

months after the child's birth, and for the child's maintenance and education until it is fifteen years of age. Action may be brought as for a debt, but no order for future maintenance will be granted awarding more than \$1 per week. The weekly payment of maintenance may be enforced by execution.

New Brunswick, Manitoba and Saskatchewan have statutes similar to that of Nova Scotia.

In New Brunswick the consent of one of the overseers of the parish is necessary before a warrant for the arrest of the father can be issued. The limit of the allowance for maintenance in New Brunswick is 70 cents per week until the child is seven years old. In Saskatchewan the Judge may order a payment for maintenance, education and expenses of birth not to exceed \$5 per week, until the child reaches the age of thirteen. Saskatchewan also requires that an affidavit of affiliation be filed before action can be brought for necessities supplied to an illegitimate child.⁹⁶

The law of Quebec as to parent and child, being fundamentally different from the law of the English-speaking Provinces, is treated separately.

A child remains subject to parental authority until his majority, that is to say, until he is twenty-one years of age, or until his emancipation, but the father alone exercises this authority during his lifetime.⁹⁷ A father is by law entitled to the custody and guardianship of his children, and cannot be deprived of his minor child, except for insanity or gross misconduct; nor can he deprive himself of his paternal right; and any contract to the contrary cannot bind him, as it is immoral in the eye of the law.⁹⁸ As a general rule, where a minor is brought before the Court by *habeas corpus*, if he be of an age to exercise a choice, the Court leaves him to elect as to the custody in which he will be.⁹⁹ The mother has an absolute right to the charge of a child until it is twelve

96. Revised Statutes of Nova Scotia (1900) ch. 51; Revised Statutes of New Brunswick (1903) ch. 182; Statutes of Saskatchewan (1912) ch. 39; Revised Statutes of Manitoba (1906) ch. 92.

97. Civil Code of Quebec, Arts. 243 & 246.

98. *Barlow v. Kennedy* (1871) 17 Lower Canada Jurist, p. 253.

99. *Regina v. Hull* (1877) 3 Quebec Law Reports, p. 136.