

ABBREVIATIONS

- R. S. O.—Revised Statutes of Ontario [1897].
U. C. R.—Upper Canada Queen's Bench Reports.
C. P.—Upper Canada Common Pleas Reports.
Chy.—Upper Canada Chancery Reports.
O. R.—Ontario Reports.
A. R.—Ontario Appeal Reports.
S. C. R.—Canada Supreme Court Reports.
O. L. R.—Ontario Law Reports.
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ADDENDUM.

Reference to be added to cases on page 12.

TENANCIES FROM YEAR TO YEAR.

Idington v. Douglas, 6 O. L. R. 266.

The reservation or payment of rent in aliquot proportions of a year is no doubt the leading circumstance which turns tenancies from uncertain terms into tenancies from year to year. But this payment does not create a tenancy. It is only evidence from which the court or jury may find the fact, and the circumstances may be shown to repel the implication.

Apart from the express agreement which plaintiff sets up the defendants are in the position of tenants whose lease has expired and who are permitted to continue in possession pending a treaty for a further lease, and so they are not tenants from year to year, but strictly tenants at will.

Note.—This decision was reported after these pages were in press.