

that they object to inspection, but it is a nuisance to be boarded by Inspectors from various quarters and be responsible to various officials. There is over-inspection now, which is unnecessary and a nuisance to all concerned, and if provision can be made to unify the inspection it is intensely desirable that it should be done.

*Mr. Murdoch.*] With respect to clause 39, I take it that you claim that the latter part of the clause, commencing "In determining," defeats the first part?—Yes; it does not allow the Court to provide for reasonable compensation if it is decided that the man has any right of any kind to be on the road.

*Mr. Ansell.*] In regard to compensation, do you suggest that a goodwill does exist because of the fact that a license has been granted to run through a certain district? You suggest that compensation should be given: is that what you are driving at in asking that that portion of the clause should be deleted?—That he has a certain amount of right, yes; and that the Court in any particular case will assess what that right is worth. Why I say that is because it appears to have been contemplated by the clause itself in the middle part, and, having indicated the intention to do that, it should not be taken away by the latter part; and, of course, we say that it is only fair and right that he should be compensated for whatever the right is worth.

Suppose a man or a company has a right to run to a certain district which is only sparsely populated, and the city, by the expenditure of public money on roading, &c., creates a population there, and so the business of the buses doubles or trebles, what position would that man or company be in then in regard to goodwill, seeing that the city really created the business for him?—In that case, if the man or company had the right of a renewal of the license, the Court would assess what the right was worth, taking into consideration the value of the business—whether he was making any money or not. If he was not making any money, the right is worth nothing. On the other hand, it may be a profitable service, and would be worth something. It might be, too, that the mere fact of the service running there was a factor in bringing population there. We know that in many cases the service has brought the people, and after the people, then came the improved roads, sanitary services, &c. There is also this point, which is some reason why a man should be compensated in certain cases, and that is that it might have been his foresight, energy, and capital which has created the service that is now being taken from him. There are several cases where that is distinctly so.

You suggest that should be cut out for the reason that goodwill is created, and should be allowed for?—Yes. I submit that the second portion of the clause contemplates it; therefore we should not have it given with one hand and taken away with the other.

With regard to the Appeal Board, it has been suggested in evidence before the Committee that, instead of a Board as constituted by the Bill, it should be for a Judge alone to determine. What have you to say to that?—I think there should be other people on the Board besides the Judge; but I do think—and I intended to mention it—that one of the members appointed to represent the Government should be a judicial officer, preferably a Judge, to preside, because on an Appeal Board there should be some one with judicial training of some kind to conduct the appeal, and to assist to hold the balance between the various parties. As a matter of fact, I assume that one of the men to be appointed under that clause would be a judicial officer.

*Hon. Mr. Veitch:* That is the intention.

*Mr. Meredith:* I assumed it would be.

*Mr. Harris.*] Dealing with the last portion of that compensation clause, what you are after, I take it, is to leave it to the Court to decide whether goodwill exists or not?—Yes.

With regard to clause 33, dealing with the special licensing authority, does your association approve of that authority as constituted?—We would like a representative of the private interests on it.

With reference to the special permits for race days, &c., under clause 40, is that all right?—We are satisfied with that.

*Mr. Sullivan.*] Going back to the proposed deletion of those words at the end of subclause (6) in clause 39, can it possibly be said that a man who holds a license from the city, whatever the license may be, can have an exclusive and preferential right? It is a right which the city inherently retains, and parts with only for a certain limited period. If those words were deleted the Compensation Court would have the right to exclude from its consideration, would it not, the fact that it was only a license, and was not the right of an ordinary business?—The Court would have that in any event. You do not need those words in there to give the Court that right. Might I give an instance. In public-works claims in railway cases for land taken close to a railway-line it is very often set up as a basis of claim that it is suitable for a railway-siding. Nothing is ever allowed for that, for the reason that you can only get a railway siding if the Railway Department agrees to give you one. The Court takes that into consideration—that you cannot get it; therefore you get nothing for it. In this case, whatever right exists, be it great or little, the Court can take it into consideration and assess it. If the Court finds there is none, the man gets nothing; so there is no necessity to tie the Court's hands by saying he has nothing, because in some cases they may decide he has something. It prevents them giving him anything, although they may think he is entitled to it.

In connection with the constitution of the licensing authorities, would you say that the public, through its authorities, has no right to make special provision for the protection of the public capital?—I do not quite follow the question.

The obvious and admitted motive of the 1926 Act was the protection of public capital?—Yes.

The whole machinery was framed to that end; that being so, this Bill throws that principle overboard?—I submit, not altogether. It modifies it to this extent: The other Act gave a right of monopoly, and the compensation clause allowed for no goodwill; it just put a man out of existence and gave him the barest compensation. The Bill applies the principle still, but admits the principle that if it is necessary in the interests of the public for a public body to take over the service it may