

1972

WESTERN  
AUSTRALIAN  
REPORTS

INCORPORATING WESTERN AUSTRALIAN LAW REPORTS

Authorized Law Reports of The  
SUPREME COURT OF WESTERN AUSTRALIA

EDITOR

HENRY WALLWORK, LL.B.

REPORTERS

ERIC J. EDWARDS

B.A., LL.B., S.J.D., BARRISTER-AT-LAW

ROBERT ANDERSON

LL.B., BARRISTER-AT-LAW

PAUL NICHOLS

B.A., LL.B., BARRISTER-AT-LAW

TERENCE WALSH

LL.B., BARRISTER-AT-LAW

MALCOLM CAMERON LEE

LL.B., BARRISTER-AT-LAW

PUBLISHED FOR THE  
COUNCIL OF LAW REPORTING OF WESTERN AUSTRALIA

BY

BUTTERWORTHS

AUSTRALIA

1972

**AUSTRALIA:**

BUTTERWORTHS PTY. LIMITED  
586 Pacific Highway, Chatswood 2067  
343 Little Collins Street, Melbourne 3000  
240 Queen Street, Brisbane 4000

**NEW ZEALAND:**

BUTTERWORTHS OF NEW ZEALAND LIMITED  
New Zealand Law Society Building,  
26-28 Waring Taylor Street, Wellington 1

**ENGLAND:**

BUTTERWORTH & CO. (PUBLISHERS) LTD.  
88 Kingsway, London, WC 2B 6AB

**CANADA:**

BUTTERWORTH & CO. (CANADA) LTD.  
14 Curity Avenue, Toronto 374, Ontario

**SOUTH AFRICA:**

BUTTERWORTH & CO. (S.A.) (PTY.) LTD.  
152-154 Gale Street, Durban

Headnotes © 1972 Butterworths Pty. Limited

Judgments © 1972 Council of Law Reporting of Western Australia

ISBN 0 409 34026 X

*Registered in Australia for transmission by post as a book.*

WHOLLY SET UP AND PRINTED IN AUSTRALIA BY  
HOGGIN, POOLE (PRINTERS) PTY. LTD., SYDNEY  
FOR THE PUBLISHERS  
BUTTERWORTHS PTY. LIMITED

SUPREME COURT OF WESTERN AUSTRALIA

Chief Justice

THE HONOURABLE SIR LAWRENCE WALTER JACKSON, K.C.M.G.

Judges

THE HONOURABLE JOHN EVENDEN VIRTUE

THE HONOURABLE JOHN HALE

THE HONOURABLE FRANCIS THEODORE PAGE BURT

THE HONOURABLE JOHN MARTIN LAVAN

THE HONOURABLE JOHN LEONARD CLIFTON WICKHAM

THE HONOURABLE ALKIN ROBERT ALEXANDER WALLACE

**COUNCIL OF LAW REPORTING OF WESTERN AUSTRALIA**

**Chairman**

**THE HONOURABLE FRANCIS THEODORE PAGE BURT**

**Members**

**E. J. EDWARDS, B.A., LL.B., S.J.D.**

**D. G. SANDER, LL.B.**

**R. J. ANDERSON, LL.B.**