

C A P. III.

AN ACT to repeal an Act made in England, in the twenty first Year of the Reign of his late Majesty King James the First, Chapter twenty-seventh, intituled, "An Act to prevent the destroying and murdering of Bastard Children, as to this Province of Lower Canada," and for making provisions for the Trials of Women charged with the murder of any issue of their Bodies, male or female, which being born alive, would, by Law, be Bastard :

(19th May, 1812.)

Preamble.

WHEREAS doubts have been entertained respecting the true sense and meaning of a certain Act of Parliament, made in England in the twenty-first year of the Reign of His late Majesty King James the First, intituled, "An Act to prevent the destroying and murdering of Bastard Children," and the same hath been found, as well in England as in this Province, in sundry cases difficult and inconvenient to be put in practice: Be it further 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 passed in 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, by the authority of the same, that from and after the passing of this Act, the said Act of Parliament, made in England in the twenty-first Year of the Reign of his late Majesty King James the First, intituled, "An Act to prevent the destroying and murdering of Bastard Children," and every thing therein contained shall be and the same, as to this Province of Lower Canada, is and are hereby repealed.

Act of Parliament of Great Britain 21 James I. repealed.

Trials of women charged with the murder of their children, which would by law, be bastard, to be governed by the same rules of evidence as in other cases of murder.

II. And be it further enacted by the authority aforesaid, that from and after the passing of this Act the Trials in this Province of Women charged with the Murder of any issue of their Bodies, Male or Female, which being born alive, would, by Law, be Bastard, shall proceed and be governed by such and the like rules of evidence and of presumption as are by law used and allowed to take place in respect to other Trials for Murder, and as if the said Act of Parliament last herein mentioned, and hereby to as aforesaid repealed, had never been made.

Women charged with murder and acquitted, but convicted of secretly burying any bastard child to be committed to the House of Correction.

III. Provided always and be it enacted by the authority aforesaid, that it shall and may be lawful for the Jury, by whose Verdict, any Prisoner charged with such murder as aforesaid, shall be acquitted, to find, in case it shall so appear in evidence, that the Prisoner was delivered of Issue of her Body, male or female, which, if born alive, would have been bastard, and that she did by secret burying

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or otherwise endeavour to conceal the birth thereof and thereupon, it shall be lawful for the Court, before which such Prisoner shall have been tried, to adjudge, that such Prisoner shall be committed to the Common Gaol or House of Correction, there to be kept to hard labour, for any time, not exceeding two Years.

C A P. IV.

AN ACT to continue, for a limited time, two several Acts therein mentioned, regulating the Fisheries in the inferior District of Gaspé.

(19th May, 1812.)

Preamble.

Acts 47, cap. 12,
and 48, cap. 35,
Geo. 3, continu-
ed.

WHEREAS an Act was passed by the Legislature of this Province, in the forty-seventh Year of his present Majesty's Reign, intituled, "An Act for the better regulation of the Fisheries in the inferior District of Gaspé, and to repeal an Act or Ordinance therein mentioned," And WHEREAS the provisions of the said Act were amended, by an Act passed by the Legislature of this Province, in the forty-eighth Year of his present Majesty's Reign, intituled, "An Act to amend an Act passed in the forty-seventh Year of His Majesty's Reign, intituled, "An Act for the better regulation of the Fisheries in the inferior District of Gaspé, and to repeal an Act or Ordinance therein mentioned," and to make further regulations for the said Fisheries; And WHEREAS the said Acts are in force only to the end of the present Session of the Provincial Parliament, and it is expedient that the same should be continued. 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, 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 the said before recited Acts, and all matters and things therein contained, shall continue and be in force until the first day of June, which will be in the year of our Lord, One thousand eight hundred and fourteen, and no longer.