



Furniture Left was in Storage

JUDGE'S DECISION IN MALMESBURY CASE

Arguments whether a Malmesbury House had been let furnished or unfurnished were heard by Judge Kirkhouse Jenkins K.C. at Malmesbury on Tuesday, when an application was made for possession of 97 Gloucester Road.

The judge decided that the house, occupied by Mr. T. Douglas, had been let unfurnished. The landlord, Miss Florence Maude Alexander, died early this year, and Mrs. Ethel V. Selwood, an administratrix of the estate, was asking for possession so that the property could be sold and divided among the beneficiaries.

Mr. R. A. C. Forrester, for the trustees of Miss Alexander, said the case was that the house had been let furnished to Mr. Douglas at a rent of £1 5s a week plus rates of £7 10s a year.

A notice to quit expiring April 30th had been given.

For Mr. Douglas, Mr. W. T. Clark, said the house had been rented unfurnished, but that furniture had been left there by Miss Alexander.

In evidence Mrs. Selwood agreed an estimate of £23 12s 6d as the value of the furniture.

Mr. Douglas told the judge that when he asked Miss Alexander if he could rent the house no mention was made of furniture until he was living there. When he asked her to take some of it away she replied that she had nowhere else to put it. Most of Miss Alexander's furniture was in one room. He used very little of the remainder.

Giving his decision the judge said there was nothing on the rent book to indicate that it was a furnished letting. The tenant had not used the furniture with the exception of one or two minor items, the rest being treated as if it were in there for storage.

He granted Mr. Douglas costs on the lower scale.

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