

RE TAGGART—SUTHERLAND, J., IN CHAMBERS—JULY 28.

Infant—Custody—Rights of Mother—Interest of Infant—Access.]
—Application by Margaret Taggart, the mother of the infant Mary Frances Stella Taggart, for an order giving the applicant the custody of the infant, a child of nine years. The father died in February, 1917. He had placed the infant in the care of his sister, Hannah Taggart. The father was a Protestant, and the mother (applicant) a Roman Catholic. The father, in the summer of 1916, signed a statement to the effect that he wished the child to remain with his sister. SUTHERLAND, J., in a written judgment, after stating the facts, said that the interest of the child was a matter of the gravest importance; and he could not but conclude, upon the whole material before him, that the mother was not a suitable person to whom to commit the custody of the child or that it would be in the interest of the child to take her away from the care and custody of the aunt. Application refused. No order as to costs. The order dismissing the application may contain a provision that the mother shall see the child at such reasonable times as may be agreed upon, or fixed by the Judge upon failure to agree. J. E. Day, for the applicant. Harcourt Ferguson, for Hannah Taggart, the respondent.