and thereupon the person under whose supposed control, or in whose custody the person is alleged to be illegally and without his consent, is brought before the Court. But the question before the Court upon *habeas corpus* is whether the person is in illegal custody without that person's consent. Now up to a certain age children cannot consent or withhold consent. They can object or they can submit but they cannot consent . . . But above the age of fourteen in the case of a boy, and above the age of sixteen in the case of a girl, the Court will inquire whether the child consents to be where it is; and if the Court finds that an infant, no longer a child, but capable of consenting or not consenting, is consenting to the place where it is, then the very ground of an application for *habeas corpus* falls away. I say, if it is the father who applies for the *habeas corpus* the *habeas corpus* is not granted. . . . The law was administered in the same way by a Chancery Judge as by a Common Law Judge. . . The cases of *habeas corpus*, therefore, do not at all apply to the proposition for which they were cited. In the present case they are, of course, inapplicable, because the child is not away from her father—the child is under the control of her father; and this application is not for a *habeas corpus* by the father to restore the child, but the application is for an order of the Court to be made against the father. These cases, therefore, seem to have no application." He then goes on to lay it down that the Court will not interfere with the father in the exercise of his parental authority, except where, by his gross moral turpitude he forfeits his rights, or where he has by his conduct abdicated his parental authority, or where he seeks to remove his children, being wards of Court, out of the jurisdiction without the consent of the Court. At p. 334, Cotton, L.J., says:—"It has been said that we ought to consider the interest of the ward. Undoubtedly. But this Court holds this principle—that when, by birth, a child is subject to a father, it is for the general interest of families, and for the general interest of children, and really for the interest of the particular infant, that the Court should not, except in very extreme cases, interfere with the discretion of the father, but leave to him the responsibility of exercising that power which nature has given him by the birth of the child." And this passage may well be supplemented by the concluding passages in the judgment of Bowen, L.J., at p. 338:—"As soon as it becomes obvious that the rights of the father are being abused to the detriment of the interests of the infant, then the father shows he is no longer the natural guardian—that he has become the unnatural guardian—that he has perverted the ties of nature for the purpose of injustice and cruelty. When that case arrives the Court will not stay its hand; but until that case arrives it is not mere disagreement with the view taken by the father of his rights and the interests of his infant, that can justify the Court in interfering."

HUSBAND AND WIFE—INJUNCTION.

In the next case calling for special notice, *Symonds* v. *Hallett*, p. 346, a married woman sought to enjoin her husband from entering the house in which they had for some years after their marriage dwelt together, and which by her marriage settlement had been settled on her to her separate use, free from his control. The plaintiff had instituted proceedings for divorce, or judicial separation against the defendant, who had ceased to cohabit with her, but insisted on the right to go to and use the house when and as he thought fit, not for the purpose of consorting with his wife, but for his own purposes. As said by Bowen, L.J., he "complained of not being allowed the proprietary use of the house." The plaintiff succeeded in ob-