

Speedy Justice

The Tragic Last Voyage of His Majesty's Vessel Speedy

BRENDAN O'BRIEN



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Philip Girard, Osgoode Society



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Connecting the Dots Harry W. Arthurs, 2019-05-23 Harry W Arthurs is a name held in high esteem by labour lawyers and academics throughout the world Although many are familiar with Arthurs s contributions and accomplishments few are acquainted with the man himself or how he came to be one of the most influential figures in Canadian law and legal education In *Connecting the Dots* Arthurs recounts his adventures in academe and the people principles ideas motivations and circumstances that have shaped his thinking and his career The memoir offers intimate recollections and observations beginning with the celebrated ancestors who influenced Arthurs s upbringing and education It then sweeps through his career as an architect of important reforms in legal education and explores his research as a trailblazing commentator on the legal profession Arthurs analyzes his experiences as a legal theorist and historian and his pivotal role as a discordant voice in debates over constitutional and administrative law Along the way he muses on the intellectual projects he embraced or set in motion the institutional reforms he advocated the public policies he recommended and how they fared long term Framed with commentary on the historical context that shaped each decade of his career and punctuated by moments of personal reflection *Connecting the Dots* is a humorous frank and fearless account of the rise and fall of Canadian labour law from the man who was at the centre of it all

Arming and Disarming R. Blake Brown, 2012-01-01 From the Cole Polytechnique shootings of 1989 to the political controversy surrounding the elimination of the federal long gun registry the issue of gun control has been a subject of fierce debate in Canada But in fact firearm regulation has been a sharply contested issue in the country since Confederation *Arming and Disarming* offers the first comprehensive history of gun control in Canada from the colonial period to the present In this sweeping immersive book R Blake Brown outlines efforts to regulate the use of guns by young people punish the misuse of arms impose licensing regimes and create firearm registries Brown also challenges many popular assumptions about Canadian history suggesting that gun ownership was far from universal during much of the colonial period and that many nineteenth century lawyers including John A Macdonald believed in a limited right to bear arms *Arming and Disarming* provides a careful exploration of how social economic cultural legal and constitutional concerns shaped gun legislation and its implementation as well as how these factors defined Canada s historical and contemporary gun culture

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

Hunger, Horses, and Government Men Shelley A. M. Gavigan, 2012-10-15 Scholars often accept without question that the Indian Act 1876 criminalized First Nations Drawing on court files police and penitentiary records and newspaper accounts from the Saskatchewan region of the North West Territories between 1870 and 1905 Shelley Gavigan argues that the notion of criminalization captures neither the complexities of Aboriginal participation in the criminal courts nor the significance of the Indian Act as a form of law This illuminating book paints a vivid portrait of Aboriginal defendants witnesses and informants whose encounters with the

criminal law and the Indian Act included both the mediation and the enforcement of relations of inequality 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 **Courted and Abandoned** Patrick Brode,Osgoode Society for Canadian Legal History,2002-01-01 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 The Rule of the Admirals Jerry Bannister,Osgoode Society for Canadian Legal History,2003-01-01 Jerry Bannister s The Rule of the Admirals examines governance in Newfoundland from the rule of the fishing admirals in 1699 to the establishment of representative government in 1832 It offers the first in depth account of the rise and fall of the system of naval government that dominated the island for more than a century In this provocative look at legal culture in eighteenth and nineteenth century Newfoundland Bannister explores three topics in detail naval government in St John s surrogate courts in the outports and patterns in the administration of law He challenges the conventional view that early Newfoundland was a lawless frontier isolated from the rest of the Atlantic world and argues that an effective system of naval government emerged to meet the needs of those in power An original and perceptive work Bannister s argument demands that we reconsider much of our knowledge of early Newfoundland history As he re examines governance prior to an elected assembly and places his analysis firmly within the material conditions of Newfoundland society Bannister provides a groundbreaking reinterpretation of a critical period in the island s colonial development Ultimately The Rule of the Admirals sheds light on one of the most misunderstood chapters in Canadian and British colonial history 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

