

The matter has caused me much anxiety, because I recognise the importance of giving the greatest possible effect to a father's wishes and desires concerning his child, and his *prima facie* right to her custody. At the same time, as the result of all this, I am firmly convinced that the welfare of the child renders it imperative that I should leave her with her aunt.

The mother of the infant, the first wife of John Hart, died in June, 1904. Shortly after her death, his present wife became his housekeeper. Her husband was then living, but the husband died in April, 1905. Hart then married the widow; and there has been no issue of this marriage. The second wife had children by her former husband, who are now of age and married, and who do not live with Hart and his wife.

Ever since the death of her mother, the infant has been cared for by her mother's sister, her present custodian. She has from time to time resided with her father and step-mother. There is some conflict as to the length of these visits; but I am satisfied that for the last eight years she has been almost entirely in the charge of this aunt, and that the father has contributed nothing towards her support and up-bringing, except possibly one sum of \$10.

Much is made by the father of the supposed difficulty of locating his child, owing to a change of residence of the aunt and her family. As a matter of fact, there is absolutely nothing in this story; because the father has always known where to reach the brother of the respondent, who has been the financial mainstay of the family where the child has been brought up. This family consists of her grandmother, of the present respondent, of another aunt who is an invalid, and this uncle.

The child is now just fourteen years of age, and is very bright and intelligent. She does not appear to be strong physically; and she is exceedingly nervous. She has an impediment in her speech, apparently resulting from her nervousness, and which has prevented her from receiving as good an education as she otherwise would have had; and this impediment in her speech has evidently made her very shy and diffident. She was, however, able to tell me her story very well; and it is quite plain that she fears her father and has the greatest possible aversion to her step-mother. She complains of having been cruelly used while with them; and she seems to have a clear recollection of her life at home during her mother's lifetime, and she thinks that her father was then most unkind to her mother, particularly when he was intoxicated.

It appears that in November, 1911, the infant ran away from her aunt. The aunt, fearing some accident or worse, spoke to