VERDICT—CONFLICT OF EVIDENCE—NEW TRIAL.

In *Brisbane* v. *Martin*, (1894) A.C. 249, the Judicial Committee (Lords Hobhouse, Ashbourne, Macnaghten, and Sir R. Crouch) reversed an order of the Supreme Court of Queensland. The action was brought to recover damages for the alleged negligent construction of a drain. The evidence at the trial was conflicting, and the Privy Council being of opinion that, viewing the whole of the evidence, the verdict was one which the jury could reasonably find, their verdict could not be disturbed.

Australian Newspaper Company v. *Bennett*, (1894) A. C. 284; 6 R. Sept. 36, is to the same effect. This was an action of libel. A verdict by a majority of four was found for the defendants. The Supreme Court of New South Wales set aside the verdict, and ordered a new trial, but the Judicial Committee (the Lord Chancellor, and Lords Watson, Hobhouse, Macnaghten, and Morris) reversed the order, on the same grounds as in the preceding case. It is interesting also to learn that in their lordships' opinion the use of the word "Ananias" as a sobriquet for a newspaper does not necessarily impute wilful and deliberate falsehood to the editor; whether it was so used, or merely extravagantly is a question for the jury.

REGISTERED MORTGAGE—PRIOR UNREGISTERED DEED—ACTUAL NOTICE—PRIORITY.

Sydney Suburban Building Association v. *Lyons*, (1894) A.C. 260; 6 R. Sept. 41, is a decision of the Judicial Committee of the Privy Council (Lords Watson, Macnaghten, Morris, and Sir R. Crouch) upon the effect of the Registry Acts of New South Wales. These Acts provide that prior registration shall confer priority over prior unregistered deeds, and do not, apparently, contain any exception where there is actual notice of the prior unregistered deeds, as does the Ontario Act. In this case the appellants made a loan on the security of the mortgage of an estate, having, at the time, notice that some parts of it had been sold, but they made no inquiry, and do not appear to have had any actual and specific knowledge of what parts had been previously sold, and the deeds for such parts were not registered. The Judicial Committee, in this state of facts, determined that the appellants had taken the mortgage on the whole estate *valent quantum*—subject to what it turned out to be, and could not be considered as *bona fide* purchasers as against the prior unregistered deeds, and were, therefore, not entitled to priority over them.