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DIARY FOR MAY.

18. Thurs. D. A. Macdonald, Lieut.-Governor Ontario, 1875.
Ascension Day.
21. Sun... *First Sunday after Ascension.* Confederation of
B. N. A. Provinces proclaimed, 1867.
22. Mon... Lord Dufferin, Gov.-General, 1872.
24. Wed... Queen's Birthday, 1819. Ferguson, V.C., appoint-
ed, 1881.
28. Sun... *Whit-Sunday.*
29. Mon... Battle of Sackett's Harbour, 1813.
30. Tue... Proudfoot, V.C., appointed, 1874.

TORONTO, MAY 15, 1882.

WE have received several numbers of the *Australian Law Times*, published at 74 Chancery Lane, Melbourne. It is pleasant thus to hear from time to time from the land of our noble sister. The numbers are, to a large extent, occupied with short reports of current cases, similar to our Notes of Canadian Cases, and for the rest appear chiefly to comprise selections from contemporary law publications. The whole is very well printed, and on good paper, but each fortnightly number contains far less matter than we are able to give to our readers, yet the subscription per annum is just double what ours is. In the issue of September 3rd last, we notice an interesting editorial on "The Rights of Depositors in Building Societies in Victoria." The writer begins by referring at length to the decision of the English Court of Appeal in the case of *Chapleo v. The Brunswick Permanent Building Society*, L. R. 5 C. P. D. 331. This was an action brought by the plaintiffs against the Society and six of the directors, to recover moneys paid to and received by the secretary in excess of the limits on borrowing prescribed by law. The secretary having absconded with these moneys, the directors repudiated for themselves and the Society all liability to the plaintiff for the

the sums thus mis-appropriated. The Court of Appeal exonerated the funds of the Society, but decided in favour of the personal liability of the directors. It would appear further, that in the opinion of the Court, if the secretary, in accepting loans contrary to the rules of the association, had acted apart from the authorization of the directors, express or implied, these latter also would be exempt from responsibility. Thus, as the *Australian Law Times* observes, a depositor or insurer, after paying for years his deposit or premium, may be suddenly told that the society was all along prohibited from doing business on the terms held out to him, and may then discover that except as against the ignorant or fraudulent official who attended to him, he is left absolutely without redress. It appears, however, that by sec. 25 of the Victorian Act No. 493, it is provided that "any member or other person depositing or lending money with or to any Society under this Act shall not be bound to see to the application thereof, or that the Society has not exceeded its borrowing limit." This, the *Australian Law Times* considers, would protect depositors in Victoria from the responsibility laid upon by such a state of law as that enunciated in *Chapleo v. The Brunswick Permanent Building Society*. Now secs. 41 and 42 of our Act respecting Building Societies, R. S. O. c. 164, limits the amount to which such Societies may borrow money. But neither this act nor the amending acts appear to contain any provision similar to the Victoria enactment above mentioned, and it may be worth the while of our legislature to consider this matter.