



The Osgoode Society for Canadian Legal History

The Federal Court of Canada

**A HISTORY,
1875 – 1992**

IAN BUSHNELL



Federal Court Of Canada A History 1875 1992

**Jim Phillips, Philip Girard, R. Blake
Brown**



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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

Essays in the History of Canadian Law George Blain Baker, Jim Phillips, 1999-12-15 This volume in the Osgoode Society's distinguished series on the history of Canadian law is a tribute to Professor R C B Risk one of the pioneers of Canadian legal history and for many years regarded as its foremost authority The fifteen original essays are by notable scholars some of whom were students of Professor Risk and represent some of the best and most original work in the area of Canadian legal history They cover a number of important topics that range from the form of the criminal trial in the eighteenth century to debates over the meaning of property in the nineteenth and to lawyer poet Tom MacInnes's views on the law of aboriginal title in the twentieth century

Essays in the History of Canadian Law: In honour of R.C.B. Risk Philip Girard, Osgoode Society, 1981-01-01 The collected essays in this volume represent the highlights of legal historical scholarship in Canada today All of the essays refer back in some form to Risk's own work in the field

The Guardianship of Best Interests Renée Nicole Lafferty, 2013 A history of charitable children's homes and emergent state centred child welfare policy in Nova Scotia

Essays in the History of Canadian Law J. Phillips, R. Roy McMurtry, John T. Saywell, 2008-09-18 Written to honour the life and work of the late Peter N Oliver the distinguished historian and editor in chief of the Osgoode Society for Canadian Legal History from 1979 2006 this collection assembles the finest legal scholars to reflect on the issues in and development of the field of legal history in Canada 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 The introduction also provides insight into the history of the Osgoode Society and of Oliver's essential role in it along with an illuminating analysis of the Society's publications program which produced sixty six books during his tenure A fitting tribute to one of the foremost legal historians this tenth volume of *Essays in the History of Canadian Law* is a significant contribution to the discipline to which Oliver devoted so much

Claire L'Heureux-Dubé Constance Backhouse, 2017-11-06 Both lionized

and vilified Claire L Heureux Dub has shaped the Canadian legal landscape and in particular its highest court The second woman appointed to the Supreme Court of Canada and the first from Quebec she was known as the great dissenter on the bench making judgments that were applauded and criticized in turn L Heureux Dub s innovative legal approach was anchored in the social economic and political context of her cases Constance Backhouse employs a similar tactic Rather than focusing exclusively on her high profile cases and jurisprudential legacy she explores the socio political and cultural setting in which L Heureux Dub s career unfolded while also considering her personal life This compelling biography covers aspects of legal history that have never been so fully investigated enhancing our understanding of the judiciary the creation of law the distinctive socio legal environment of Quebec the experiences of women in the legal profession and the inner workings of the top court

Ruin and Redemption Thomas G. W. Telfer, 2014-11-05 In 1880 the federal Parliament of Canada repealed the Insolvent Act of 1875 leaving debtor creditor matters to be regulated by the provinces Almost forty years later Parliament finally passed new bankruptcy legislation recognizing that what was once considered a moral evil had become a commercial necessity In *Ruin and Redemption* Thomas G W Telfer analyses the ideas interests and institutions that shaped the evolution of Canadian bankruptcy law in this era Examining the vigorous public debates over the idea of bankruptcy Telfer argues that the law was shaped by conflict over the morality of release from debts and by the divergence of interests between local and distant creditors *Ruin and Redemption* is the first full length study of the origins of Canadian bankruptcy law thus making it an important contribution to the study of Canada s commercial law

Borderline Crime Bradley Miller, 2016-01-01 *Borderline Crime* examines how law reacted to the challenge of the border in British North America and post Confederation Canada Miller also reveals how the law remained confused amorphous and often ineffectual at confronting the threat of the border to the rule of law

Tracings of Gerald Le Dain's Life in the Law G. Blaine Baker, Richard Janda, 2019-05-30 Gerald Le Dain 1924 2007 was appointed to the Supreme Court of Canada in 1984 This collectively written biography traces fifty years of his steady creative and conciliatory involvement with military service the legal academy legislative reform university administration and judicial decision making This book assembles contributions from the in house historian of the law firm where Le Dain first practised from students and colleagues in the law schools where he taught from a research associate in his Commission of Inquiry into the non medical use of drugs from two of his successors on the Federal Court of Appeal and from three judicial clerks to Le Dain at the Supreme Court of Canada Also reproduced here is a transcript of a recent CBC documentary about his 1988 forced resignation from the Supreme Court following a short term depressive illness with commentary from Le Dain s family and co workers Gerald Le Dain was a tireless worker and a highly respected judge In a series of essays that cover the different periods and dimensions of his career *Tracings of Gerald Le Dain's Life in the Law* is an important and compassionate account of one man s commitment to the law in Canada Contributors include Harry W Arthurs G Blaine Baker Bonnie Brown Rosemary Cairns Way John M Evans Melvyn Green Bernard J Hibbitts Peter W Hogg

