

The Ontario Weekly Notes

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APPELLATE DIVISION.

SECOND DIVISIONAL COURT.

NOVEMBER 16TH, 1920.

RE W.

Infant—Custody—Right of Father—Misconduct—Welfare of Infant—Custody Given to Maternal Grandfather—Appeal.

An appeal by Walter W. from the order of ORDE, J., in Chambers, ante 50.

The appeal was heard by MULOCK, C.J. Ex., RIDDELL, SUTHERLAND, and MASTEN, J.J.

J. R. Roaf, for the appellant.

C. A. Thomson, for the respondent.

THE COURT dismissed the appeal with costs.

SECOND DIVISIONAL COURT.

NOVEMBER 17TH, 1920.

MATTERS v. RYAN.

Infant—Custody—Dispute as to Parentage—Trial of Issue—Evidence—Finding as to Birth of Child—Appeal—Fresh Evidence.

An appeal by the plaintiff from the judgment of LENNOX, J., 17 O.W.N. 232.

The appeal was heard by MULOCK, C.J. Ex., RIDDELL, SUTHERLAND, and MASTEN, J.J.

R. T. Harding, for the appellant.

A. E. Fripp, K.C., for the defendant, respondent.

THE COURT dismissed the appeal with costs and declined to receive further evidence which was merely confirmatory of testimony adduced at the trial of the issue.

18—19 O.W.N.