

the notice was explained to the wife when served on her, or that she communicated the fact of its service or delivered it to her husband, was insufficient, unless she was his agent, or the person in possession, within the meaning of the statute.

*Delivery to Servant or Employee.*—Where it appeared that the officer whose duty it was to serve the notice, went to the house occupied by the tenant, and, in response to his ringing of the door bell, a woman opened a window and asked him what he wanted, to which he replied that he had a notice for the tenant, and she said she would give it to him, and he then handed her a copy of the notice, it was held that the jury were justified in finding that the woman was the wife or servant of the tenant; the Court further holding that if the woman was either servant or wife of the tenant, the service was good.

A salesman in the tenant's store, during the tenant's temporary absence, is not a proper person on whom to serve notice. The salesman, although exercising certain agency powers, is not deemed to be an agent of the tenant for this purpose.

*Delivery to Servant of Boarding House Where Tenant Resides.*—Service of notice by leaving a copy with a servant of the keeper of a boarding house at which the tenant had resided and where his wife yet remained, is held insufficient in Missouri; it appearing that by proper inquiry and reasonable diligence the tenant could have been found.

*Agent of Tenant.*—Notice served on one who, as agent of the tenant, has charge and management of his business with reference to the tenancy, is sufficient.

This is more especially true if it is impracticable to serve the tenant personally, and it appears that the notice was timely delivered to the tenant by his agent.

*"Person in Possession."*—Some statutes require that notice be served on the tenant or person in possession of the premises.

Under this provision, possession by a person who merely happens to be on the premises, or, for instance, a lodger, is not such possession contemplated by the statute.

A notice addressed to the original tenant, and served on the father of the person in possession of the premises, was held to be