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

Judging Bertha Wilson Ellen Anderson, 2002-12-15 Madame Justice Bertha Wilson the first woman appointed to the Supreme Court of Canada is an enormously influential and controversial figure in Canadian legal and political history This engaging authorized intellectual biography draws on interviews conducted under the auspices of the Osgoode Society for Legal History held in Scotland and Canada with Madame Justice Wilson as well as with her friends relatives and colleagues The biography traces Wilson s story from her birth in Scotland in 1923 to the present Wilson s contributions to the areas of human rights law and equality jurisprudence are many and well known Lesser known are her early days in Scotland and her work as a minister s wife or her post judicial work on gender equality for the Canadian Bar Association and her contributions to the Royal Commission on Aboriginal Peoples Through a scrupulous survey of Wilson s judgements memos and academic writings many as yet unpublished Ellen Anderson shows how Wilson s life and the law were seamlessly integrated in her persistent commitment to a stance of principled contextuality This stance has had an enduring effect on the evolution of Canadian law and cultural history Supported with the warmth and generosity of Wilson s numerous personal anecdotes this work illuminates the life and thought of a woman who has left an extraordinary mark on Canada s legal landscape

Westward Bound Lesley Erickson, 2011-08-01 *Westward Bound* debunks the myth of Canada s peaceful West and the masculine conceptions of law and violence upon which it rests by shifting the focus from Mounties and whisky traders to criminal cases involving women between 1886 and 1940 Erickson s analysis of these cases shows that rather than a desire to protect official responses to the most intimate or violent acts betrayed an impulse to shore up the liberal order by maintaining boundaries between men and women Native people and newcomers and capital and labour Victims and accused could only hope to harness entrenched ideas about masculinity femininity race and class in their favour This fascinating exploration of hegemony and resistance in key contact zones draws prairie Canada into larger debates about law colonialism

and nation building *John J. Robinette* George D. Finlayson, 2003-09-01 John J Robinette Canada's greatest trial lawyer was admired and respected by the bench and his fellow lawyers alike A quiet unassuming man outside the courtroom he was a consummate performer when appearing before a judge and jury Robinette became a household name as the defender of Evelyn Dick who was charged with killing her husband and infant son in Hamilton in 1946 and of Steven Suchan a member of the infamous Boyd Gang He was Canada's pre eminent lawyer from the 1930s to the 1980s showing unparalleled versatility and virtuosity whether acting as counsel in criminal civil or constitutional cases at both the trial and appeal levels This is the story of a great man of the maturing of the legal profession in Canada and of Canada in the twentieth century **Labour**

Before the Law Judy Fudge, Eric Tucker, 2004-01-01 In this groundbreaking study of the relations between workers and the state Judy Fudge and Eric Tucker examine the legal regulation of workers collective action from 1900 to 1948 They analyze the strikes violent confrontations lockouts union organizing drives legislative initiatives and major judicial decisions that transformed the labour relations regime of liberal voluntarism which prevailed in the later part of the nineteenth century into industrial voluntarism whose centrepiece was Mackenzie King's Industrial Disputes Investigation Act of 1907 This period was marked by coercion and compromise as workers organized and fought to extend their rights against the profit oriented owners of capital while the state struggled to define a labour regime that contained industrial conflict The authors then trace the conflicts that eventually produced the industrial pluralism that Canadians have known in more recent years By 1948 a detailed set of legal rules and procedures had evolved and achieved a hegemonic status that no prior legal regime had even approached This regime has become so central to our everyday thinking about labour relations that one might be forgiven for thinking that everything that came earlier was truly before the law But as *Labour Before the Law* demonstrates workers who acted collectively prior to 1948 often found themselves before the law whether appearing before a magistrate charged with causing a disturbance facing a superior court judge to oppose an injunction or in front of a board appointed pursuant to a statutory scheme that was investigating a labour dispute and making recommendations for its resolution The book is simultaneously a history of law aspects of the state trade unions and labouring people and their interaction within the broad and shifting terrain of political economy The authors are attentive to regional differences and sectoral divergences and they attempt to address the fragmentation of class experience *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 **Law, Life, and Government at Red River, Volume 1** Dale Gibson, 2015-06-01 Inhabited by a diverse population of First Nations peoples Métis Scots Upper and Lower Canadians and Americans and dominated by the commercial and governmental activities of the Hudson's Bay Company Red River now Winnipeg was a challenging settlement to oversee This illuminating account presents the story of the unique legal and governmental system that attempted to do so and the mixed success it encountered

