
Anonymous

Follow this and additional works at: http://digitalcommons.osgoode.yorku.ca/ohlj
Article

Citation Information
http://digitalcommons.osgoode.yorku.ca/ohlj/vol18/iss4/4

This Article is brought to you for free and open access by the Journals at Osgoode Digital Commons. It has been accepted for inclusion in Osgoode Hall Law Journal by an authorized editor of Osgoode Digital Commons.

TABLES

I. Volume of Work

II. Breakdown by Source

III. Subject Matter of Litigation

IV. Majority/Dissent Ratio

V. Type of Work

VI. Action of the Justices

Statistics compiled by the Board of Volume 19 of the Osgoode Hall Law Journal, York University. The Board of Editors wishes to acknowledge the invaluable assistance of Mr. H. Laurence in the preparation of these tables. Mr. Laurence is a member of the 1982 graduating class of Osgoode Hall Law School. All tables except Table 1 deal with reported cases only.

TABLE I

VOLUME OF WORK

<table>
<thead>
<tr>
<th></th>
<th>Reported Judgments</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private</td>
<td>Public</td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>94</td>
<td>138</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reported Motions</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowed</td>
<td>Dismissed</td>
<td>Other</td>
</tr>
<tr>
<td>3</td>
<td>2</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Unreported Appeals</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowed</td>
<td>Dismissed</td>
<td>Other</td>
</tr>
<tr>
<td>3</td>
<td>7</td>
<td>34</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Unreported Motions</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowed</td>
<td>Dismissed</td>
<td>Other</td>
</tr>
<tr>
<td>160</td>
<td>206</td>
<td>75</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Unreported References</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 Appellate decisions and references are included under this heading; motions are not. A decision involving one or more appeals (including cross-appeals) or references is considered to be one case for the purpose of this category. Procedural cases are classified according to their underlying subject matters. If a case is classified under both “Private” and “Public,” it is entered under each of those headings, but only once under “Total.”


3 A decision involving one or more motions is entered once under one of “Allowed,” “Dismissed” or “Other” except if the disposition of the motions is not the same, in which case the decision is entered once under two or more of “Allowed,” “Dismissed” or “Other.” A decision is entered only once under “Total.”

4 With respect to unreported decisions the following procedure applies: a decision involving one or more appeals (including cross-appeals) is entered once under one of “Allowed,” “Dismissed,” or “Other,” except if the dispositions of the motions are not the same in which case the decision is entered once under two or more of “Allowed,” “Dismissed” or “Other.” A decision is entered only once under “Total.”

All data under this heading are derived from the [1979] Bulletin of Proceedings Taken In the Supreme Court of Canada. It should be noted that decisions entered under this heading may be reported in subsequent volumes of the Supreme Court Reports.
### Table II

**Breakdown by Source**

<table>
<thead>
<tr>
<th>Source</th>
<th>Private</th>
<th></th>
<th>Public</th>
<th></th>
<th>Total from Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Affirmed</td>
<td>Reversed</td>
<td>Other</td>
<td>Affirmed</td>
<td>Reversed</td>
</tr>
<tr>
<td>Newfoundland</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Nova Scotia</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Prince Edward Island</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>New Brunswick</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Quebec</td>
<td>8</td>
<td>11</td>
<td>1⁴</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>Ontario</td>
<td>7</td>
<td>3</td>
<td>0</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td>Manitoba</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>0</td>
<td>1</td>
<td>1°</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Alberta</td>
<td>1</td>
<td>2</td>
<td>1°</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>British Columbia</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>Yukon Territories</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Northwest Territories</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Court Martial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appeal Court</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Federal Boards</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Federal Courts</td>
<td>1°</td>
<td>2</td>
<td>0</td>
<td>10°</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>21</td>
<td>22</td>
<td>3</td>
<td>55</td>
<td>36</td>
</tr>
</tbody>
</table>

¹ Only appellate decisions (including references on appeal from the decision of a lower court) are included in this table. Decisions may be classified under both “Private” and “Public” because of multiple subject matters. A decision involving one or more appeals (including cross-appeals) is entered once under “Affirmed,” “Reversed,” or “Other” unless the lower court is both affirmed and reversed, in which case the decision is entered once under the two or more of “Affirmed,” “Reversed,” or “Other.” A decision is entered only once under “Total from Source” unless it involves multiple appeals having different origins. Procedural decisions are classified according to their underlying subject matters.

² *Central Canada Potash Ltd. v. The Gov’t of Sask.*, [1979] 1 S.C.R. 42, has been classified under both “Private” and “Public” for the purposes of this table. The decision has been included under “Other.” The Court affirmed the decision of the Court of Appeal in part and reversed the Court of Appeal in part.

