

to whom it is left as a legacy, and, of course, they have no further right to deal with it.*

Assignees

10. The rights of assignees in insolvency require special attention, and as they are specially dealt with by statute of Ontario we will come to them later on. (Chapter XI.)

Idiots.

11. Leases made by idiots or insane persons are binding unless steps are taken to set them aside; but they may be avoided on proof of the idiocy or insanity. A lease made during a lucid interval cannot be impeached on the grounds of previous or subsequent insanity. The committee of a lunatic may make leases under the direction of the High Court of Justice for Ontario.

Infants.

12. If an infant makes a lease he can avoid it when he comes of age, but if he then by any act—such, for instance, as the receipt of rent—recognize it as subsisting, he will be thenceforth bound by it.

Repudiation by infants.

13. Infants may, within a reasonable time after coming of age, repudiate leases made by them during infancy. If, however, circumstances render it necessary for them to reside apart from their family, even during infancy they may be compelled to pay for the actual occupation of any houses or lodgings suitable to their condition in life.

Intoxicated persons.

14. The intoxication either of the lessor or lessee will be a good ground for setting aside a lease, if it appear that the party was so drunk that he did not know what he was doing when he executed it; or if while partially intoxicated fraud was practiced on him.

15. Subject to similar exceptions and qualifications as in the case of landlords, anyone may become a lessee or tenant.

Aliens.

16. I stated that the provincial statutes contained everything relating to the law of landlord and tenant, but I have now to mention the subject of aliens. Under the British North America Act aliens and naturalization are assigned to Dominion jurisdiction, and therefore for laws relating to aliens we must consult the Dominion statutes. Under these statutes

* By R. S. O. c. 129, secs. 36 and 37, where an executor or administrator, who is liable as such on a lease or on a rent charge, assigns the lease, he may, after he has satisfied all liabilities under the lease and set aside any sum required by the lease to be expended on the property, safely distribute the estate.