Richard A Janda C Ian Kyer Andree Lajoie Gerald E Le Dain Allen M Linden Roderick A Macdonald Louise Rolland and Stephen A Scott Canadian State Trials, Volume IV Barry Wright, Eric Tucker, Susan Binnie, 2015-11-03 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 **Chief Justice W.R. Jaccett** Richard W. Pound, 2000-05-15 After graduating from the University of Saskatchewan s College of Law Jaccett was chosen as a Rhodes Scholar He returned to Canada from Oxford not long before the outbreak of World War II and joined the ten man Department of Justice as a junior lawyer Through extraordinary hard work rigorous legal analysis and a bent for organization he eventually became Canada s eighth deputy minister of Justice He left this position after three years to become general counsel for the Canadian Pacific Railway and was later appointed president of the Exchequer Court of Canada He quickly revamped the level of service provided by the court to the legal profession and the public and was instrumental in both the creation of the Canadian Judicial Council and the design and creation of the new Federal Court of Canada As the first chief justice of the Federal Court he led the new court by example moulding it into the most efficient and effective court in the country despite opposition from provincial superior courts and the Supreme Court of Canada After fifteen years on the Bench he retired in 1979 at the height of his judicial career believing that this would help the Court develop He continued to work in relative obscurity at what he loved best solving legal problems but never again appeared before the courts *Rise to Greatness, Volume 1: Colony (1000-1867)* Conrad Black, 2017-03-07 Masterful ambitious and groundbreaking this is a major new history of our country by one of our most respected thinkers and historians a book every Canadian should own From the acclaimed biographer and historian Conrad Black comes the definitive history of Canada a revealing groundbreaking account of the people and events that shaped a nation The first of three volumes spanning from the year 1000 to 1867 and beginning with Canada s first inhabitants and the early explorers this masterful history challenges our perception of our history and Canada s role in the world taking on sweeping themes and vividly recounting the story of Canada s development from colony to dominion to country Black persuasively reveals that while many would argue that Canada was perhaps never predestined for greatness the opposite is in fact true the emergence of a magnificent country against all odds was a remarkable achievement Brilliantly conceived this major new reexamination of our country s history is a riveting tour de force by one of the best writers writing today **Rise to Greatness, Volume 2: Dominion (1867-1949)** Conrad Black, 2017-04-04 Sweeping ambitious and revelatory this is the second volume in a major history of our country by one of our most respected

thinkers and historians a book every Canadian should own From the acclaimed biographer and historian Conrad Black comes the definitive history of Canada a masterful groundbreaking account of the people and events that shaped a nation The second of three volumes spanning from the year 1867 1949 this compelling history challenges our perception of our history and Canada s role in the world taking on sweeping themes and vividly recounting the story of Canada s development from colony to dominion to country Black persuasively reveals that while many would argue that Canada was perhaps never predestined for greatness the opposite is in fact true the emergence of a magnificent country against all odds was a remarkable achievement Brilliantly conceived this major new reexamination of our country s history is a riveting tour de force by one of the best writers writing today **Truth and Privilege** Lyndsay Campbell,2021-12-16 A fascinating

comparative history of the legal arguments and strategies used to regulate expression in Massachusetts and Nova Scotia The Lazier Murder Robert J. Sharpe,2012-10-26 In December 1883 Peter Lazier was shot in the heart during a bungled robbery at a Prince Edward County farmhouse Three local men pleading innocence from start to finish were arrested and charged with his murder Two of them Joseph Thomset and David Lowder were sentenced to death by a jury of local citizens the following May Nevertheless appalled community members believed at least one of them to be innocent even pleading with prime minister John A Macdonald to spare them from the gallows The Lazier Murder explores a community s response to a crime as well as the realization that it may have contributed to a miscarriage of justice Robert J Sharpe reconstructs and contextualizes the case using archival and contemporary newspaper accounts The Lazier Murder provides an insightful look at the changing pattern of criminal justice in nineteenth century Canada and the enduring problem of wrongful convictions

