

VERDICT FOR CO-OPERATIVE

Mr. Justice Wolff in a reserved judgment delivered in the Supreme Court on June 13, dismissed with costs an action brought by Dr. J.S. Marian, formerly secretary and general manager of the Fishermen's Co-operative Society, Ltd., against the Co-op. for moneys said to be owing to him when he relinquished his office about three years ago.

His Honour said that Dr. Marian had agreed to serve the Co-op. in the capacity mentioned until June 30, 1959, at a salary of £1,838 p.a. plus $\frac{1}{3}\%$ of the Society's total turnover.

One of the issues, said His Honour, was whether Dr. Marian had bought a fishing-boat on his own account or whether - notwithstanding he had bought it in his own name, as he admitted - he intended to hold it in trust. The judge said he was satisfied that the Co-op. had authorised Marian to tender up to £7,000 for the vessel. His tender of £3,500 was accepted, but he did not communicate that fact to the chairman or to any member of the management committee. Mr. Justice Wolff said that by his conduct at a meeting in June, 1955, Marian had indicated he was buying the boat for himself. In those circumstances the committee was justified in demanding Marian's resignation, as he had been guilty of serious misconduct. His Honour said he could not accept Marian's evidence in relation to his claim and the action was dismissed.

DUCK BANDING

Technical Officer J. Traynor visited the property of Mr. A.H. Robinson, Coolup, during June, but after a few days had to give up ideas of continuing the duck banding programme. All birds caught were sexed and it was found that they were paired, and continuance of trapping might have interfered seriously with the birds' breeding.

Recoveries : Since the previous issue of the Bulletin, the following bands have been returned -

(77)

Band No.	BANDING		RECOVERY		Distance Flown
	Date	Place	Date	Place	
			<u>Black Duck</u>		
7812	15/2/58	Cape Riche	30/5/58	2 mls N. of Leschenault Inlet	200 miles
7248	9/3/58	Yathroo Station, Dandaragan District	about middle May '58	On property at Gingin	55 "
			<u>Grey Teal</u>		
4783	14/4/58	Near Murapin Lake, Woodanilling	9/5/58	"Duck Pool", 20 mls S. of Mandurah	105 "