

on a trade does not authorize the licensee to create a nuisance, unless that is the inevitable result of carrying on the trade.

SHIP—ADMIRALTY—COLLISION—SHIP NOT UNDER COMMAND—
CROSSING COURSES—REGULATIONS FOR PREVENTING COLLISIONS
AT SEA 1897, ARTS. 4, 19, 21—CONCURRENT FINDING OF FACT
BY COURTS BELOW.

S.S. Mendip Range v. Radcliffe (1921), 1 A.C. 556. This was an action brought by the owners of the S.S. Mendip Range against the commander of the Drake, a British cruiser, to recover damages for collision owing to alleged negligent navigation and breach of the Regulations for Preventing Collisions at Sea 1897, arts. 4, 19, 21. The Judge at the trial and the Court of Appeal found in effect that the Drake, having been torpedoed, was "not under command," and that the defendant was justified in hoisting the "not under command" signal, and that he had not been guilty of negligence, and the House of Lords (Lords Haldane, Finlay, and Atkinson—Lords Wrenbury and Phillimore dissenting) held that there having been this concurrent finding of facts by the Courts below their decisions ought not to be disturbed, and the appeal consequently failed.

WILL — CONSTRUCTION — BEQUEST BY BARONET'S SON TO HIS
BROTHERS FOR LIFE AND THEN TO THE HEIR TO THE BARONETCY
—TIME FOR ASCERTAINING HEIR.

Lucas-Tooth v. Lucas-Tooth (1921), 1 A.C. 594. In this case the construction of a will was involved which resulted in some difference of judicial opinion. Sir Robert Lucas-Tooth, Bart., had three sons — Selwyn, Douglas and Archibald. The son Douglas made the will in question in 1914, whereby he bequeathed certain stocks to his brothers Selwyn and Archibald in equal shares for their lifetime only, and then to pass to the heir of the baronetcy—then held by his father—and failing an heir to the eldest daughter of Selwyn. The testator died in 1914. Selwyn also died subsequently in 1914 leaving a daughter but no son. Sir Robert, the father, died in 1915, and the