated himself that the forest lands were not protected from alienation and ultimate destruction by selection. Indiscriminate surveying of large areas of valuable timber lands had been ended. Parties of surveyors were even then classifying the karri country. Each party was accompanied by a forest ranger who pointed out the country which contained marketable timber, and this land was not surveyed for selection³⁴. Of course, Richardson was hopelessly wrong in his optimistic forecast that the forestry versus agriculture issue had been "finally settled" to the satisfaction of the former. It is impossible to estimate the extent of the destruction of the forests of the state by unwise alienation before the First World War. That it was not inconsiderable seems apparent. But the clash of the two interests did not become a very controversial issue, and this for two reasons. The major land settlement programme of the state was being carried out in the wheatbelt, so that the timber forests were not threatened; and there existed no authority prepared to assert vigorously the needs of forestry: there was little to prevent the settler in the south west from gradually encroaching upon the forest.

Before the end of the First World War it seemed likely that the forestry versus agriculture issue would soon attain new prominence. The contest was personified by the clash between two domineering men. Lane-Poole was the spokesman

32. G.G. 22 Dec. 1905, p. 3747. 33. W.A. 29 Jan. 1912.
34. 1912 Report, p. 8.

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for forestry; James Mitchell was the spokesman for agriculture. Mitchell stands in high repute in the Western Australian political tradition. His name stands for faith in the land of his birth; it stands for the development of his country's resources, and his country's resources, he felt, lay in the soil. His concern with agricultural development blinded him to other needs of the state, and his faith, on more than one occasion, was misplaced. Of him O'Loghlen remarked in December 1909: rather than go under the shade of a jarrah tree the Minister would walk a mile further to see a stalk of wheat"³⁵. Mitchell's name, although with what justification it is not exactly certain,³⁶ is intimately connected with the expansion of the eastern wheatbelt in the pre-war years. Mitchell's excessive optimism was in retrospect cursed by unfortunate settlers, deplored by his political enemies and by some of his political associates, and questioned by his political supporters. But Mitchell was undeterred by the near tragedy of his previous exploits. Shortly after Lane-Poole's arrival the Labour government fell. Mitchell was a member of the new cabinet. He did not hold the lands portfolio - itself a fact of some significance - but in his capacity as minister for railways, water supply, sewerage and drainage, and industries, took every opportunity of expressing his opinion on land settlement and managed to concern himself with most of the relevant plans. Moreover, the minister for lands, Henry Bruce Lefroy, expressed an enthusiasm for land settlement as keen as Mitchell's own.

By the beginning of 1917 the controversy had commenced. The government was considering closer settlement in the south west forests; in reply Lane-Poole urged the folly of destroying valuable timber and pointed out that forestry offered employment just as much as did land settlement³⁷. He was soon

35. P.D. 37, 1853.

36. The respective roles of Mitchell, Moore, Wilson, Bath, Scaddan and Johnson in the development of the wheat-growing industry in Western Australia up to 1916 have yet to be investigated.

37. W.A. 23 Feb. 1917.

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engaged in a controversy with various officials of the Lands Department. Following a tour of the south west Lane-Poole declared that the consensus of opinion was that pure karri country was not good agricultural country while mixed redgum and karri country was excellent for agricultural purposes. F.S. Brockman, the Surveyor General, denied that this was so and declared that Lane-Poole's statement was an incorrect version of the findings of the party and was, in fact, a subterfuge adopted by Lane-Poole in the hope that he would thereby be able to protect his karri forests from the settler³⁸. That same month - February 1917 - a remark in a lengthy press report on a proposed soldiers' settlement area at Nornalup that "it was typical of the country that the best karri grew on the best land" prompted a minute from Lane-Poole to the Under Secretary for Mines denying the correctness of this assertion³⁹. Few agriculturalists agreed with him, however, and the general attitude of the land settlement advocate towards the karri forest was: "the bigger the karri tree the better the soil for agricultural purposes." It was contended that the state had only a limited area of first class "close settlement" land in the heavy rainfall temperate area and that a permanent reservation of the karri forests would remove half of this land from alienation⁴⁰.

