

Orphan Home and School in repairing the boots of the boys and girl inmates.

Dairymaid employed on the home farm of a large estate.

Greenkeeper of a members' golf club.

Second hand employed on a private yacht.

Groom employed in private racing stables.

Under Rules 5 and 18 of the Rules of the Supreme Court for regulating appeals and references to the High Court under the Unemployment Insurance Act, 1920, Section 10, any person who claims to be affected by the decisions to be given in the above-mentioned cases may apply to the Judge for leave to intervene.

The cases have been set down in the High Court and will probably be heard about the middle of November. In the event of any person desiring to intervene, all the necessary information and documents can be obtained by applying to the Solicitor to the Ministry of Labour, 3 Richmond Terrace, Whitehall, S.W. 1.

DECISIONS OF THE HIGH COURT ON THREE APPEALS AND FOUR REFERENCES MADE UNDER SECTION 10 (1) OF THE UNEMPLOYMENT INSURANCE ACT, 1920.

*Club Servants.*

On the 30th June 1921 the High Court allowed an appeal by the Junior Carlton Club against the decisions of the Minister under Section 10 of the Act that servants employed in various capacities in that Club were employed persons within the meaning of the said Act. The Judge held that the employment of the servants in question fell within the terms of the exception laid down in paragraph (b) of Part II. of the First Schedule to the Act, which excepts employment in domestic service except where the employed person is employed in any trade or business carried on for the purposes of gain, and that contributions were not, therefore, payable in respect of them.

*Servant employed in Schools.*

On the 10th of October 1921 the High Court allowed appeals against the decisions of the Minister under Section 10 of the Act that persons employed as follows were employed persons within the meaning of the said Act:—

1. *At Rugby School*—

(1) Butler, employed by the Headmaster in the School Boarding House.

(2) Cook, employed by a Housemaster to cook for his whole household, including 50 school-boys.

(3) Cleaner, employed by the Governors of Rugby School to look after certain School premises used as classrooms for educational purposes only.

2. *By the Proprietors of Farnborough Private Preparatory School as*—

(1) Lady Housekeeper.

(2) Matron.

(3) Dormitory Maid.

(4) Laundryman.

(5) Pantrymaid.

(6) Cook.

The Judge held that the employment of all these servants fell within the terms of the exception laid down in paragraph (b) of Part II. of the First Schedule to the Act, being employment in domestic service and not in a trade or business carried on for the purposes of gain, and that consequently they were not required to be insured.

On the same date the Minister referred to the High Court for decision the questions whether persons employed—

3.—(1) as a cook at a Boarding House carried on in connection with the *Brigg Grammar School*, a Secondary School grant-aided by the Board of Education, the conduct of the Boarding House in question forming one of the terms of the Head Master's engagement, and the fees being fixed by the Governing Board, the Board of Education and the County Council;

(2) As housemaid at a Boarding House carried on by a branch of the Y.M.C.A., where a profit is made, such profit being devoted to the work of the branch,

were, or were not, employed in a business carried on for the purposes of gain within the meaning of paragraph (b) of Part II. of the First Schedule to the Act.

The Judge held that the persons in question were not employed in a business carried on for the purposes of gain within the meaning of the Act, and that, consequently, the employment, being employment in domestic service, fell within the terms of the exception laid down in paragraph (b), and no contributions under the Act were accordingly payable in respect of such employment.

*Agriculture.*

On the 10th and 11th October, the Minister referred to the High Court for decision the question whether persons employed:—

(1) As a repairer of fences, gaps in hedges, posts and rail fencing and iron fencing upon a private agricultural estate, the greater part of which is let out to tenants;

(2) As a carter employed by the owner of an agricultural estate to haul home-grown timber, quarried stone tiles, and other materials for repairs to agricultural buildings on the estate, and to haul stone quarried on the estate for the repair of accommodation roads to the farms,

were employed in agriculture within the meaning of paragraph (a) of Part II. of the First Schedule to the Act.

The Judge held that the employment of the persons in question fell within the terms of the exception laid down in paragraph (a) of Part II. of the First Schedule to the Act, being employment in agriculture, and, consequently, no contributions under the Act were payable in respect of such employment.

*India Office, S.W. 1,*

*26th October 1921.*

The KING has been pleased to approve the appointment of Mr. Walter George Salis Schwabe, K.C., to be Chief Justice of the High Court of Judicature at Madras, in the place of Sir John Edward Power Wallis, Kt., who has retired.