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[1931.]

ROYAL COMMISSION

WESTERN AUSTRALIA, } By His Excellency John Alfred North-
 TO WIT. } more, Administrator in and over the
 J. A. NORTHMORE, } State of Western Australia and its
 Administrator. } Dependencies in the Commonwealth of
 [L.S.] } Australia.

To The Honourable John Patrick Dwyer, a Judge of
 the Supreme Court of Western Australia: Greeting:

KNOW Ye that I, the said Administrator, acting with
 the advice and consent of the Executive Council, do
 hereby appoint you, the Honourable John Patrick
 Dwyer, a Judge of the Supreme Court of Western Aus-
 tralia, to be a Commissioner generally to investigate
 and report upon the transactions in Western Australia
 of Land and Homes (W.A.), Limited, a Company duly
 incorporated under the provisions of the Companies
 Act, 1893, having its registered office and principal place
 of business situate at 75 Barrack Street, Perth, in the
 said State, and carrying on business as vendors of land
 and as land agents, and in particular without in any
 manner whatsoever limiting the generality of the power
 hereby conferred, to do all of the following things,
 namely:—

1. To inquire into and report upon—

- (a) The lands acquired by the Company and held by
 it for sale, and the lands not belonging to the
 Company but placed by the owners thereof with
 the Company for sale.
- (b) The manner in which lands belonging to the
 Company and held for sale were acquired by
 the Company, the amounts of the purchase price
 paid by, or the nature and value of any other
 consideration which passed from the Company
 upon the acquisition of such lands, the parties
 from whom the Company acquired such lands,
 and the terms and conditions contained in the
 contracts of sale (if any) whereunder the Com-
 pany acquired such lands.
- (c) The amounts expended by the Company in sub-
 dividing and improving such land and in pro-
 viding conveniences in respect of land and any
 expenditure by the Company on or in connec-
 tion with such lands.

- (d) The amounts of the purchase price and the
 nature of other consideration received or de-
 manded by the Company in respect of the sale
 of lands owned by the Company and sold or
 offered by the Company for sale.
- (e) The reasonableness or otherwise of the profits
 obtained or sought to be obtained by the Com-
 pany upon sales of its own lands.
- (f) The nature, terms, and conditions of the contracts
 of sale of land, whether owned by the Company
 or not, entered into between the Company as
 owner or as agent for the owner, and the pur-
 chasers of such land.
- (g) Where contracts of sale of land are expressed to be
 made and entered into by the Company as agent
 for or on behalf of the owner of such land,
 whether, where, when, and in what manner such
 owner has authorised or ratified such contract.
- (h) The employment by the Company of canvassers,
 salesmen, and agents for or in connection with
 sales of land by or through the Company, and
 the qualifications of such persons, and the evi-
 dence thereof which the Company has required
 or requires before employing such persons.
- (i) The nature, extent and particulars of the instruc-
 tions and authority given by the Company to
 its officers, employees, and agents who are
 either directly or indirectly engaged in nego-
 tiating, arranging, or effecting sales of land.
- (j) The persons by whom and the methods by which
 endeavours have been made and are being made
 to secure purchasers of land from or through
 the Company, and to effect sales of land to
 such purchasers.
- (k) The persons who have been authorised and are
 now authorised to obtain the execution of con-
 tracts of sale of land by the purchasers there-
 of; and the places where contracts of sale are
 usually tendered to purchasers for execution by
 such purchasers.
- (l) The extent (if any) to which employees and
 agents of the Company are instructed and auth-
 orised by the Company to make any repre-
 sentations in relation to land offered by them
 for sale in an endeavour to secure purchasers
 of such land.

- (m) The extent (if any) to which the terms and conditions of the contracts of sale which have been entered into by purchasers of land from or through the Company, protect the Company from liability to such purchasers in respect of representations made to such purchasers by the officers, employees, or agents of the Company.
2. To advise—
- (a) Whether legislation is desirable or practicable making it an offence for vendors of subdivisive land or their agents to make certain classes of statements which do not under existing law amount to misrepresentation and providing for the setting aside of agreements induced by such statements.
- (b) Whether purchasers of subdivisive land should have special protection as regards their contracting to purchase and the fulfilment of their contracts.
- (c) Whether the practice of selling land and chattels on time payment and the methods of persons engaged in such practice require any legislative interference or control, and if so what is the most practicable means of achieving such control.
- (d) If you are of opinion that any purchasers from the Company have been treated by the Company

in an unfair and unconscionable manner, without however there being any legal redress available to them, whether any relief can properly be given to such persons.

And I declare that you shall, by virtue of this Commission, constitute and be a Royal Commission within the meaning of the Royal Commissioners' Powers Act, 1902, as reprinted in the Appendix to the Sessional Volume of the Statutes for the year 1928, and shall have and may exercise all the powers which under the said Act are exercisable by a Royal Commission or the Chairman thereof.

And I do hereby desire and request you, as soon as reasonably may be, to report to me in writing the result of your inquiries into and your advice upon the matters entrusted to you by this Commission.

Given under my hand and the Public Seal of the said State, at Perth, this 17th day of August, 1931.

By His Excellency's Command,

G. G. LATHAM,

Acting Premier.

GOD SAVE THE KING !!!