

**A TREATISE ON THE LAW
RELATING TO THE CUSTODY OF
INFANTS IN CASES OF
DIFFERENCE BETWEEN PARENTS
OR GUARDIANS**

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A Treatise on the Law Relating to the Custody of Infants in Cases of Difference between
Parents or Guardians by William Forsyth

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WILLIAM FORSYTH

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A

TREATISE ON THE LAW

RELATING TO THE

CUSTODY OF INFANTS,

IN CASES OF DIFFERENCE BETWEEN

PARENTS OR GUARDIANS.



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THE LAW
RELATING TO
CUSTODY OF INFANTS.

CHAPTER I.

THE RIGHTS OF PARENTS AND JURISDICTION OF
COURTS IN QUESTIONS OF CUSTODY.

§ 1. THE state of the law relating to the custody of the persons of infants is not very satisfactory. Not only are there defects which can, perhaps, be remedied only by the authority of the Legislature; but there prevails an uncertainty in the application of the law, as it exists, to the difficult cases which frequently arise in connection with the disposal of minor children. This is owing in a great measure to the fact, that in the exercise of their jurisdiction in the matter, which, to use the words of Mr. Justice Story (*a*), "is

(*a*) Equity Jurisprudence, § 1342.