In the autumn of 1917 Lefroy and Robinson, accompanied by a party which included Lane-Poole and the resident surveyor at Bridgetown, J.P. Camm, inspected areas of the south west in order to find a solution to the problems connected with forest conservation and its bearing upon "the important matter of land settlement". At the end of April Lefroy declared of the Nornalup country that though one did not like to see the splendid timber wasted, people should occupy these forest lands. If it came to a question of trees or people the former must be made to give way⁴¹. Throughout these years the fallacious

38. FD 1435/20.

40. W.A. 3 May 1917.

39. Ibid.

41. W.A. 5 April 1917.

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"trees or people" argument was appealed to time and again by advocates of land settlement. At first glance it appears a telling slogan and the Forests Department was hard put to it to impress upon the community that forests offered work to people just as did farms. The joint ministerial statement at the completion of the tour of the forests was of a tenor rather more favourably inclined towards forestry. It included a reference to "thousands of acres of magnificent timber country which had been ruthlessly destroyed" by the state and by settlers⁴². Mitchell was not of the same mind. He could not be restrained from encroaching upon the province of the Lands Department. He now called for an immediate commencement upon the vast amount of clearing which would have to be done preliminary to the settlement which would follow the termination of hostilities⁴³. In the following month the composition of the Returned Soldiers' Settlement Board was announced. Lane-Poole was one of its eight members.⁴⁴ The Sunday Times gave voice to the fear that "Mr. James Mitchell, the Irresponsible Optimist" would make "an unholy mess" of the settlement of the returned soldiers upon the land⁴⁵. The testing of this prophecy was postponed two years.

Between 1917 and 1919 forestry gained a series of significant successes. Perhaps most important of all, in this context, was the fall of James Mitchell. Lefroy became premier on 28 June 1917, retaining the lands portfolio. Mitchell was not a member of the new cabinet. The Royal Commission on Agricultural Industries, appointed in September 1916, submitted its final report on 17 May 1918.⁴⁶ Lane-Poole had been asked to give evidence to this commission and its report showed signs

42. W.A. 26 May 1917; W. Mail. 43. W. Mail 1 June 1917.
44. W.A. 14, 20 and 21 July 1917. 45. Sunday Times 1 April 1917.
46. The Commissions second Progress Report, which is that dealing with the south west coastal districts, appears, together with evidence and appendices, as P.P. 15 of 1917-18.

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of his influence.⁴⁷ From its consideration of the forestry question it drew the conclusion that the efforts of the Forests Department to conserve the state's hardwood forests were "sound and justified". It recognised that the Forests Department's "policy of conservative lumbering must affect the railway and agricultural policy of the remote South-West". Camm's contention that the best of the karri forest should be devoted to settlement was referred to, but it was admitted that "the case for reservation was very strong". The Commissioners recognised that the future of these lands must be a matter for state policy, but their report was based on the assumption that the forests would be reserved, at least until the work of classifying had been concluded⁴⁸. The Western Mail agreed that "it would seem that a sound State policy can have no other alternative than to protect and foster the karri forests"⁴⁹. The outlook for forestry appears rosy. But a change was impending.

Mitchell's elimination from cabinet rank was only a temporary one. In February 1919 he uttered a warning. "Notwithstanding the declared intention of the government to the contrary, I will venture the opinion that within a few months, it may be weeks, the building of the necessary railways and the cutting up of the good land into farms (at Nornalup Inlet) will be the policy of this State".⁵⁰ He was correct. On 17 April 1919 the Lefroy government fell and Mitchell became minister for lands and repatriation in the Colebatch ministry. One calendar month later Colebatch resigned and Mitchell replaced him as premier, retaining the two portfolios he already possessed, and becoming colonial treasurer as well. On 10 May Mitchell expressed his determination to push ahead with the land settlement scheme for returned soldiers⁵¹.

