

TAYLEUR'S DIVORCE BILL.

1851.
31st March.

MR. *Talbot*, Q.C., and Mr. *Macqueen*, appeared on behalf of the Petitioner, W. H. Tayleur, Esq.

Costs of the action at law paid; but no satisfaction of the damages. Bill, nevertheless, under the circumstances passed.

At the close of the evidence which established the commission of adultery by the wife, and perfect propriety of conduct on the husband's part, a difficulty arose as to the damages awarded by the Jury against the noble lord, the wife's seducer. The rule of the House requires that such damages shall be recovered *bonâ fide*. It did not appear that they had been paid in this case, or that any steps had been taken to compel payment of them. It was proved, however, that the Defendant had paid the costs of the action. The House, therefore, having regard to the other circumstances of the case, which were entirely in the husband's favour, read the bill a second time; and it ultimately became law (*a*).

(*a*) See *Mr. Moore's case*, Session 1805 (Macq. H. of Lds. p. 602), where the Petitioner was himself examined, and stated that he had an objection to receive damages further than to the extent of covering the expense of the proceeding. The Bill passed.

SHARPE, FIELD, JACKSON, & NEWBOLD.