

settling the matter between us, as we intend giving you the child . . .; he (Mr. Davis) is away in Toledo now, so I can't sign the papers until he comes back, and it may be a couple of weeks or less, but, as soon as he comes back, we will settle things up, so you can rest assured that the baby is yours." She again asks that the person named should not be told about adopting, as that person wanted the baby herself.

On 28th January, 1909, a document was signed by Davis and his wife: "We hereby state that we will give Mr. and Mrs. A. J. Boon our child Margery Davis, born October 15th, 1908, whereas we lose all claim of said child." This was sent to Mrs. Boon, with another request not to tell the person referred to—"just tell her, as I did, that we have paid up the baby's board . . . but nothing about adopting; she wants the baby herself if any one can get her."

The Boons have become much attached to the baby, and have treated her well. There is the usual contradiction as to the manner in which she is clothed and looked after generally; it is common knowledge that nurses and women generally cannot be got to agree as to how a child is to be cared for, but, upon all the evidence, I think it fairly clear that the child is doing well.

A short time ago, the child was demanded of the Boons by the person whose knowledge of the fact of adoption Mrs. Davis feared, acting for Mr. and Mrs. Davis. The demand was refused, and an application was made before me at the London Weekly Court.

In view of the letters already referred to, it is hard to accept Mrs. Davis's statement that she did not intend to part with the child altogether; and, if it were necessary to determine the fact as to Davis's intention, I should require better evidence than his own affidavit, in which he says that that being sick at the time he did not read the document, although he signed it, but supposed and "intended and understood that it contained nothing more than an agreement that we would not remove the child until we were ready to pay up all that might be owing." He may have persuaded himself that such was his state of mind, but I should require better evidence than this affidavit to prove the fact.

But is that material?