In August the Surveyor General asked Lane-Poole to state definitely what areas of karri country he wished to have re-

47. WF 188/18; R.C. Report, pp. 154-9.

48. Report, p. vi; W.A. 10 and 13 June 1918.

49. W. Mail 21 June 1918.

50. W. Mail 14 Feb. 1919.

51. W.A. 12 May 1919.

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served for all time for forestry purposes, under clause 20 of the Forests Act. Lane-Poole's reply did not please Mitchell. The premier declared that, so far as he could see, Lane-Poole's idea seemed to be that the south west "should be entirely given up to timber". Small wonder that Lane-Poole was "very apprehensive" as to the policy which was to be adopted in respect of the karri country. Lane-Poole then engaged in another controversy with Camm, repeating his tactics of two years earlier by insisting that mixed karri and redgum soil was better suited to agriculture than was soil which grew pure karri stands. Camm again denied this and the two men collected evidence from various settlers in support of their rival views. Camm advised that the rich karri land "should not be devoted to growing timber for all time." Lane-Poole advanced evidence to show the "dubious nature of settlement in karri forests," and proffered examples of "good forest turned into very bad grazing" country.⁵²

Lane-Poole secured a series of successes in 1920. In March of that year Mitchell visited the karri country. His decisions seemed to embody much of that for which Lane-Poole had been fighting. All country carrying pure stands of karri was to be reserved for forestry purposes for all time; all country carrying a preponderance of redgum, although it carried marketable timber as well, was to be dealt with by the Lands Department; marketable karri on such country was to be reserved from destruction by the settler; and H. Brockman, a Forests Department ranger, was to indicate that redgum country which might be used for land settlement⁵³. Two months later Lane-Poole secured another victory. Mitchell assured him that he could inform the Imperial Forestry Conference to be held in England later in 1920 that it was the policy of the state to dedicate jarrah forests. Meanwhile, in April an interstate

52. WF 836/19.

53. WF 836/19.

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forestry conference had made a significant decision. It recommended that, in order to meet the future timber requirements of Australia, a permanently dedicated forest area of twenty-four and a half million acres was necessary. Western Australia's share of this total was to be three million acres. The premiers of the six states, in conference later that year, adopted this recommendation. The area of state forest in Western Australia in the middle of August was a mere 7,823 acres. But it appeared that nothing now stood in the way of Lane-Poole's wishes. Much of the forest area had been classified and the Forests Department was rapidly determining the localities it wished to have reserved. On more than one occasion Mitchell had given satisfactory assurances that it was government policy to protect both jarrah and karri forests and he had now fallen into line with the governments of all the other states and declared his support for the dedication of three million acres as state forest. On 7 September 1920, in reply to a query from Storey, the New South Wales premier, Mitchell reported that classification work had progressed so satisfactorily that Western Australia would "soon be in a position" to dedicate as permanent forest land "the whole of the three million acres allocated to it"⁵⁴.

The premier failed to keep his promises. He had concocted a new land settlement scheme and the needs of forestry were neglected. The ill-fated Group Settlement scheme got under way in 1921. On 17 March Mitchell officially announced that arrangements had been completed for the settlement of twenty men on Crown lands near Manjimup. A second group was formed at Pemberton in May, two more at Augusta in July, and during 1922 the pace of settlement increased rapidly. On 19 February 1923 the governments of Western Australia, Australia and the United Kingdom signed an agreement, made retrospective to September 1922, whereby Western Australia contracted to spend about £6,000,000 in establishing six thousand farms in the south west, the farmers to be chosen from a total of seventy-five thousand

immigrants from the United Kingdom⁵⁵. Thus was the Group Settlement scheme began, a story of blunders, administrative incompetence, human frailty, misplaced faith and a mistaken conception of the possibilities inherent in the situation such as would be fit to rank with the more note-worthy land settlement disasters of Australian history⁵⁶.

