suppose what they meant to say."—P. 707, Dwarris. The petioner, Esinhart, not having given the requisite notices, his petition is rejected.

L'honorable juge rendit le même jugement sur la requête de Starke & Shaw.

COUR SUPÉRIEURE. Montréal, 30 Avril 1874.

Coram:—JOHNSON, J.

GIROUX vs. HERBERT.

Frais de Gésine—Déclaration en Paternité—Séduction—Dommages.

The plaintiff sues as a *fille majeure usant de ses droits* and so far, she is properly before the court in asking for her own rights, as mother of the child of which the defendant is alleged to be the father. These rights are the expenses of confinement, the maintenance of the child, and other damage to herself; but when she comes to ask that the defendant be declared to have the civil status of father of the child, she must, according to recent decisions, be joined in her action with a tutor *ad hoc* to the child, or be herself appointed tutrix. It is the right of the child to have its paternity legally established, and we have no natural *tutelles*; I am satisfied from the proof that the defendant is the father of the child, and without declaring as part of the judgment that he is so, at the request of the plaintiff who has no right to ask, I can adjudge his liability under the proof to pay for the legal consequences of his act. The costs of the *accouchement* are proved, or rather estimated at $70, including clothes for the infant. This is shown to be too high, no doctor was paid and the charge is reduced to $50; the maintenance of the child at $4 a month from one to 5 years of age, and $8 from 5 to 14 is what the court allows under the evidence. Then comes the question of damages and I allowed under the general issue, proof to be adduced of the loose habits of the plaintiff, who was a minor at the