



The Osgoode Society for Canadian Legal History

Married Women and Property Law in Victorian Ontario

L O R I C H A M B E R S



Married Women And Property Law In Victorian Ontario

David Baud



Married Women And Property Law In Victorian Ontario:

Married Women and Property Law in Victorian Ontario Anne Lorene Chambers, Osgoode Society for Canadian Legal History, 1997-01-01 A meticulously researched and revisionist study of the nineteenth century Ontario's Married Women's Property Acts. They were important landmarks in the legal emancipation of women.

A History of Law in Canada, Volume Two Jim Phillips, Philip Girard, R. Blake Brown, 2022-11-01 This is the second of three volumes in an important collection that recounts the sweeping history of law in Canada. The period covered in this volume witnessed both continuity and change in the relationships among law, society, Indigenous peoples, and white settlers. The authors explore how law was as important to the building of a new urban industrial nation as it had been to the establishment of colonies of agricultural settlement and resource exploitation. The book addresses the most important developments in the seventeenth, eighteenth, and nineteenth centuries, including legal pluralism and the co-existence of European and Indigenous law. It pays particular attention to the Métis and the Red River Resistance, the Indian Act, and the origins and expansion of residential schools in Canada. The book is divided into four parts: the law and legal institutions; Indigenous peoples and Dominion law; capital, labour, and criminal justice; and those less favoured by the law.

A History of Law in Canada examines law as a dynamic process shaped by and affecting other histories over the long term.

A History of Law in Canada, Vol. 1 Philip Girard, Jim Phillips, R. Blake Brown, 2018-01-01 *A History of Law in Canada* is the first of two volumes. Volume one begins at a time just prior to European contact and continues to the 1860s, while volume two will start with Confederation and end at approximately 2000. The history of law includes substantive law, legal institutions, legal actors, and legal culture. The authors assume that since 1500 there have been three legal systems in Canada: the Indigenous, the French, and the English. At all times, these systems have co-existed and interacted, with the relative power and influence of each being more or less dominant in different periods. The history of law cannot be treated in isolation, and this book examines law as a dynamic process shaped by and affecting other histories over the long term. The law guided and was guided by economic developments; was influenced and moulded by the nature and trajectory of political ideas and institutions; and variously exacerbated or mediated intercultural exchange and conflict. These themes are apparent in this examination and through most areas of law, including land, settlement, and tenure, and family, commercial, constitutional, and criminal law.

Essays in the History of Canadian Law George Blaine Baker, Donald Fyson, 2013-12-06 The essays in this volume deal with the legal history of the Province of Quebec, Upper and Lower Canada, and the Province of Canada between the British conquest of 1759 and confederation of the British North America colonies in 1867. The backbone of the modern Canadian provinces of Ontario and Quebec, this geographic area was unified politically for more than half of the period under consideration. As such, four of the papers are set in the geographic cradle of modern Quebec, four treat nineteenth-century Ontario, and the remaining four deal with the St. Lawrence and Great Lakes watershed as a whole. The authors come from disciplines as diverse as history, socio-legal studies, women's studies, and