³ *Sask. Power Corp. v. TransCanada Pipelines Ltd.*, [1979] 1 S.C.R. 297, has been classified under both “Private” and “Public” for the purposes of this table.

⁴ *Racicot v. Bertrand*, [1979] 1 S.C.R. 497, has been included under both “Private” and “Public” for the purposes of this table. The Court affirmed the decision of the Court of Appeal in part and reversed the Court of Appeal in part.

⁵ In *Anderson v. The Queen*, [1979] 1 S.C.R. 633, the Court adjourned the appeal *sine die*.

⁶ In *Asamera Oil Corp. Ltd.*, [1979] 1 S.C.R. 633, the Court affirmed the decision of the Court of Appeal in part and reversed the Court of Appeal in part.

⁷ In *Beeman v. The Queen*, [1979] 2 S.C.R. 16, the Court refused to hear the appeal.
### TABLE III

**SUBJECT MATTER OF LITIGATION**

This table indicates, first, the breakdown by subject matters of the reported cases; second, the number of cases decided by a given majority/dissent ratio within a given subject matter; and, third, with respect to "Appellate" cases only, the number of those cases in which the Supreme Court affirmed, reversed or took other action with respect to the decision of the court immediately below. For example, there are two cases dealing with "Sale of Goods." In one of the cases the majority consisted of seven judges with no dissenters and the court below was affirmed. In the other case the majority consisted of six judges, three justices dissented and the court below was reversed.

<table>
<thead>
<tr>
<th>ORIGINAL JURISDICTION</th>
<th>Number of Cases Reported</th>
<th>Majority/Dissent Ratio</th>
<th>Affirmed</th>
<th>Reversed</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>References²</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reported Motions</td>
<td>5</td>
<td>1;7/0</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3;5/0</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;3/0</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>APPELLATE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) PRIVATE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) Administration and Succession</td>
<td>1⁴</td>
<td>1;6/3⁴</td>
<td>0</td>
<td>1⁴</td>
<td>0</td>
</tr>
<tr>
<td>Devolution</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executors and</td>
<td>1</td>
<td>1;5/0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Administrators</td>
<td>1</td>
<td>1;7/0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Will</td>
<td>3³</td>
<td>3;5/0</td>
<td>0</td>
<td>3³</td>
<td>0</td>
</tr>
<tr>
<td>(ii) Commercial Accounts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agency</td>
<td>1</td>
<td>1;6/3⁴</td>
<td>0</td>
<td>1⁴</td>
<td>0</td>
</tr>
<tr>
<td>Assignments</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bankruptcy</td>
<td>1</td>
<td>1;5/0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Banks and Banking</td>
<td>1</td>
<td>1;7/0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Bills and Notes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Companies Contract</td>
<td>75.⁶.⁷</td>
<td>3;7/0</td>
<td>2⁷</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3;5/0</td>
<td>0</td>
<td>2⁵</td>
<td>1⁸</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;4/1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Debtor and Creditor</td>
<td>6</td>
<td>1;9/0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Insurance</td>
<td></td>
<td>1;5/4</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;4/3</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3;5/0</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Interest</td>
<td>1⁵</td>
<td>1;5/0</td>
<td>0</td>
<td>1⁵</td>
<td>0</td>
</tr>
<tr>
<td>Partnership</td>
<td>1</td>
<td>1;5/0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sale of Goods</td>
<td>2</td>
<td>1;6/3</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;7/0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Subrogation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(iii) *Domestic Relations*

Adoption  
Annulment  
Breach of Promise  
Child Welfare and Custody

| Divorce | 1 | 1;5/0 | 0 | 1 | 0 |
| Judicial Separation  
Maintenance and Support |

(iv) *Intellectual Property*

Copyrights  
Industrial Designs  
Patents  
Trademarks

| Patents | 2 | 1;7/2 | 0 | 1 | 0 |
| 1;4/3 | 0 | 1 | 0 |

(v) *Land*

Hypothecs and Mortgages  
Landlord and Tenant  
Mechanics' Liens  
Real Property

| Hypothecs and Mortgages | 1 | 1;5/0 | 1 | 0 | 0 |
| Landlord and Tenant | 1 | 1;5/0 | 0 | 1 | 0 |
| Mechanics' Liens | 1 | 1;7/0 | 1 | 0 | 0 |
| Real Property | 1 | 1;5/0 | 1 | 0 | 0 |