Bora Laskin Philip Girard,2015-01-15 In any account of twentieth century Canadian law Bora Laskin 1912 1984 looms large Born in northern Ontario to Russian Jewish immigrant parents Laskin became a prominent human rights activist university professor and labour arbitrator before embarking on his accidental career as a judge on the Ontario Court of Appeal 1965 and later Chief Justice of Canada 1973 1984 Throughout his professional career he used the law to make Canada a better place for workers racial and ethnic minorities and the disadvantaged As a judge he sought to make the judiciary more responsive to modern Canadian expectations of justice and fundamental rights In Bora Laskin Bringing Law to Life Philip Girard chronicles the life of a man who at all points of his life was a fighter for a better Canada he fought antisemitism corporate capital omnipotent university boards the Law Society of Upper Canada and his own judicial colleagues in an effort to modernize institutions and re shape Canadian law Girard exploits a wealth of previously untapped archival sources to provide in vivid detail a critical assessment of a restless man on an important mission **Honorary Protestants** David Fraser,2015-01-01 In Honorary Protestants David Fraser presents the first legal history of the Jewish school question in Montreal **Rise to Greatness** Conrad Black,2014-11-11 Masterful ambitious and groundbreaking this is a major new history of our country by one of our most respected thinkers and historians a book every Canadian should own

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Canadian State Trials, Volume V Barry Wright, Susan Binnie, Eric Tucker, 2022-11-01 The fifth and final volume of the Canadian State Trials series examines political trials and national security measures during the period of 1939 to 1990 Essays by historians and legal scholars shed light on experiences during the Second World War and its immediate aftermath including uses of the War Measures Act and the Official Secrets Act with the unfolding of the Cold War and legal responses to the FLQ including the October Crisis labour strikes and Indigenous resistance and standoffs The volume critically examines the historical and social context of the trials and measures resulting from these events concluding the first comprehensive series on this important area of Canadian law and politics The fifth volume's exploration of state responses to real and perceived security threats is particularly timely as Canada faces new challenges to the established order ranging from Indigenous nations demanding a new constitutional framework to protestors challenging discriminatory policing and contesting public health measures Osgoode Society for Canadian Legal History

Elusive Destiny Paul Litt, 2011-10-21 Going my way asked John Turner's campaign brochure in 1962 my way is the Liberal way It was that is until Pierre Trudeau came to power Turner was his party's star apprentice in the Liberal art of managing a heterogeneous nation through brokerage politics but in the 1968 election Canadians opted instead for a newly minted celebrity leader for a reimagined nation A political biography extraordinaire Elusive Destiny reveals the inner workings of the Liberal Party in its heyday as charted through the meteoric rise and fall of John Napier Turner It highlights Turner's vision for the country and tallies the political price he paid when he deviated from the Trudeau legacy on matters such as language rights social spending and Quebec It also provides a new perspective on federal politics from the 1960s through the 1980s while giving John Turner his rightful place in Canadian history

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Table of Contents Federal Court Of Canada A History 1875 1992

1. Understanding the eBook Federal Court Of Canada A History 1875 1992
 - The Rise of Digital Reading Federal Court Of Canada A History 1875 1992
 - Advantages of eBooks Over Traditional Books
2. Identifying Federal Court Of Canada A History 1875 1992
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Federal Court Of Canada A History 1875 1992
 - User-Friendly Interface
4. Exploring eBook Recommendations from Federal Court Of Canada A History 1875 1992
 - Personalized Recommendations
 - Federal Court Of Canada A History 1875 1992 User Reviews and Ratings
 - Federal Court Of Canada A History 1875 1992 and Bestseller Lists
5. Accessing Federal Court Of Canada A History 1875 1992 Free and Paid eBooks
 - Federal Court Of Canada A History 1875 1992 Public Domain eBooks
 - Federal Court Of Canada A History 1875 1992 eBook Subscription Services
 - Federal Court Of Canada A History 1875 1992 Budget-Friendly Options
6. Navigating Federal Court Of Canada A History 1875 1992 eBook Formats
 - ePub, PDF, MOBI, and More
 - Federal Court Of Canada A History 1875 1992 Compatibility with Devices
 - Federal Court Of Canada A History 1875 1992 Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Federal Court Of Canada A History 1875 1992
 - Highlighting and Note-Taking Federal Court Of Canada A History 1875 1992
 - Interactive Elements Federal Court Of Canada A History 1875 1992
8. Staying Engaged with Federal Court Of Canada A History 1875 1992

- Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Federal Court Of Canada A History 1875 1992
9. Balancing eBooks and Physical Books Federal Court Of Canada A History 1875 1992
- Benefits of a Digital Library
 - Creating a Diverse Reading Collection Federal Court Of Canada A History 1875 1992
10. Overcoming Reading Challenges
- Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Federal Court Of Canada A History 1875 1992
- Setting Reading Goals Federal Court Of Canada A History 1875 1992
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Federal Court Of Canada A History 1875 1992
- Fact-Checking eBook Content of Federal Court Of Canada A History 1875 1992
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
- Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
- Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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