law The majority make substantial use of second language sources in their essays which shade into intellectual history social and family history regulatory history and political history *Essays in the History of Canadian Law* G. Blaine Baker, Donald Fyson, 1981-01-01 The essays in this volume deal with the legal history of the Province of Quebec Upper and Lower Canada and the Province of Canada between the British conquest of 1759 and confederation of the British North America colonies in 1867 The backbone of the modern Canadian provinces of Ontario and Quebec this geographic area was unified politically for more than half of the period under consideration As such four of the papers are set in the geographic cradle of modern Quebec four treat nineteenth century Ontario and the remaining four deal with the St Lawrence and Great Lakes watershed as a whole The authors come from disciplines as diverse as history socio legal studies women s studies and law The majority make substantial use of second language sources in their essays which shade into intellectual history social and family history regulatory history and political history *Domestic Reforms* Chris Clarkson, 2011-11-01 Domestic Reforms tells a complicated story of family and welfare law reform within the context of British Columbia s transformation from a British colonial enclave to a white settler Canadian province It inherited a British legal system that granted married men control over most family property and imposed few obligations on them toward their wives and children Yet from the 1860s onward lawmakers throughout the Anglo American world including legislators on the Pacific Coast began to grant women and children new rights Feminist scholars have long debated the reasons for these reforms Why did male legislators choose to depart from patriarchal norms enacting laws that eroded husbands control over property and increased their obligations More important what were the legal and social consequences Chris Clarkson examines three waves of property inheritance and maintenance law reform arguing that each was related to a broader political vision intended to precipitate vast social and economic effects He analyzes the impact of the legislation with emphasis on the ambitions of regulated populations the influence of the judiciary and the social and fiscal concerns of generations of legislators and bureaucrats **Essays in the History of Canadian Law** Christopher English, 2005-12-15 The study of Canadian legal history has seen a remarkable growth in the past decade nowhere more so than in Atlantic Canada Given its early settlement and some of the liberties taken with legal procedure there as well as some creative interpretations of English law the region is ripe for close study in the legal history field This new collection examines that history on two islands Newfoundland and Prince Edward Island The essays examine legal themes developments and disputes and offer a framework for comparing ways of administering justice through the courts in the eighteenth and nineteenth centuries The cases examined are particularly interesting for the light they throw on legal process and especially on the motives of the parties Unlike in contemporary England and Upper Canada the English precedents gave way to local needs as equitable regimes emerged that put family and community interests first and treated all members of the family in ways tailored to their personal needs and circumstances This volume which includes a number of essays examining women s legal status and access to the courts is a comprehensive and fascinating examination

of legal history in two Canadian provinces **Honorary Protestants** David Fraser,2015-01-01 In *Honorary Protestants* David Fraser presents the first legal history of the Jewish school question in Montreal *Essays in the History of Canadian Law, Volume X* J. Phillips,R. Roy McMurtry,John T. Saywell,2008-09-18 Covering a broad range of topics this volume examines developments over the last two hundred years in the legal profession and the judiciary nineteenth century prison history as well as the impact of the 1815 Treaty of Paris **Liberalism and Hegemony** Jean-Francois Constant,Michel Ducharme,2009-04-07 In 2000 Ian McKay a highly respected historian at Queen s University published an article in the *Canadian Historical Review* entitled *The Liberal Order Framework A Prospectus for a Reconnaissance of Canadian History* Written to address a crisis in Canadian history this detailed programmatic and well argued article had an immediate impact on the field Proposing that Canadian history should be mapped through a process of reconnaissance and that the Canadian state should be understood as a project of liberal rule in North America the essay prompted debate immediately upon publication *Liberalism and Hegemony* assembles some of Canada s finest historians to continue the debate sparked by McKay s essay The essays collected here explore the possibilities and limits presented by *The Liberal Order Framework* for various segments of Canadian history and within them the paramount influence of liberalism throughout the nineteenth and twentieth centuries is debated in the context of aboriginal history environmental history the history of the family the development of political thought and ideas and municipal governance Like McKay s *The Liberal Order Framework* which is included in this volume with a response to recent criticism *Liberalism and Hegemony* is a fascinating foray into current historical thought and provides the historical community with a book that will act both as a reference and a guide for future research **The Infinite Bonds of Family** Cynthia R. Comacchio,1999-01-01 With this book Cynthia Comacchio presents the first historical overview of domestic life in Canada showing how families have both changed and remained the same through transitions brought about by urbanization industrialization and war **Race on Trial** Barrington Walker,2011-07-01 While slavery in Canada was abolished in 1834 discrimination remained *Race on Trial* contrasts formal legal equality with pervasive patterns of social legal and attitudinal inequality in Ontario by documenting the history of black Ontarians who appeared before the criminal courts from the mid nineteenth to the mid twentieth centuries Using capital case files and the assize records for Kent and Essex counties areas that had significant black populations because they were termini for the Underground Railroad Barrington Walker investigates the limits of freedom for Ontario s African Canadians Through court transcripts depositions jail records Judge s Bench Books newspapers and government correspondence Walker identifies trends in charges and convictions in the Black population This exploration of the complex and often contradictory web of racial attitudes and the values of white legal elites not only exposes how blackness was articulated in Canadian law but also offers a rare glimpse of black life as experienced in Canada s past **The Supreme Court of Nova Scotia, 1754-2004** Osgoode Society for Canadian Legal History,2004-01-01 Editors Philip Girard Jim Phillips and Barry Cahill have