In his policy speech during the election campaign of March 1921 Mitchell laid emphasis on his proposed vigorous land settlement programme⁵⁷. He was returned to power and was thus assured of at least three years in which to press ahead with his plans. Lane-Poole was soon shown how the land lay. The New South Wales premier circularised the states asking what progress had been made towards the dedication of state forests agreed upon at the premier's conference of 1920. Mitchell replied, on 3 May, that, as the government was not selling land inside the area classified as jarrah country there was really no hurry to dedicate it. He was apprehensive of "the extraordinarily extensive powers" granted under the Forests Act once state forests had been dedicated. Therefore, before approving of any such step, he wished to be very sure that the government was setting aside only land carrying, or likely to carry, valuable timber. While he was "thoroughly in accord with Lane-Poole's forest policy" Mitchell declared that he must ensure that the government's land settlement policy was not "unnecessarily retarded by holding up land more suitable for settlement than for the growth of trees." "It is difficult to work with the conservator," wrote Mitchell, "because he has a profound desire (laudable no doubt) to protect practically every tree growing in Western Australia." Lane-Poole showed his disappointment at Mitchell's volte face when drafting the reply to Sydney for the premier's signature. The Conservator

55. I.L. Hunt, A History of Group Settlement in the South-West of Western Australia. (W.A. Uni. Library; thesis for M.A., 1957).

56. The most recent historian of Group Settlement chronicles the mistakes (Hunt, p. 32), but draws a most comforting conclusion (p.222): "we may even feel a little relieved that a great enterprise has come to no worse a (termination)".

57. W.A. 28 Jan. 1921.

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wrote that the premier regretted that "the carrying out of such a policy (was) not practicable at the present time." Mitchell thought this interpretation of his views was "a little hard on him", and before signing the reply altered the draft to read: "the question of the final dedication of the State forests cannot yet be decided"⁵⁸.

Perhaps rather surprisingly, the Lands Department and the Forests Department were able to co-operate fairly well during this controversy. The two departments reached an agreement at a conference held on 1 March 1922.⁵⁹ The accessible karri country was divided into three classes: that to be alienated immediately; that to be reserved for all time as state forest; and that to be alienated as soon as marketable timber had been removed. On 10 May H.S. King, the new Surveyor General, John Camm, and Kessell, signed a document, appended to a map showing certain areas of land which, it is agreed, should be in one or other of the three categories. The agreement stated, inter alia: "It is clearly understood by the undersigned that the joint recommendation is based on the assumption that it should be treated as a whole, and that the areas marked for immediate settlement shall not be made available for alienation until areas marked for state forest are dedicated." On 16 May 1922 cabinet accepted this recommendation. Thereupon, 21,665 acres were made available for settlement, 40,867 acres (27,500 acres karri and 13,367 acres jarrah) were dedicated as state forests, while 18,690 acres within a State Sawmills permit area were to be made available for settlement as soon as falling operations had been completed. But once again Forests Department hopes for an early settlement of the dedication question were dashed. A further misunderstanding arose and the government decided not to proceed with the suggested dedication. By this time Lane-Poole had resigned his post. Mitchell found, however that one Conservator was no more amenable to his will than another. In August 1922 he was complaining that Kessell was expounding "the forestry gospel... ad nauseum."⁶⁰

58. FD 1062/20.
60. WF 836/19.

59. WF 836/19.

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The Royal Commission on Forestry of 1922 investigated the agriculture versus forestry issue. As has been seen, its findings were not consistently in line with the wishes of the Forests Department. Officers of both the Lands and the Forests Departments appeared before the Commissioners and, although, as Kessell pointed out, the two departments were even then managing to co-operate to a not insignificant extent, the evidence they afforded Pickering, Mann and O'Loughlen was quite conflicting. The Commission's interim report which favoured the alienation of the disputed ten thousand acres at Pemberton was a blow to Forests Department hopes. The absent Pickering, however, disagreed with this recommendation. He was back at work when the time came to draft the final report which recommended that no future karri country be alienated for agricultural or other purposes⁶¹.