(vi) *Torts*

Assault and Battery  
Conversion and Detinue  
Conspiracy and Intimidation  
False Imprisonment  
Libel and Slander  
Negligence  
Nuisance  
Occupiers' Liability  
Trespass  
Vicarious Liability

| Assault and Battery | 14 | 1;6/3 | 0 | 14 | 0 |
| Conversion and Detinue | 18 | 1;7/0 | 0 | 0 | 18 |
| Conspiracy and Intimidation | 19 | 1;5/4 | 0 | 1 | 0 |
| False Imprisonment | 26 | 2;6/3 | 1 | 1 | 0 |
| Libel and Slander | 15/0 | 1 | 0 | 0 |
| Negligence | 2 | 1;7/2 | 1 | 0 | 0 |
| Nuisance | 1;7/0 | 1 | 0 | 0 |
| Occupiers' Liability |  
Trespass |  
Vicarious Liability |  
|
### (vii) *Other*

<table>
<thead>
<tr>
<th>Category</th>
<th>Number of Cases Reported</th>
<th>Majority/ Dissent Ratio</th>
<th>Affirmed</th>
<th>Reversed</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admiralty and Shipping Associations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Choses in Action</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conflict of Laws</td>
<td>1</td>
<td>1;9/0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Damages</td>
<td>3(^{10})</td>
<td>2;9/0</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;7/0</td>
<td>0</td>
<td>1(^{10})</td>
<td>0</td>
</tr>
<tr>
<td>Master and Servant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### (b) PUBLIC

<table>
<thead>
<tr>
<th>Category</th>
<th>Number of Cases Reported</th>
<th>Majority/ Dissent Ratio</th>
<th>Affirmed</th>
<th>Reversed</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Boards</td>
<td>(9^{11,12,13})</td>
<td>2;9/0</td>
<td>2(^{11,12})</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;7/2</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;6/3</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;5/4</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2;7/0</td>
<td>2(^{13})</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2;5/0</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Certiorari</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Civil Rights</td>
<td>2(^{14})</td>
<td>1;6/3</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;7/0</td>
<td>1(^{14})</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Constitutional</td>
<td>(10^{7,8,12,14,15})</td>
<td>2;9/0</td>
<td>2(^{12})</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;7/2</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;8/0</td>
<td>0</td>
<td>1(^{15})</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5;7/0</td>
<td>4(^{7,14})</td>
<td>0</td>
<td>1(^{8})</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;5/2</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Criminal</td>
<td>(28^{16})</td>
<td>8;9/0</td>
<td>8(^{16})</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;7/2</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2;6/3</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2;5/4</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10;7/0</td>
<td>6</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;5/2</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2;4/3</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2;3/0</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Crown and Sovereign Immunity</td>
<td>(4^{10,15})</td>
<td>1;8/0</td>
<td>0</td>
<td>1(^{15})</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2;7/0</td>
<td>1</td>
<td>1(^{10})</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;5/0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Expropiation</td>
<td>(2^{11,17})</td>
<td>1;9/0</td>
<td>1(^{11})</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;5/0</td>
<td>1(^{17})</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Number of Cases Reported</td>
<td>Majority/Dissent Ratio</td>
<td>Affirmed</td>
<td>Reversed</td>
<td>Other</td>
</tr>
<tr>
<td>------------------------------</td>
<td>--------------------------</td>
<td>------------------------</td>
<td>----------</td>
<td>----------</td>
<td>-------</td>
</tr>
<tr>
<td>Habeas Corpus</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Immigration</td>
<td>1</td>
<td>1;5/0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>International</td>
<td>1</td>
<td>1;5/0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Interpretation of Statute</td>
<td>6\textsuperscript{18,10}</td>
<td>2;9/0</td>
<td>1</td>
<td>1\textsuperscript{10}</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;7/0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;6/1</td>
<td>0</td>
<td>1\textsuperscript{18}</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2;5/0</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Labour</td>
<td>11\textsuperscript{10}</td>
<td>7;9/0</td>
<td>1</td>
<td>6\textsuperscript{10}</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;4/3</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3;5/0</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Mandamus</td>
<td>7\textsuperscript{6,16,17}</td>
<td>1;9/0</td>
<td>1\textsuperscript{16}</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Municipal</td>
<td></td>
<td>5;5/0</td>
<td>2\textsuperscript{17}</td>
<td>2</td>
<td>1\textsuperscript{6}</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;3/2</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Native Rights</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prohibition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Utilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Securities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taxation</td>
<td>6\textsuperscript{20}</td>
<td>1;7/0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4;5/0</td>
<td>2</td>
<td>2\textsuperscript{20}</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;3/2</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(c) PROCEDURAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appeal</td>
<td>3\textsuperscript{17,21}</td>
<td>2;7/0</td>
<td>1</td>
<td>0</td>
<td>1\textsuperscript{21}</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;5/0</td>
<td>1\textsuperscript{17}</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Declaratory Action</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evidence</td>
<td>8</td>
<td>3;9/0</td>
<td>1</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;6/3</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3;5/4</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;7/0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Injunctions</td>
<td>8\textsuperscript{3,18,20}</td>
<td>2;9/0</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Jurisdiction</td>
<td></td>
<td>2;7/0</td>
<td>1\textsuperscript{13}</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;4/3</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3;5/0</td>
<td>0</td>
<td>3\textsuperscript{3,20}</td>
<td>0</td>
</tr>
<tr>
<td>Limitation Period</td>
<td>1\textsuperscript{18}</td>
<td>1;6/1</td>
<td>0</td>
<td>1\textsuperscript{18}</td>
<td>0</td>
</tr>
<tr>
<td>Procedure</td>
<td>7</td>
<td>5;9/0</td>
<td>0</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;7/2</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1;7/0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
A decision involving one or more appeals (including cross-appeals), motions or references is considered to be one case for the purpose of this table unless the results differ with respect to affirmation or reversal, or the vote or composition of majority or minority varies among the appeals, motions or references. Multiple entries are made if a case involves more than one subject matter of importance.

