

lease was a valid and subsisting one, and the defendant's counterclaim must be dismissed. This disposition of the case is without prejudice to any claim for trespass which the defendant may be advised to make. Reference to Halsbury's Laws of England, vol. 18, p. 523; Clarke's Landlord and Tenant, p. 442; Salmon v. Smith (1669), 1 Wms. Saund. 206, 209; Ferguson v. Troop (1890), 17 S.C.R. 527. M. G. V. Gould, for the plaintiffs. G. H. Kilmér, K.C., and J. M. McNamara, K.C., for the defendant.