While the government procrastinated and Kessell became more and more disheartened the eastern states dedicated large areas of land as state forests. Authorities in the other states regularly requested Kessell to inform them of the progress made by the Western Australian government towards the fulfilment of the pledge given in 1920. Kessell repeatedly pleaded with Mitchell to dedicate the prime timber country. Scaddan lent the Conservator his support, but to no avail. Mitchell proved obdurate. In 1921 the total area dedicated as state forest in Western Australia was 45,028 acres. A year later it had increased to 45,318 acres. As at 30 June 1923 the figure was 52,389 acres. Western Australia's performance compared most unfavourably with those of the other states, as the following table will show :-⁶².

61. R.C. Report, p. 10.

62. FD 1062/20.

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<u>State.</u>	<u>Total Areas to be Secured.</u>	<u>Area of State Forest As at 30 June, 1923.</u>
New South Wales	8,000,000 acres	5,053,991 acres.
Queensland	6,000,000 "	1,503,951 "
Victoria	5,500,000 "	4,149,019 "
Western Australia	3,000,000 "	52,389 "
Tasmania	1,500,000 "	29,199 "
South Australia	500,000 "	281,688 "
Australia:	<u>24,500,000 acres.</u>	<u>11,063,168 acres.</u>

By June 1924 Western Australia's state forests totalled only 54,099 acres.

Much valuable timber was destroyed by settlers in the 'twenties. The Forests Department estimates that approximately fifty thousand acres of karri forests were alienated and the timber thereon ringbarked. A recent commentator refers to "the callous and expensive destruction of so many magnificent trees" as being "one of the most regrettable aspects" of Group Settlement⁶³. Clearing methods were almost criminally wasteful. It was a rushed job, and even the liberal use of gelignite was found too slow for some. Eventually, complete clearing was abandoned and it became the custom to ring the big trees and leave them to die⁶⁴. Too often nothing but rank undergrowth grew where once stood mighty trees. Even to-day the traveller through the Group Settlement districts sees the ranks of stark giants, mute testimony to the follies of mankind.

The Mitchell government was defeated at the general elections held in the autumn of 1924. The Forests Department could not be sure of the implications of this event. On the one hand the new premier was Philip Collier, he whose record as minister for mines in the Scaddan administration branded him as a staunch supporter of forestry reform. On the other hand the new minister for Lands was W.C. Angwin, who was also deputy

63. Hunt, op. cit., p. 32.

64. Hunt, op. cit., p. 31.

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leader of the Labour party. Angwin had already shown himself to be as extravagant a supporter of land settlement as was James Mitchell⁶⁵. A few years earlier he had accompanied the then premier on a tour of the south west. He had criticised the Forests Department for its alleged practice of blocking land settlement⁶⁶. Lane-Poole answered Angwin and the latter repeated his accusations and announced his unqualified support for Mitchell's land settlement plans⁶⁷. Now once again of ministerial rank Angwin determined to outdo his predecessor. In July he declared that the Forests Act was too strong and that it was detrimental to the agricultural development of the state. He asserted that if the two million acres desired by the Forests Department as state forests were so dedicated the Lands Department might as well be wiped out altogether. His attacks on the Forests Department continued throughout his period as minister for lands. He criticised the "dog-in-the-manger" attitude of the Forests Department, declared that if the government carried out Kessell's wishes it would mean the ending of land settlement in Western Australia and stated his intention of securing the premier's permission to alienate for Group Settlement purposes land claimed by the Forests Department⁶⁸.

