THE OF MARKS AND THE STREET, T	
LIST OF PLATES	xvi
LIST OF FIGURES	xix
LIST OF TABLES	xxi
ABBREVIATIONS Exposits A land	xxii
12 Private Separation valor b	XXII
I General Introduction	1
I. THE BACKGROUND: A NON-SEPARATING AND NON-DIVORCING SOCIETY	1
2. THE HISTORIOGRAPHY: FAMILY HISTORY	- 8
3. THE OBJECTIVES	11
4. A MODEL OF LEGAL CHANGE	18
5. MORALS Send Response Opening Animal Subsubnal	21
6. THE LEGAL SYSTEM	24
7. THE EVIDENCE ATALANA MOAN GHAMED E	27
a. The Use of Legal Records	27
i, Advantages	27
II. Limitations	29
b. The Court of Arches	32
	33
	41
d. The London Consistory Court e. Other Records	43
C. Will STREET, O. D.H. SELECTED MALE	44
8. SOME DEFINITIONS	45
From the Marriage At 1 TRACE to LEGISLEY . S. T. T.	
THE MAKING OF MARRIAGE	49
II The Law and Custom of Marriage	51
I. INTRODUCTION: THE LAW OF MARRIAGE	E1
THE PART OF THE PA	

	2. COURTSHIP	59
	3. CUSTOMARY UNIONS AND CONCUBINAGE	64
Ш	Contract Marriage	67
	1. THE FIRST SUPPRESSION AND THE REVIVAL, 1540–1660	67
	2. THE SECOND SUPPRESSION, 1660-1753  a. The Ambiguities of the Law  b. The Problem of Proof  c. Ritual Exchanges  d. Legal Policy  e. The End of Contract Litigation	71 71 72 74 76
	f. International Comparisons	80
	3. LEGAL IMPERIALISM BY THE COMMON LAW JUDGES	81
	4. SUITS FOR SEDUCTION OF A DAUGHTER	83
	5. SUITS FOR BREACH OF PROMISE	85
IV	Clandestine Marriage	96
	I. DEFINITION AND DEVELOPMENT	96
¥	2. DEMAND FROM THE LAITY	98
100	3. SUPPLY BY THE CLERGY  a. Surrogates  b. Rural Clergy  c. London Clergy	102 102 104
	4. PARLIAMENTARY LEGISLATION, 1666-1718	108
	5. FLEET MARRIAGES, 1696-1753	110
	6. THE DEMAND FOR REFORM	115
	7. CONCLUSION	119
V	From the Marriage Act of 1753 to 1868	121
	1. THE MARRIAGE ACT OF 1753 AAM THT	121
	2. FROM 1753 TO 1868	128
	3. CONCLUSION	135

	PART II	
	THE BREAKING OF MARRIAGE	139
V	Desertion, Elopement, and Wife-sale	141
	I. MODES OF MARITAL BREAK-UP	141
	2. ELOPEMENT AND DESERTION	141
	3. WIFE-SALE	143
VII	Private Separation	149
	1. THE EARLY HISTORY OF THE PRIVATE SEPARATION DEED, 1650–1760 a. Origins: c. 1650 b. Evolution, 1650–1760	149 149
	<ol> <li>THE LEGALITY OF THE PRIVATE SEPARATION DEED, 1740-1860.</li> <li>The Eighteenth Century</li> <li>The Conservative Reaction 1800-1840</li> <li>The Liberal Response: 1820-1860</li> </ol>	153 153 154 156
	3. THE POPULARITY OF THE PRIVATE SEPARATION	158
	4. THE ADVANTAGES TO THE HUSBAND 5. THE ADVANTAGES TO THE WIFE: FINANCIAL	159
	6. THE ADVANTAGES TO THE WIFE: PERSONAL FREEDOM  a. Freedom from Legal Harassment b. Freedom from Forcible Seizure and Confinement c. The Loneliness of the Separated Wife	162 162 164 169
*	7. THE PROBLEM OF CHILD CUSTODY a. Theory b. The Law c. Private Negotiations d. Legitimacy	170 170 171 174 180
	8. CONCLUSION THE ACTION ACTIO	181

