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#### DECISIONS IN COMMERCIAL LAW.

TRUSTS CORPORATION OF ONTARIO V. HOOD. -A covenant by the assignor of a mortgage with the assignee that the mortgage moneys shall be duly paid, makes the assignor a surety for the mortgagor; but he is not, according to the Court of Appeal, discharged by the assignee extending the time for payment and taking from the mortgagor a new mortgage on the same land to secure the debt, there being at the time, although by parol only, an express reservation of rights against the assignor.

JAMIESON V. LONDON AND CANADIAN LOAN AND AGENCY COMPANY.—A mortgage of lease, after recting the lease, granted and mortgaged to the mortgagees, a loan company, their successors and assigns forever, the lease and the benefit of all covenants therein contained, and all that parcel of land (describing it), to have and to hold unto the mortgagees, their successors and assigns, for the residue yet to come and unexpired of the term of years created by the lease, less one day thereof, and all renewals and substituted estates and right of renewal, and other interests of the mortgagor. The Court of Appeal held that the one day excepted might be taken as the last day of the term, and that the mortgagees were not assignees of the term and liable for the rent.

WATEROUS ENGINE WORKS Co. v. WILSON. -The defendants contended that the note given for the engine sold, which was payable on the 1st January, 1887, was barred by the Statute of Limitations; that being the principal security, the right to enforce the agreement given as collateral security was also gone; and that the two documents were required to make the debt enforceable. The Court of Queen's Bench of Manitoba decided that the Statute of Limitations does not extinguish the debt. It only bars the remedy. The agreement being under seal, the plaintiffs had ten years in which to bring their action. Under the statute the remedy on the note was gone, but the debt itself was not extinguished, and there was nothing to prevent the plaintiffs from enforcing their other remedy under the agreement.

#### IMPROPER COMMISSIONS.

The subject of commissions given to merchants' and manufacturers' buyers by the houses from whom they purchase, is attracting attention in England. A month or two ago the Chief Justice condemned the practice from the Bench in strong terms as immoral; and he gave it to be understood it should be made illegal. It is not unlikely, indeed, that a bill will be brought into Parliament next session with a view of controlling this practice. Lord Russell declared that a law dealing drastically with this subject is necessary, and those who are in trade and know how extensively it is carried on, are in agreement with him. It is stated that a member of Parliament is prepared to introduce a bill in case the Government cannot see its way to do so.

A correspondent of an American trade journal A correspondent of an American trade journal considers that perhaps the greatest evil—in regard to the proportions and not to the moral turpitude of the thing—is not that of illicit commissions, strictly so called, but that of making neat little presents to buyers with a view to the continuance of past favors. This is a practice which it is difficult to reach by the law. The easiest remedy, which is by no means infallible lies in the hands of merchants the law. The easiest remedy, which is by no means infallible, lies in the hands of merchants themselves. It takes time to cure such practices. Some houses will refuse to see harm in them. Others will declare that they are necessitated by competition, and will say, "We will drop the practice when other people do." An effectual plan, probably, will be, however, to make them illegal. make them illegal.

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