One example of the practical effect of Angwin's hostility towards forestry may be given. On 30 July 1925 cabinet approved of Working Plan No. 5 which covered the Hester state forest. On 24 September the Lands Department declared that it wanted to subdivide portion of this state forest for Group Settlement purposes. The area in question involved some prime cut-over country east of Greenbushes. Regeneration operations had actually been commenced on this lands. Naturally, the Forests Department opposed the alienation. When Kessell inspected the site at the end of November he found that eighty-four blocks were being surveyed. His protests were unavailing. Cabinet acted on Angwin's advice, supported by Collier, and the reservation of the land for forestry purposes was revoked. The

65. Ibid., p. 49; Daily News 2 Dec. 1924.

66. W.A., 6 May 1921.

67. W.A. 7 May 1921, 10 May 1921

68. W.A. 25 Jan. 1926, 14 April 1926.

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notice was gazetted on 15 January 1926⁶⁹. Small wonder that the West Australian compared Angwin's enthusiasm for land settlement with that of Mitchell; small wonder that it felt that the minister for lands was blinded to the importance of forestry.

The majority of cabinet did not share Angwin's bias. Soon after taking office the Labour government dedicated eighty thousand acres as state forest. In 1926-7 a further 780,000 acres were dedicated. As at 30th June 1927, however, state forests totalled only 949,238 acres - less than one-third of the target set over seven years earlier. Collier was returned to office in 1927 and Troy replaced Angwin as minister for lands. In the next two years the Forests Department practically achieved the goal for which it had been aiming. Over 900,000 acres were added in one year and over 1,100,000 in the following year. By June of 1929 the area of state forest totalled 2,974,344 acres. The three million acres mark was finally reached in 1933.

Certain sections of the community bitterly condemned the government's action. The south west newspapers were foremost in the fray. Settlers and local governing authorities joined with the press in protesting against the "forestry grab"⁷⁰. The Greenbushes road board considered that the "wholesale and indiscriminate reservation" of over two million acres of land by the Forests Department was a "great Injustice" to the districts concerned. It was sure that the move would condemn the towns to stagnation"⁷¹. The south west road boards conference endorsed this attitude and decided to present its complaints to the minister for lands. Whether or not a large proportion of the community really felt that the dedication of state forests would permanently terminate development in the south west cannot be ascertained. In any event, the anti-forestry propaganda was widespread and the forestry position was by no means secure.

The year 1930 was another critical year for the Forests

69. FD 1367/24.

70. Blackwood Times 31 May 1929

71. Blackwood Times 21 June 1929, 9 Aug. 1929.

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Department. An election was held in that year and, in the south west, the campaign was to a considerable extent concerned with the action of the Collier government in "shutting up millions of acres of good agricultural lands"⁷². J.H. Smith, the retiring member of Nelson, based his campaign on a criticism of the Labour government for tying up land as state forests, and promised that if Mitchell's party was returned to office these lands would be thrown open for selection⁷³. Collier met complaints during his tour of the south west but stood firm by his previous decision to support the Forests Department's claims. The retiring government was defeated and the agriculturalists took new heart when James Mitchell once again took over at the premier's office, although Latham was minister for lands. In June 1930 the south west road boards conference decided to ask the government to release land that was "more suitable for agriculture than forestry"⁷⁴. A representative from Bridgetown said that experts considered that fifty percent of the three million acres of state forests was admirably suited to closer settlement. Local governing bodies throughout the state lent their support to their south west brethren⁷⁵.

The urge for land settlement had not left James Mitchell. Profiting not from his mistakes, unrepentant of his earlier follies, he soon announced that he intended to make money available for the settlement of farmers on the land in the south west⁷⁶. The premier was interested in an area of seventy-seven thousand acres at Nornalup, described by C.J. Moran, a trustee of the Agricultural Bank, as "a standard forest country, mostly karri and tingle". There was, said Moran, "no better country in Western Australia for dairying and its sidelines"⁷⁷. Was the whole ghastly story to be experienced again? Were men again to blunt their enthusiasm and clog their incentives in

72. W.A. 10 Jan. 1930.

74. W.A. 23 June 1930.

76. W.A. 5 Sept. 1930.

73. P.D. 84, 1359-60; Blackwood Times 21 March 1930.

75. W.A. 9 Aug. 1930.

77. W.A. 17 Oct. 1930;
Kalgoorlie Miner 10 Sept.
1930.

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the heartbreaking task of destroying mighty trees in order to establish grazing properties of dubious potential? The West Australian, a paper generally noted for its sympathies for the non-Labour political forces, was quite decided on the matter. It thought Mitchell's scheme "the reverse of reassuring"⁷⁸. The Nornalup project was referred to as a significant misdirection of policy⁷⁹. The paper declared that the case for spending public money in stimulating dairy production was radically unsound⁸⁰. Of all Mitchell's schemes it could be said that they proclaimed the triumph of hope over experience.

