1. Record Nr. UNINA9910787489003321 Autore **Brode Patrick** Titolo Courted and abandoned: seduction in Canadian law / / Patrick Brode Pubbl/distr/stampa Toronto, [Ontario];; Buffalo, [New York];; London, [England]:,: University of Toronto Press., 2002 ©2002 **ISBN** 1-4426-5791-X 1-4426-2081-1 Descrizione fisica 1 online resource (274 pages, 6 unumbered pages of plates): illustrations, photographs Collana Osgoode Society for Canadian Legal History Disciplina 345.710253 Soggetti Seduction - Canada - History - 19th century Sex and law - Canada - History - 19th century Sexual ethics - Canada - History - 19th century Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Includes index. Frontmatter -- Contents -- Foreword. The Osgoode society for Nota di contenuto canadian legal history / McMurtry, R. Roy / Oliver, Peter N. -- Preface -- 1. Fiction of the law -- 2. The Market of Shame -- 3. Women of Quality and Lewd Mothers -- 4. Feudalism Triumphant -- 5. Rewarding the Insinuating Arts -- 6. Virtue by Statute -- 7. An Action of Their Own -- 8. Wife Seduction: Punishing the 'Gay Lothario' -- 9. To Protect the Poor Unfortunate Child -- 10. MacMillan v. Brownlee -- 11. Death of a Tort -- 12. The Complex Dance of Seduction -- Epilogue --Appendix A -- Appendix B -- Notes -- Index Sommario/riassunto A pregnancy outside of marriage was a traumatic event in frontier Canada, one that had profound legal implications, not only for the mother, but also for the woman's family, the alleged father, and for the entire community. Patrick Brode examines the history of the 'heartbalm' torts in nineteenth-century Canada - breaches of duty leading to liability for damages for seduction, breach of promise of marriage, and criminal conversation - that were part of the inherited English law and were a major feature of early Canadian law. Encompassing all ten

Canadian provinces, Brode's study examines the court cases and the

communities in which they arose. He illustrates the progression of these 'heartbalm' actions as women gained more and more autonomy in the late nineteenth century, until questions arose as to the applicability of these feudal remedies in a modern society. He argues that the heartbalm cases are a testament to how early Canadians tried to control sexuality and courtship, even consensual activity among adults. In mixing legal and social issues, and showing how they interact, Courted and Abandoned makes a significant contribution to legal history, women's studies, and cultural history.