VIII	Judicial Separation	183
	I. INTRODUCTION	183
	a. The Ecclesiastical Courts	183
	b. The Number of Litigants	184
	c. Types of Litigants	186
	d. The Sex Ratio of Plaintiffs	186
	e. Costs of Litigation	187
	2. TYPES OF SUITS	190
	a. Nullity	191
	b. Jactitation	192
	c. Separation from Bed and Board	192
	d. Restitution of Conjugal Rights	194
	3. PROCEDURE	195
	a. Launching a Suit	195
	b. The Rules of Evidence	197
	c. The Legal Definition of Cruelty	198
	d. Legal Defences	206
	i. Condonation	206
	ii. Collusion	207
	iii. Connivance	208
	in Perimination	209
	e. Alimony	210
1 15	4. SERVANTS AND MASTERS	211
les i	a. The Absence of Privacy	211
	b. The Reputation of the Servants	215
	c. The Lives of Servants	216
	5. SERVANTS IN COURT	220
	a. Servants as Observers	220
	b. Servants as Delators	224
	c. Servants as Witnesses	226
	d. Conclusion	228
	THE PENANG FOR RECEID OF THE PENANG PARTY OF T	
IX	The Action for Criminal Conversation	231
	I. THE NATURE OF THE ACTION	231
	2. THE PRINCIPLES OF THE ACTION	236
	a. Introduction	236
	b. Male Honour and the Duel	237
	c. Property	241
	d. Female Purity	243

3. THE EARLY HISTORY OF THE ACTION:	
1620-1760	24
a. The Pre-History, 1620-1692	24
b. The Era of Stagnation, 1692-1760	24
4. PUBLICITY AND THE PRESS	19 7
a. The Causes of Publicity	24
b. Types of Publications	24
c. The Motives of the Readers	240
d. The Consequences of the Publicity	25
	253
5. THE APOGEE OF THE ACTION  a. The Evidence of Grouth	255
and Established Of Otowall	255
The state of Growth for the state of the sta	256
i. A Rise in Wifely Adultery?  ii. A Rise in Litigation?	256
	260
6. THE ASSESSMENT OF DAMAGES	262
a. The Status and Wealth of the Plaintiff	262
b. 'Loss of Comfort and Society'	263
c. The Moral Responsibility of the Husband	265
i. Quarrels or Neglect	265
ii. Prior Private Separation	266
iii. Prior Adultery by the Husband	267
d. The Moral Turpitude of the Adulterous Couple	267
e. The Status of the Defendant  f. The Capacity of the Defendant to Pay	270
oupacity of the Defendant to Fay	272
7. THE MORAL PANIC OF THE 1790S	273
a. Lord Kenyon and Thomas Erskine	273
b. Fear of the French Revolution	277
8. THE RESULTS OF THE MORAL PANIC	278
a. The Ruin of Defendants	278
b. Entrapment and Connivance	279
c. Collusion	282
d. Flight	284
e. Conclusion	285
4 9. THE MORAL REACTION	7
a Manifernia to make a	286
b. Legal Justice for Women	286
c. The Ideal of Victorian Domesticity	288
THE RESERVE AND ASSESSMENT OF THE PARTY OF T	289
10. THE ABOLITION OF THE ACTION IN 1857	290
a. The Opposition to Crim. Con.	290
b. The Defence of Crim. Con.	293
c. Compromise	204

11. CONCLUSION	295
a. Stages of Evolution of the Action	295
b. Society and the Law	297
X Parliamentary Divorce	301
1. ESTABLISHING THE RULES	301
a. Introduction	301
b. The Period of Uncertainty, 1534-1597	301
c. Fixing the Rules, 1597-1603	305
d. The Interregnum, 1642-1660	308
2. CREATING THE EXCEPTIONS, 1670-1750	308
a. The Roos Case, 1670	309
b. The Norfolk Case, 1692-1700	313
c. Other Cases in the 1690s	317
d. The Debate about Parliamentary Divorce,	
1690-1700	319
3. THE RESHAPING OF THE PROCEDURE,	
1750-1830	322
a. The Standardization of the Rules	322
b. The Rise in Numbers	325
c. The Changes in Social Composition	326
4. CHANGES IN PURPOSE AND FUNCTION,	
1750-1857 Tel Ambierto Clash to grange Dad T	327
a. From the Protection of Property to the Pursuit	
of Happiness	327
b. The Risc of Connivance and Collusion	328
i. Connivance	328
ii. Collusion	329
iii. The Reaction: Lord Loughborough's Rules of 1798	332
iv. The Reaction: The Anti-Adultery Bills, 1771-1809	335
5. DIVORCED AND REMARRIED WIVES, 1750-1857	339
a Introduction	339
b. Separation from Children	340
c. Social Ostracism	341
d. Financial Position	345
h. Legal Justice for Women to your Assett at 1881	77.133
6. CONCLUSION desmoot manoral to head and a	346
XI Divorce Reform Proposals, 1604-1850	347
1. REFORM PROPOSALS FROM 1604 TO 1800	347
and Female Furity xiv	

