

which are basic to rate reductions to consumers." Hence it is there concluded that "regulation should provide the company with opportunities . . . for experimenting with rate changes to determine that scale of charges which is in the best interest of investors and consumers." *Pp. 333, 334.*

The decision of the Commission in these proceedings expressly recognized characteristics which called for differences in the level of return among the classes. At the same time the decision effected greater uniformity among the classes of customers by directing a closer approach to the average of the returns paid by all the classes. This was accomplished in part by imposing all of the increase upon classes other than Class V. There was evidence on which these allocations could be found reasonable. The statutory presumption in favor of the Commission's finding that the differential in rates which persists is reasonable was not overcome by other evidence. RSA 378:10, 11, *supra*. Hence we affirm the Commission's order as it pertains to Class V consumers. *Chicopee Mfg. Co. v. Company*, 98 N. H. 5, *supra*, 21.

The order is

Appeals dismissed.

All concurred.

Rockingham,
No. 4739.

JAMES W. WALKER, JR.

v.

KATHLEEN M. WALKER VAN DER HAAS.

Argued June 3, 1959.

Decided June 30, 1959.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sleeper & Mullavey and *Edward E. Williams* (*Mr. Williams* orally), for the plaintiff.

Shaines & Brown (*Mr. Shaines* orally), for the defendant.

KENISON, C. J. The extent to which custody orders of minor children in divorce decrees in one state are entitled to full faith and credit under the United States Constitution, Article IV, Section 1, as implemented by 28 U. S. C. A., s. 1738, in another state is a question attended with uncertainty and somewhat at large. There are different rationales and recommended solutions without any uniform basis for decision as can be seen from the principal and concurring opinions in *New York ex rel Halvey v. Halvey*, 330 U. S. 610, and the principal, concurring and dissenting opinions in *May v. Anderson*, 345 U. S. 528. See Hazard, *May v. Anderson*: Preamble to Family Law Chaos, 45 Va. L. Rev. 379 (1959); Ehrenzweig, *Interstate Recognition of Custody Decrees*, 51 Mich. L. Rev. 345 (1953); Note, 56 Col. L. Rev. 630 (1956). "The United States Supreme Court decision in *Kovacs v. Brewer* [356 U. S. 604 (1957)] does little to clarify the uncertainties which characterize the problem of successive custody awards in different states . . . As the case was left, each opinion inferred, without deciding, that in some circumstances a custody decree may be entitled to full faith and credit elsewhere. The rest is left to the future." Leflar, *Conflict of Laws, 1958 Annual Survey of American Law*, as reported in 34 N. Y. U. L. Rev. 47, 48 (1959).

Whatever rule may emerge as the definitive one in determining successive custody awards in different states, we are not required to predict it or delineate it in broad strokes for the purpose of deciding the present custody dispute. See Comment, *Full Faith and Credit: Extraterritorial Effect of Custody Decrees*, 13 U. Miami L. Rev. 101 (1958); anno. 9 A. L. R. (2d) 434.

For the reasons hereinafter stated, we are of the opinion that under the facts and circumstances of the present case, the Trial

