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## Daily Construction A Daily Bulletin listing Decisions of Superior Courts of Australia

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### Executive Summary (1 minute read)

**Wise Energy Group Company Ltd v Rocke** (WASCA) - security for costs - loan agreement - security deed - appeal stayed pending payment of security for costs



## Summaries With Link (Five Minute Read)

### **Wise Energy Group Company Ltd v Rocke [2015] WASCA 192**

Court of Appeal of Western Australia

Newnes JA

Security for costs - corporations - loan agreement - security deed - respondents sought pursuant to both s1335(1) *Corporations Act 2001* (Cth) and r44(1) *Supreme Court (Court of Appeal) Rules 2005* (WA) security for costs of appellant's appeal in proceedings - held: Court satisfied on evidence there was reason to believe appellant would be unable to pay costs if appeal unsuccessful - no unreasonable delay by respondents in making application - no evidence appellant would be shut out of appeal if security for costs ordered - appeal reasonably arguable - security for costs ordered - appeal to be stayed until security for costs provided.

[Wise](#)



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## **The Wood-Pile**

By Robert Frost

Out walking in the frozen swamp one gray day,  
I paused and said, 'I will turn back from here.  
No, I will go on farther—and we shall see.'  
The hard snow held me, save where now and then  
One foot went through. The view was all in lines  
Straight up and down of tall slim trees  
Too much alike to mark or name a place by  
So as to say for certain I was here  
Or somewhere else: I was just far from home.  
A small bird flew before me. He was careful  
To put a tree between us when he lighted,  
And say no word to tell me who he was  
Who was so foolish as to think what he thought.  
He thought that I was after him for a feather—  
The white one in his tail; like one who takes  
Everything said as personal to himself.  
One flight out sideways would have undeceived him.  
And then there was a pile of wood for which  
I forgot him and let his little fear  
Carry him off the way I might have gone,  
Without so much as wishing him good-night.  
He went behind it to make his last stand.  
It was a cord of maple, cut and split  
And piled—and measured, four by four by eight.  
And not another like it could I see.  
No runner tracks in this year's snow looped near it.  
And it was older sure than this year's cutting,  
Or even last year's or the year's before.  
The wood was gray and the bark warping off it  
And the pile somewhat sunken. Clematis  
Had wound strings round and round it like a bundle.  
What held it though on one side was a tree  
Still growing, and on one a stake and prop,  
These latter about to fall. I thought that only  
Someone who lived in turning to fresh tasks  
Could so forget his handiwork on which  
He spent himself, the labor of his ax,  
And leave it there far from a useful fireplace  
To warm the frozen swamp as best it could



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With the slow smokeless burning of decay.

[Robert Frost](#)

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