

that the post-dating was under the circumstance quite ineffective. There is a sharp contrast between the views of the New Zealand and Queensland courts respectively as to the effect of the bank paying the cheque in the face of what amounted to a direction not to pay until a certain future date. The New Zealand court held this to be fatal, and that the bank had done a wrongful act for which it must suffer the consequences. The Queensland court held that the bank had given value for a valid and negotiable instrument and were holders of the cheque and so entitled to set it off against the customer's balance in the bank's books.

To give effect to the view that prevailed in Queensland, it is necessary to presume that a banker can pay his customer's cheque in spite of notice not to pay it, and also that presentment of a post dated cheque before its expressed date is in itself evidence that the expressed date is not the true date. Neither of these positions seems correct. The balance of argument therefore seems to lie with the New Zealand view, and it is submitted that the English courts would under similar circumstances agree with the New Zealand rather than the Queensland decision. The New Zealand decision was that a bank was liable to its customer for dishonouring his cheques if the depletion of the account was caused by the bank's own act in prematurely paying a post-dated cheque drawn on the bank by the customer.—*The Law Times*.

THE VETO OF THE CROWN.

The controversy with reference to the veto of the Crown as an operative part of our Constitution in practice has elicited very intense antagonism of opinion on the part of leading constitutional authorities. On the 20th April, 1911, when the measure which is now the Parliament Act, 1911, was under discussion in its committee stage in the House of Commons, Mr. Asquith said: "I have pointed out over and over again in these debates, that the veto of the Crown was just as operative 200 years ago as the veto of the House of Lords to-day. We have got rid of the veto of the Crown without any breach of continuity in