

IRISH FORESTRY

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Editorial

The Society.

IN the fourteen years of its existence this Society has made a valuable contribution to Irish forestry. Its efforts have been directed mainly towards education and foremost among its activities in that field have been the organising of study tours in places of forestry interest at home and abroad, the presentation of scientific papers at its annual general meetings and the publication of a journal twice a year.

The study tours have enabled foresters to keep themselves up to date in many aspects of their work and have provided opportunities for the critical examination on the spot of problems of a technical nature. At those gatherings participants have heard specious arguments refuted, erroneous ideas corrected and much valuable information disseminated.

At its annual general meetings, papers on varied aspects of forestry have been read by distinguished foresters from this country and abroad followed by discussions in which our members freely participated.

Through its journal it has given to members useful articles on many facets of the propagation and growing of trees and the harvesting and utilization of forest crops.

Forestry has already become a significant industry in this country. Year by year it is increasing in importance. Hand in hand with this growing importance will go the increase in usefulness of our Society. New questions will be constantly cropping up as the scope and complexity of the work increase. Greater than ever will be the need for careful examination of problems and all the more desirable will it be that foresters should have an up-to-date information service and that they should have opportunities to meet and exchange views on various aspects of their work.

In order that the Society may play its full part in this important work it is desirable that all practising foresters in the country should be among its members and that as many as possible of private planters and forestry enthusiasts should be enrolled.

A study of the membership figures shows, however, that only about 50% of our foresters are on the Society's list and the number of associate members in no way represents the great body of genuine forestry enthusiasts in the country. By substantially increasing our membership

we can avoid the unpleasant necessity of raising annual subscriptions, produce a better journal and produce it more frequently and generally give a better service to members.

It is suggested therefore that in this matter of recruitment members should make a special effort during the coming year. In so doing they will be furthering in a very real way the object of the Society, namely, "To advance and spread the knowledge of forestry in all its aspects."

Forestry Act, 1956.

Legislation dealing with forestry in this country is based on the Forestry Act, 1946 and now, ten years later, comes a new Forestry Act which was passed through both Houses of the Oireachtas and received the President's signature in February of this year. The new Act entitled "an Act to facilitate acquisitions of lands for the purpose of the Forestry Act, 1946" is concerned solely with the amendment of the provisions of the 1946 Act which relate to the acquisition of land. Two main types are covered :—

- (1) the case where the sale of land to the Department falls through because of defects in the title of the would-be vendor, and
- (2) the case of the commonage area where the majority of the commonage holders are prepared to sell their shares but one or two refuse and thus prevent sale.

It will come as a surprise to some to find that the machinery which the Act proposed to utilize for the resolving of these difficulties, which are in the main matters of voluntary agreement, is the power of compulsory acquisition enshrined in Part 3 of the Forestry Act, 1946.

To the layman the procedure may seem unnecessarily cumbersome but it must be conceded that the acceptance of imperfect title or the restriction of recalcitrant commonage holders to a specified part of a commonage involves the possibility of a breach of the rights of private property and that all necessary safeguards against such a breach are provided in the basic legislation. We may assume, too, that the Draftsman had recourse to the powers of compulsory acquisition as the one sure means of giving the Minister clear and incontestable title to the land acquired and the Minister made it clear in the course of debate on the measure that this consideration was of paramount importance : that public money should not be spent on the development for afforestation of an area to which his title might at some later stage be contested and upset.

The Act provides that in the first type of case, that of faulty title, the Minister may accept incomplete title and pay compensation subject to his remaining liable for a period of six years to a claim for compensation by a person claiming to be the rightful owner. In the event of the second claim being established and compensation being paid a

second time the Minister would have power of recovery against the party to whom payment was first made but it was admitted in the course of debate that the prospects of actual recovery would be very slight.

With regard to commonages the Act provides that commonages may be partitioned, the commonage holders who are not prepared to sell being given exclusive enjoyment of a restricted portion of the commonage and the balance being handed over for afforestation. Power to decide whether any part of the commonage may be acquired for forestry, and, if so, what portion is to be reserved to the "objector" lies, of course, with the Land Commission under the procedure already established for compulsory acquisition in the Act of 1946.

In presenting the measure the Minister was understandably reluctant to give any estimate of the area which he might expect to acquire with the new powers available to him. Only experience will tell what the effects of the measure may be. All who are interested in the progress of forestry in this country will, however, welcome the measure and wish it success.