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DIARY FOR AUGUST.

1. Sun.....6th Sunday after Trinity. Slavery abolished in British West India Islands, 1838.
6. Fri.....Thomas Scott 4th C. J. of Q. B., 1806.
3. Sun.....7th Sunday after Trinity.
13. Sun.....8th Sunday after Trinity.
17. Tues....Primary Exam. of students and articled clerks.
19. Thur....Graduates seeking adm. to L. S. to present papers.
20. Fri.....Ashburton treaty concluded 1842.
11. Sat.....Last day for filing papers with Sec. Law Soc., before call or admission.
12. Sun.....9th Sunday after Trinity. Ont. Jud. Act came into force 1881.
24. Tues....First intermediate examination.
25. Wed....Last day for setting down for Div. Court Chan. Div.
26. Thur....Second intermediate exam.
29. Sun.....10th Sunday after Trinity.
31. Tues....Solicitors' examinations. Long Vac. in Sup. Ct. and Exch. Court ends.

TORONTO, AUGUST 1, 1886.

WE are indebted to the courtesy of Mr. Wicksteed, Q.C., Law Clerk of the House of Commons, for an early copy of the Act of last session as to Real Property in the North-West Territories. It was brought forward in the Senate in 1885, by Sir Alex. Campbell, but not then passed. This year it was introduced by the Minister of Justice. It is an important measure for that new country. It makes more radical and drastic changes than were recently effected in Ontario in the same direction. It does not come into force until next year.

RECENT ENGLISH DECISIONS.

SPECIFIC PERFORMANCE—DEPENDANT PURCHASER IN DEFAULT—FORM OF ORDER.

In *Morgan v. Brisco*, 32 Chy. D. 192, Bacon, V. C., was asked to settle the form of order in an action for specific performance by a vendor, where the defendant made default in payment of the purchase money pursuant to the judgment. The plaintiff was given liberty to deposit the conveyance executed by him as an escrow, and

the title deeds, with an officer of the Court; and thereupon an order was made for payment to the plaintiff in four days after service of the order of the amount of the purchase money, interest, and costs.

MORTGAGE ACTION—RECEIPTS BY RECEIVER AFTER REPORT.

In *Hoare v. Stephens*, 32 Chy. D. 194, Bacon, V. C., held that the receipt by a receiver of a sum of money after report, was no bar to a final order for foreclosure being granted, and he refused to follow *Jenner-Fust v. Needham* 31 Chy. D. 500, which we noted *ante*, p. 158, where Pearson, J., under the like circumstances, directed a new day to be appointed.

TRUSTEE—INVESTMENT—TRADE PREMISES.

In *re Whitely*, *Whitely v. Learoyd*, 32 Chy. D. 196, Bacon, V. C., held that a trust to invest in "real securities" does not authorize an investment in freehold property—such as a brickyard—dependent for its value on a trade or business carried on upon the premises, in this respect refusing to follow a decision of Pearson, J., in *Re Pearson*, 51 L. T. N. S. 692. But an investment in freehold houses, which was made on a proper valuation by a competent person, was held to be proper, notwithstanding a subsequent depreciation in value of the property.

MORTGAGEE IN POSSESSION—RECEIVER—[J. A. S. 17, 48, 9 (ONT.).]

Mason v. Westoby, 32 Chy. D. 206, was a case in which a mortgagee in possession applied for a receiver, notwithstanding that he had been paid all his interest and costs out of rents received by him while in possession, and had a surplus of rents in his hands. Bacon, V.C., held that under the provision of the Judicature Act, which enacts that "a receiver may be appointed by an interlocutory order of the court in all cases in which it shall appear to the court to be just and convenient that such order should be made," the plaintiff was entitled to what he asked, and he directed the surplus in the plaintiff's hands to be paid to the receiver.