

South." The assistance of the detective department of the city was secured, and many but unavailing efforts were made to find some trace of Wright. A suggestion that possibly he might have worked on the World's Fair buildings at St. Louis in 1905 was followed by inquiries there, but again without result. Knowing of his father's preference for the West, the son had advertisements published in many of the newspapers of Western Canada and the United States, but failed to obtain any information whatever.

The assured has not been heard of for a period of nearly 10 years. The plaintiff, by paying all the dues and assessments which her husband would have been liable for if living, has kept him in good standing in the defendant Order; and, on proof of his death, is entitled to the \$2,000 for which his life was insured.

From the letters before me, intended but for his wife and children, it is manifest that, whatever his weakness may have been, he was of a very affectionate disposition. He says that he loved them with heart and soul, and no one can read his words without being impressed by his sincerity. Having regard to fondness for his wife and children, the advantages he had obtained from his communications with his eldest son, his physical condition when he wrote his last letter on the 1st February, 1904, and the fact, established in evidence, that he has not since been heard of, I am satisfied that the presumption of his death has been established, and direct that judgment be entered in favour of the plaintiff for \$2,000.

The defendants have acted throughout in a spirit of fairness, and the plaintiff might have moved under 2 Geo. V. ch. 33, sec. 165, sub-secs. 5 and 6, for a declaration which would have the same effect, if made, as this judgment. I therefore think it is not a case for costs.