put together the first complete history of any Canadian provincial superior court All of the essays are original and many offer new interpretations of familiar themes in Canadian legal history

Inhabiting Memory in Canadian Literature / Habiter la mémoire dans la littérature canadienne Benjamin Authers, Maïté Snauwaert, Daniel Laforest, 2017-11-30 This book examines the cultural work of space and memory in Canada and Canadian literature and encourages readers to investigate Canada within its regional national and global contexts It features seven chapters in English and five in French with a bilingual introduction The contributors invite us to recognize local intersections that are so easily overlooked yet are so important They reveal the unities and fractures in national understanding telling stories of otherness and marginality and of dislocation and unbelonging Ce livre examine l'importance culturelle de l'espace et de la mémoire en contexte canadien et plus spécifiquement dans les littératures du pays afin d'inviter des lectures neuves des questions régionales nationales et globales Il rassemble sept chapitres en anglais et cinq en français en plus d'une introduction bilingue Les contributions favorisant des approches thématiques et théoriques variées sont réunies par leur désir de mettre en lumière des croisements indits entre la mémoire et l'espace en tant qu'ils définissent certains des problèmes les plus brûlants de notre époque au Canada S'y trouve l'équilibre fort instable entre récits unitaires et fractures communautaires entre altérité et marginalité ou entre dislocation et appartenance Contributors Collaborateurs Albert Braz Samantha Cook Jennifer Delisle Lise Gaboury Diallo Smaro Kamboureli Janne Korkka Andr Lamontagne Margaret Mackey Sherry Simon Pamela Sing Camille van der Marel Erin Wunker

Magistrates, Police and People Donald Fyson, Osgoode Society for Canadian Legal History, 2006-01-01 Based on extensive research in judicial and official sources Donald Fyson offers the first comprehensive study of the everyday workings of criminal justice in Quebec and Lower Canada Focusing on the justices of the peace and their police Fyson examines both the criminal justice system itself and the system in operation as experienced by those who participated in it Fyson contends that although the system was fundamentally biased its flexibility provided a source of power for ordinary citizens At the same time the system offered the colonial state and its elites a powerful though often faulty means of imposing their will on Quebec society This study will challenge many received historical interpretations providing new insight into criminal justice in early Quebec

Searching for Justice Fred Kaufman, Osgoode Society for Canadian Legal History, 2005-01-01 The Honourable Fred Kaufman has been a distinguished figure in Canadian law for a half century Born into a middle class Jewish family in mid 1920s Vienna Kaufman escaped to England on the eve of the Second World War In 1940 he was interned as an enemy alien and sent to Canada Released in 1942 Kaufman stayed in Canada where he went on to university and law school in Montreal Kaufman was called to the Bar of Quebec in 1955 and practiced criminal law for eighteen years taking part in many of the famous cases of that period In 1960 he secured the release of a young Pierre Elliott Trudeau from prison and in 1973 Trudeau returned the favour by personally informing Kaufman of his appointment to the Quebec Court of Appeal where he served for eighteen years including one as Acting Chief Justice of Quebec Since his

