

path of virtue which she was pursuing, her affections must be gained, her mind and thoughts polluted; and, *second*, in order to complete the offence, she must be debauched—that is, she must be carnally known before the guilty agent becomes amenable to human laws. Thus it may be seen that a female may be seduced without being debauched, or debauched without being seduced. . . . A similar view of the proper construction of a statute substantially identical with our own was taken in Pennsylvania in *Commonwealth v. McCarty*, 2 Clark 135, and cited with approval in *State v. Patterson*, 88 Mo. 88; *State v. Reeves*, 97 Mo. 668, 10 S. W. Rep. 841. In *State v. Patterson*, *supra*, we find a definition of the statutory word 'seduce,' which commends itself to our minds as eminently correct. It is as follows: The word "seduce," though a general term, and having a variety of meanings, according to the subject to which it is applied, has, when it is used with reference to the conduct of a man towards a woman, a precise and determinate signification, and is universally understood to mean an enticement of her on his part to surrender her chastity by means of some art, influence, promise or deception calculated to accomplish that object, and to include the yielding of her person to him as much as if it was expressly stated.' Citing *State v. Bierce*, 27 Conn. 319; *Dinkey v. Commonwealth*, 17 Pa. St. 127. As is pertinently said in *State v. Reeves*, *supra*; 'No one can, with any degree of plausibility, contend that a virtuous female can be seduced without any of those arts, wiles and blandishments so necessary to win the hearts of the weaker sex. To say that such a one was seduced by simply a blunt offer of wedlock *in futuro*, in exchange for sexual favors *in presenti*, is an announcement that smacks too much of bargain and barter, and not enough of betrayal. This is hire or salary, not seduction.' (1)

See article 184 making the subsequent marriage of the parties a good defence.

183. Seduction of ward servant &c.—Every one is guilty of an indictable offence and liable to two years' imprisonment who, being a guardian, seduces or has illicit connection with his ward, and every one who seduces or has illicit connection with any woman or girl of previously chaste character and under the age of twenty-one years who is in his employment in a factory, mill or workshop, or who being in a common employment with him in such factory, mill or workshop, is, in respect of her employment or work in such factory, mill or workshop, under or in any way subject to his control or direction. 53 V., c. 37, s. 4.

184. Seduction of female passengers on vessels.—Every one is guilty of an indictable offence and liable to a fine of four hundred dollars, or to one year's imprisonment, who, being the master or other officer or a seaman or other person employed on board of any vessel, while such vessel is in any water within the jurisdiction of the Parliament of Canada, under promise of marriage, or by threats, or by the exercise of his authority, or by solicitation, or the making of gifts or presents, seduces and has illicit connection with any female passenger.

2. The subsequent intermarriage of the seducer and the seduced is, if pleaded, a good defence to any indictment for any offence against this or either of the two next preceding sections *except in the case of a guardian seducing his ward* R.S.C., c. 65, s. 37.

According to the terms of article 183, the mere fact of illicit connection by a guardian with his ward seems of itself,—independently of and in addition to

(1) 13 Cr. L. Mag. 603, 604.