culminating in the 1869-70 Red River Rebellion and confederation with Canada in 1870 In *Law Life and Government at Red River* Dale Gibson provides rich revealing glimpses into the community and its complex relations with the Hudson's Bay Company, the colony's owner and primary employer Volume 1 details the history of the settlement's establishment, development and ambivalent relationship with the legal and undemocratic but gradually grudgingly slightly more representative governmental institutions forming in the area and the legal system's evolving engagement with the Aboriginal population A vivid look into early settler life *Law Life and Government at Red River* offers insights into the political, commercial and legal circumstances that unfolded during western expansion

The Thousandth Man Barry Cahill, Osgoode Society for Canadian Legal History, 2000-01-01 James McGregor Stewart 1889-1955 was perhaps the foremost Canadian corporate lawyer of his day He was also an appellate counsel, venture capitalist, Conservative Party fundraiser, bibliographer of Rudyard Kipling and sometime university teacher of classics A leader of the bar in the inter-war period, he was the first Maritimer to serve as president of the Canadian Bar Association He distinguished himself mainly in constitutional cases before the Judicial Committee of the Privy Council During his career Stewart was also head of the leading law firm in eastern Canada, now Stewart McKelvey Stirling Scales, director and vice president of the Royal Bank of Canada and senior counsel to the Royal Commission on Dominion-Provincial Relations Above all Stewart was committed to the idea of law as a truly learned profession and to the bar as the most important legal institution To this day no lawyer has held such prestige and power both within and outside Atlantic Canada In his time he was the only Maritime lawyer who gained full acceptance by every branch of the Canadian establishment Thematic rather than chronological in approach, this fascinating legal biography provides both a history of a uniquely Canadian career and an interpretation of its significance for Stewart's time and ours

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

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

Dewigged, Bothered, and Bewildered John McLaren, 2011-10-22 Throughout the British colonies in the nineteenth century judges were expected not only to administer law and justice but also to play a significant role within the governance of their jurisdictions British authorities were consequently concerned about judges' loyalty to the Crown and on occasion removed or suspended those who were found politically subversive or personally difficult Even reasonable and well balanced judges were sometimes threatened with removal Using the career histories of judges who challenged the system *Dewigged, Bothered, and Bewildered* illuminates issues of judicial tenure, accountability and independence throughout the British Empire John McLaren closely examines cases of judges across a wide geographic spectrum from Australia to the Caribbean and from Canada to Sierra Leone who faced disciplinary action These riveting stories provide helpful insights into the tenuous position of the colonial judiciary and the precarious state of politics in a variety of British colonies Scugog Carrying Place Grant Karcich, 2013-03-30 Until now the story of this trail, its beginnings, its purpose and its significant place in Ontario's history has been poorly defined The story of Scugog Carrying Place, the ancient aboriginal trails connecting Lake Ontario with Lakes Scugog and Simcoe and the Kawartha lakes is a multifaceted one In tracing its documented history from the 1790s to the 1850s author Grant Karcich unravels mysteries, explores the lifestyles of early First Nations, provides background on local archaeological sites and introduces the intrepid early surveyors, fur traders, missionaries, colourful characters and entrepreneurial immigrant settlers from both the newly formed United States and the United Kingdom In their wake come the demon whiskey, devastating plagues, competing world views, saddlebag preachers and ultimately the marginalization of the First Nations people The Scugog Trail assumes a significant role in the transition of the land from forest to agriculture to villages, towns and industrial centres Long forgotten cabins, cemeteries and a cartographic mystery involving the infamous Cabane de Plomb add to the mystique The trail bore witness to the development of communities such as Oshawa, Harmony, Columbus, Prince Albert, Port Perry, Seagrave, Cannington and Beaverton whose stories also unfold *Scugog Carrying Place* is a must read for history buffs, genealogists, archaeologists and anyone with roots in this part of Ontario

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