Criticism of the Forests Department was voiced in parliament. In October 1930 J.H. Smith declared that forestry was "holding up that development" which was "the lifeblood of the south-west". He advised members to consider the advisability of repealing the Forests Act altogether⁸¹. Troy joined in the attack on the Forests Department. As minister for lands he had found that he was continually being forestalled by the Forests Department in his endeavour to make land available for settlement⁸². Smith asked Mitchell to redeem his promise to throw open agricultural land for settlement, irrespective as to whether it was dedicated to forestry purposes or not⁸³. J.W. Mann supported him⁸⁴. Settlers and road boards continued their protests. The Forests Department denied the justice of the allegations, levelled against it, pointing out that between 1 July 1930 and 31 October 1931 the Lands Department had requested the Forests Department to release 741 blocks for alienation, 564 of which were made available⁸⁵.

The crisis passed and left the forestry position comparatively unscathed. T.A.L. Davy, the deputy premier, as early as

78. W.A. 5 Sept. 1930.

80. W.A. 16 Oct. 1930.

82. P.D. 84, 1361.

84. P.D. 91, 1903-4.

79. W.A. 21 Oct. 1930.

81. P.D. 84, 1958.

83. P.D. 88, 271.

85. W.A. 17 Nov. 1931.

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June 1930 had made it clear to the south west local governing authorities that he agreed with Collier's position on the dedication issue⁸⁶. Small areas of state forest were continually being revoked for alienation under the Mitchell government but this was done with the concurrence of the Forests Department. There was no wholesale reversal of past policy such as that desired by J.H. Smith. But the fact that the total area of dedicated state forest declined by about five thousand acres between 1930 and 1932 is an indication of the crisis through which forestry policy had passed.

In its decennial review of 1929 the Forests Department expressed some satisfaction with the work it had accomplished since its inception. More accurate knowledge of the forest potential of the state was being obtained, and gradually the forest was being brought under working plans. A thousand miles of roads and tracks had been built through the forests. Regeneration measures had begun. A little progress had been made with afforestation work. To be sure, an enormous amount of work remained to be done. The Forests Department's policy has been altered in some of its aspects since 1929. Progress since that date has not been consistently satisfactory. There have been checks, and not all has been plain sailing. Nevertheless, the turn of the decade marks an end of an era in the state's forestry administration. The Forests Department had reason for satisfaction at the outcome of the long drawn out dedication controversy. In years to come the existence of further areas of prime timber country became known, but for the time being the bulk of the known forest country had been dedicated, and the target of three million acres had been achieved. The staff position had improved considerably. By 1929 the present key men of the department had entered its service and after them there was a steady flow of Western Australians trained at the Australian Forestry School at Canberra. When with the late 'twenties and the early 'thirties there came depression the state's forests benefited. Temporarily, the threat of over-production vanished. And for the first time in the state's

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history large sums of loan money were channelled into forestry work. Much was done towards repairing the accumulated damage of past years.

Today the Forests Department emerges as an example of state intervention and enterprise at its best. It has performed well a task which an enlightened minority belatedly gave to it. It acts and the community's watchdog over a public asset. Not only does this involve forestry work in the limited sense; the department is also charged with the regulation of the timber industry in the public interest. Before 1919 external capital exploited the state's hardwood forests with all too little thought for the interests of Western Australia and Western Australians. The Forests Department exists to see that this will not again be the case. As the tendency towards a controlled economy progresses the Forests Department will find itself more and more closely identified with the timber industry.