

obligations for their support and maintenance upon their parents. Upon legitimacy depend the child's right of inheritance, of bearing the father's name, of kinship and of family ties, and the right to be maintained, educated and protected. At common law the mother has the primary right to the custody of an illegitimate child. The liability of the putative father to maintain his illegitimate child is statutory.

Two outstanding methods of providing for the maintenance of illegitimate children have been adopted by provincial statutes. Ontario permits any person furnishing clothing, lodging or other necessities to a child born out of wedlock and not living with its reputed father to recover against him for the same. Where the mother sues, corroborative evidence that the defendant is the father of the child is necessary. In either case, in order to maintain an action, an affidavit of affiliation must be made voluntarily by the mother and deposited with the clerk of the peace of the county or city in which she resides, either while she is pregnant or within six months after the birth of the child. British Columbia and the North-West Territories have similar statutes.⁹⁵

The Nova Scotia law may be taken as typical of the second method of dealing with the subject. The Nova Scotia Act is divided into two parts. The first deals with proceedings which may be taken to indemnify the municipality against payment for the support of illegitimate children. At the instance of the mother, or of a ratepayer, an information is sworn out alleging that a certain man is the child's father. If the man admits the charge he is required to give a bond for \$150 for the mother's medical expenses and the child's future maintenance. If he does not admit the charge he and the mother are brought before the County Judge. Evidence is taken, and if the charge is established a lump sum in payment of expenses may be assessed, not to be less than \$80 or more than \$150.

A putative father is rendered liable, by the second part of the Act, for the medical attendance and care of the mother for three

95. Revised Statutes of Ontario (1914) ch. 154; Revised Statutes of British Columbia (1911) ch. 107; Consolidated Ordinances of the North-west Territories (1905), including Statute of 1903, ch. 29, secs. 1-3.