

A BAKER SUED.

Alleged Breach of Contract.

Breach of contract was alleged in a case heard before Messrs. T. Gepp, S.M., J. P. Rooney, G. Prout, H. Buttery, and T. Woodhead, and the Hon. F. S. Wallis in the Adelaide Police Court on Monday. Gustave Plisch was charged by Herbert William Thomas, baker, at Walkerville, with having absented himself from service on May 12 without just cause or lawful excuse. A claim of £3 7/6 was entered. Mr. J. S. Shepherd represented complainant, and Mr. F. V. Smith appeared for defendant.

Complainant stated that defendant had been in his employ for about two years. On Monday, May 6, he arrived at the bakehouse late. An altercation followed, and defendant said he would give a week's notice. Witness replied that he could not take notice on Monday. When witness paid Plisch his wages on the following Saturday he told him he was expected at work on Monday to instruct the new employe. He did not appear, however, and in consequence witness had to go into the bakehouse and teach the man himself. He had thus to work double time.

Mr. Smith—You are asking for damages for loss of sleep?

Witness—No; not altogether.

Arthur Farrow corroborated.

Mr. Smith submitted that notice was given at the beginning of the baker's week, which was quite valid.

Defendant in the witness box said on the Saturday previous to his departure he told complainant that if things in the bakehouse were not arranged differently he would leave. On the Monday he found the position had not been altered, and he made the conditional notice final. He had been paid £3 7/6 a week.

Max W. Crome gave evidence that on Tuesday, May 7, complainant received a

Tuesday, May 7. complainant received a telegram from Broken Hill saying that a new man would be down on Sunday.

The S.M. said that, strictly speaking, no proper notice had been given. The Court, however, was not unanimous in that, nor was it thought that any damages had been sustained. The case would be dismissed.
