

aside a will and gifts made inter vivos on the ground of testamentary incapacity and undue influence. The judge at the trial had found that the testator was of sound mind, and that there had been no undue influence, and dismissed the action. The full Court of King's Bench on appeal affirmed this judgment, and the Judicial Committee (Lords Davey and Robertson and Sir Arthur Wilson,) held that those findings could not be disturbed, unless it could be demonstrated that the evidence had not been adequately weighed and considered by the Courts below, which the Committee were unable to say was the case.

REPORTS AND NOTES OF CASES.

Dominion of Canada.

SUPREME COURT.

Exch. Court] [May 9, 1902.
DOMINION COAL CO. v. S.S. "LAKE ONTARIO."

Maritime law—Collision—Ship at anchor—Anchor light—Lookout—Weight of evidence—Credibility—Findings of trial judge—Negligence.

Judgment appealed from (7 Ex. C. 403) affirmed. Appeal dismissed with costs.

Mellish, for appellants. *Newcombe*, K.C., and *Drysdale*, K.C., for respondent.

Exch. Court] S.S. "PAWNEE" v. ROBERTS. [May 10, 13, 1902.

Maritime law—Collision—Undue speed—Ship in default—Rule 16—Navigation during fog.

Judgment appealed from (7 Ex. C.R. 390) varied, *Girouard*, J., dissenting. Appeal allowed in part without costs.

Coster, for appellant. *McLean*, K.C., for respondent.

B.C.] VAN NORMAN CO. v. MCNAUGHT. [Nov. 17, 1902.

Free-miner—Lapsed interest—Co-owners—Special certificate.

Where the interest of a free-miner in a mining location has lapsed on account of failure to renew his free-miner's certificate, and the interest has vested in his co-owners, under the provisions of the "Mineral Act" of