	2. OPPOSITION TO REFORM, 1604-1800	350
	3. RISING DEMANDS, 1800-1850	353
	a. Social Changes	353
	b. The Exclusion of All but the Rich	354
	c. The Revolt of the Lawyers	357
	d. The Exclusion of Wives as Petitioners	360
	e. Women's Demand for Legal Justice	362
	4. THE DEBATES OVER THE ELLENBOROUGH DIVORCE AND DR PHILLIMORE'S BILL, 1830	364
	5. CONCLUSION To Resident to Add to	222
	5. CONCLUSION	366
XII	The Passage of the Divorce Reform Act,	
	1850-1857	368
	I. PRELIMINARY SKIRMISHES	
		368
	2. THE DEBATE OVER THE DIVORCE BILL,	
	1856–1857	371
	a. Government Objectives	371
	b. Outside Pressure Groups	372
	c. The Drive for Women's Legal Rights	374
	d. The Battle over the Bill, 1857	378
XIII	Epilogue: The Century of Divorce Law Reform, 1857-1987	383
	1. THE EFFECTS OF THE ACT OF 1857	383
	a. Conservative Moral Attitudes	383
	b. The Number of Divorces, 1858-1900	387
	c. The Benefits to Women	388
	d. Conclusion	388
	2. DIVORCE LAW REFORM, 1906-1923	390
6	a. Reformist Moral Attitudes	390
	b. The Royal Commission of 1912	392
	c. The Divorce Law Reform Bill 1918-1923	394
	d. The Results of the Act of 1923	396
	3. THE DIVORCE REFORM ACT OF 1937	397
	a. The Need for Reform	397
	b. The Passage of the Act	398
	c. The Effects of the Act	401
	be permittees of the Teatres of the United Manesage	

	2. OPPOSITION TO REFORM, 1604-1800	350
	3. RISING DEMANDS, 1800–1850 a. Social Changes	353 353
	b. The Exclusion of All but the Rich	354
	c. The Revolt of the Lawyers	357
	d. The Exclusion of Wives as Petitioners	360
	e. Women's Demand for Legal Justice	362
	4. THE DEBATES OVER THE ELLENBOROUGH	
	DIVORCE AND DR PHILLIMORE'S BILL, 1830	364
	5. CONCLUSION	366
XII	The Passage of the Divorce Reform Act,	амі
	1850-1857	368
	I. PRELIMINARY SKIRMISHES	368
	2. THE DEBATE OVER THE DIVORCE BILL,	(4)
	1856-1857	371
	a. Government Objectives	371
	b. Outside Pressure Groups	372
	c. The Drive for Women's Legal Rights	374
	d. The Battle over the Bill, 1857	378
XIII	Epilogue: The Century of Divorce Law Reform,	
	1857-1987	383
	1. THE EFFECTS OF THE ACT OF 1857	383
	a. Conservative Moral Attitudes	383
	b. The Number of Divorces, 1858-1900	387
	c. The Benefits to Women	388
	d. Conclusion	388
- 20	2. DIVORCE LAW REFORM, 1906-1923	390
	a. Reformist Moral Attitudes	390
	b. The Royal Commission of 1912	392
	c. The Divorce Law Reform Bill 1918-1923	394
	d. The Results of the Act of 1923	396
	3. THE DIVORCE REFORM ACT OF 1937	397
	a. The Need for Reform	397
	b. The Passage of the Act	398
	c. The Effects of the Act	401

4.	THE DIVORCE REFORM ACT OF 1969	401
4.	a. The Royal Commission of 1956	401
	b. The Debate in 1968-1969	406
5.	THE DIVORCE REVOLUTION, 1960-1987	409
N.	a. Facts	409
	b. Causes	410
	c. Consequences	416
Appendio	x: A list of Pamphlets concerning the Marriage Act	
ъррешен	of 1753	423
TABLES		424
IABLES		
INDEX		447

The Supplierd said to though an amendment at

Consequent Liber Consequence Company of Consequence

196