retirement in 1991 Kaufman has led numerous commissions and inquiries most notably the investigation into the wrongful conviction of Guy Paul Morin and the two year reassessment of the Steven Truscott case Searching for Justice is Kaufman s remarkable story in his own words It is the tale of adversity overcome in a crucial period of Canadian legal history **A History of Canadian Legal Thought** R.C.B. Risk,2006-12-15 This volume in the Osgoode Society s distinguished series on the history of Canadian law is a collection of the principal essays of Professor Emeritus R C B Risk one of the pioneers of Canadian legal history and for many years regarded as its foremost authority on the history of Canadian legal thought Frank Scott Bora Laskin W P M Kennedy John Willis and Edward Blake are among the better known figures whose thinking and writing about law are featured in this collection But this compilation of the most important essays by a pioneer in Canadian legal history brings to light many other lesser known figures as well whose writings covered a wide range of topics from estoppel to the British North America Act to the purpose of legal education Written over more than two decades and covering the immediate post Confederation period to the 1960s these essays reveal a distinctive Canadian tradition of thinking about the nature and functions of law one which Risk clearly takes pride in and urges us to celebrate The Court of Queen's Bench of Manitoba, 1870-1950 Dale Brawn,Osgoode Society for Canadian Legal History,2006-01-01 This study of the Manitoba judiciary is not only the first biographical history to examine an entire provincial bench it is also one of the first studies to offer an internal view of the political nature of the judicial appointment process Dale Brawn has penned the biographies of the first thirty three men appointed to Manitoba s Court of Queen s Bench The relative youth of Manitoba as a province and the small size of its legal profession makes possible an exceptionally detailed investigation of the background of those appointed to the province s highest trial court The biographical data that Brawn has collected for this book highlights the extent to which judicial candidates underwent a socialization process designed to produce a legal elite whose members shared remarkably similar views and ways of thinking In addition these biographies suggest that until at least 1950 seats on provincial benches were rewards for political services rendered Many lawyers became judges not because of their legal ability but because they had made themselves known in the communities in which they practiced This fascinating study offers an intimate look at personalities ranging from prime ministers to members of the bench and both senior levels of government

Canadian State Trials: Rebellion and invasion in the Canadas, 1837-1839 Osgoode Society for Canadian Legal History,1996-01-01 And incompetent justice Legal responses to the 1885 Crisis North West Rebellions Bob Beal and B Wright Another look at the Riel Trial for Treason Louis Riel J M Bumstead The White Man governs The 1885 Indian trials Indians First Nation Aboriginal or Native peoples Bill Waiser Securing the dominion High handed impolite and empire breaking actions radicalism anti imperialism and political policing in Canada 1860 1914 Andrew Parnaby Gregory S Kealey with Kirk Niergarth Codification public order and the security provisions of the Canadian Criminal Code 1892 Desmond H Brown B Wright Appendices Sir John A Macdonald Fonds Archival Sources in Canada for Riel s Rebellion **Aggressive in Pursuit**

Frederick Vaughan, Osgoode Society for Canadian Legal History, 2004-01-01 Few people have had a greater impact on the lives of Canadians than the late Supreme Court judge Justice Emmett Hall At the forefront of several important judgements in the 1960s and 70s such as Truscott and Calder Hall is perhaps best known for his role in the adoption of universal health care at the federal level in 1968 Based on extensive interviews with Hall and people who knew him Frederick Vaughan's Aggressive in Pursuit tells Hall's remarkable story Born in Quebec in 1898 and raised in Saskatchewan Hall had a long and distinguished career as a lawyer In 1957 former law school classmate Prime Minister John Diefenbaker appointed Hall to the Saskatchewan Court of Queen's Bench and four years later to the office of Chief Justice of Saskatchewan In 1963 Diefenbaker elevated Hall to the Supreme Court of Canada where he took up the task of universal health care and showed himself to be an aggressive defender of native causes Aggressive in Pursuit traces Hall's career from his earliest days of private practice in Saskatchewan to the end of his career and death in 1994 It shows how one prairie lawyer made a difference in the life of Canada

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