

## C A P. VII.

## A Declaratory Act respecting Actions for Criminal Conversation.

(29th MAY, 1800.)

Preamble.

**W**HEREAS Doubts have been entertained, whether by the Laws which prevail in this Province, an Action can be maintained for a pecuniary compensation in damages for criminal conversation with the Plaintiff's wife, unless a criminal Process shall have been instituted and a verdict convicting the Party of Adultery, shall have been obtained, which is manifestly inconvenient. For removing such doubts, Be it enacted and declared by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of, and under the authority of an Act of the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province," and it is hereby enacted and declared by the authority of the same, that from and after the passing of this Act, it shall be no valid Exception or Plea in Bar, to an Action for a pecuniary compensation in damages for Criminal Conversation, that the Plaintiff hath not instituted a Criminal Process and obtained a verdict, convicting the Defendant of Adultery, any Law, Custom or Usage to the contrary notwithstanding.

A criminal verdict not necessary to obtain compensation in damages for Adultery.

## C A P. VIII.

## An Act to prevent harbouring run-away Seamen, to repeal certain parts of an Act or Ordinance therein mentioned, and for other purposes.

(29th MAY, 1800.)

Preamble.

**W**HEREAS it is essential for the protection of Commerce to prevent harbouring run away Seamen; and whereas the Laws now in force relating thereto are found inadequate to the purposes intended; Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act of the Parliament of Great Britain passed in the thirty first year of His Majesty's Reign, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province," and it is hereby enacted by the authority of the same, that from and after the passing of this Act, if any person shall lodge, harbour or secret any seaman or apprentice, who shall have deserted from any ship or vessel in the service of His Majesty, or who, having regularly entered and signed Articles of Agreement, to serve on board any Merchant ship or vessel, shall have deserted from the same, for the space of more than twelve hours, every person so offending, and knowing such seaman or apprentice to be a deserter, shall for the first offence forfeit the sum of Five Pounds Current money of this Province over and above the penalty inflicted by the tenth Clause of the Act, intituled, "An Act to provide for the greater security of this Province by the better regulation of the Militia thereof, and for re-

Penalty on persons harbouring deserters.

Act 34th Geo. III. cap. 4.

"pealing."