

No. 17.

2nd Session, 7th Parliament, 26 Vic., 1868.

BILL.

An Act to amend the Act cap. 77 of the Consolidated Statutes for Upper Canada, intituled, "An Act respecting the action of seduction and the support of illegitimate children.

Received and read, 1st time, Friday, 27th
February, 1868.

Second reading, Monday, 2nd March, 1868.

Mr. NOTMAN.

QUEBEC :

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An Act to amend the Act Chapter 77, of the Consolidated Statutes for Upper Canada, intituled "An Act respecting the action of seduction and the support of illegitimate children."

WHEREAS the remedy provided by the Act respecting the action Preamble.
of seduction and the support of illegitimate children, chapter 77
of the Consolidated Statutes for Upper Canada, has proved insufficient
in many cases of great hardship in which relief ought to be granted, by
5 reason of the neglect of the persons mentioned therein as being entitled
to bring such action, or of their decease, or of their being absent from
the Province, or being under other disability :

Therefore Her Majesty, &c.

1. In addition to the persons mentioned in the said Act as competent
10 to sustain an action for the seduction of an unmarried female, it shall
and may be lawful for any relative or friend of the person seduced,
approved of and thereunto appointed by any Judge of either of the Su-
perior Courts of law in Upper Canada or the Judge of the County Court
for the County in which the seduction took place, or by the Judge of the
15 County Court for the County in which such friend or relative of the
seduced party may reside, on the application of the party seduced or
of such friend or relative to such Judge, and upon cause shewn by affida-
vit, to bring and sustain an action for such seduction, at any time and in
any case at and in which the master of the party seduced could sustain
20 an action for such seduction under the said Act, but subject to the pro-
visions contained in the said Act, in so far as they are not inconsistent
with those of this Act.

In addition to
the persons
mentioned in
cap. 77 of Con.
Stat., U. C.
a judge may
appoint a per-
son to bring
the action for
seduction.

2. The Judge who shall so approve of and appoint a relative or
friend of the person seduced as the party entitled to sustain any action
25 for seduction, or in his default the Judge who shall try the case, or any
other such Judge as aforesaid, shall have power to direct in what man-
ner the damages that may be recovered shall be appropriated and dis-
posed of for the benefit of the person seduced and her offspring born in
consequence of such seduction, and neither this provision nor the exer-
30 cise of the power given by it, shall affect her admissibility as a witness
in the case.

Judge to di-
rect how da-
mages recov-
ered shall be
applied.

3. All causes of action that may have arisen within two years previous
to the passing of this Act, shall be cognizable under this Act in all
Courts having jurisdiction in cases of seduction in Upper Canada.

Act to apply
to certain
cases.