Appeals from decisions on references brought before lower courts are classified according to their subject matters under appellate.

*United Dist. of Stoneham v. Ouellet,* [1979] 2 S.C.R. 172, has been included under both “Wills” and “Jurisdiction” for the purposes of this table.

*Can. Lab Supplies Ltd. v. Englehard Ind.*, [1979] 2 S.C.R. 787, has been included under both “Agency” and “Conversion and Detinue” for the purposes of this table. The judgment of Laskin C.J. (Spence and Dickson J.J. concurring) has been treated as a dissenting judgment.

*Fred Morton Holdings Ltd. v. Davis,* [1979] 1 S.C.R. 783, has been included under both “Interest” and “Contract” for the purposes of this table.

*Racicot v. Bertrand,* [1979] 1 S.C.R. 441, has been included under both “Contract” and “Municipal” for the purposes of this table. The Court affirmed the judgment of the Court of Appeal in part and reversed the Court of Appeal in part.

*Sask. Power Corp. v. TransCanada Pipelines Ltd.*, [1979] 1 S.C.R. 297, has been included under both “Contract” and “Constitutional” for the purposes of this table.

*Central Can. Potash Co. v. The Gov’t of Sask.*, [1979] 1 S.C.R. 42, has been included under both “Constitutional” and “Conspiracy and Intimidation” for the purposes of this table. The Court affirmed the judgment of the Court of Appeal in part and reversed the Court of Appeal in part.

In *Chartier v. A.G. Que.*, [1979] 2 S.C.R. 474, the judgment of Pratte J. (Martland, Dickson and Beetz J.J. concurring) has been treated as a dissenting judgment.

*Man. Fisheries Ltd. v. The Queen,* [1979] 1 S.C.R. 101, has been included under both “Crown and Sovereign Immunity” and “Damages” for the purposes of this table.

*Majestic Neckwear Ltd. v. City of Montreal,* [1979] 1 S.C.R. 823, has been included under both “Administrative Boards” and “Expropriation” for the purposes of this table.

*City of Mississauga v. Municipality of Peel,* [1979] 2 S.C.R. 244, has been included under both “Constitutional” and “Administrative Boards” for the purposes of this table.

*C.T.C. v. Can. Pacific Ltd.*, [1979] 1 S.C.R. 631, has been included under both “Jurisdiction” and “Administrative Boards” for the purposes of this table.

*Bliss v. A.G. Can.*, [1979] 1 S.C.R. 183, has been included under both “Civil Rights” and “Constitutional” for the purposes of this table.

*Keable v. A.G. Can.*, [1979] 1 S.C.R. 218, has been included under both “Constitutional” and “Crown and Sovereign Immunity” for the purposes of this table.

*A.G. Ont. v. Municipality of Peel,* [1979] 2 S.C.R. 1134, has been included under both “Criminal” and “Municipal” for the purposes of this table.

*Bowen v. City of Montreal,* [1979] 1 S.C.R. 511, has been included under “Expropriation,” “Municipal” and “Appeal” for the purposes of this table.

*Bernardinelli v. Ont. Housing Corp.*, [1979] 1 S.C.R. 275, has been included under both “Interpretation of Statute” and “Limitation Period” for the purposes of this table.

*C.U.P.E. v. N.B. Liquor Corp.*, [1979] 2 S.C.R. 227, has been included under both “Labour” and “Interpretation of Statute” for the purposes of this table.

*Francon v. Montreal Catholic School Comm’n,* [1979] 1 S.C.R. 891, has been included under both “Taxation” and “Jurisdiction” for the purposes of this table.

In *Anderson v. The Queen,* [1979] 1 S.C.R. 630, the Court adjourned the appeal *sine die.*
**TABLE IV**

**MAJORITY/DISSENT RATIO**

<table>
<thead>
<tr>
<th>Total Number of Cases Reported</th>
<th>143</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unanimous Decisions</td>
<td>107</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Split Decisions</th>
<th>36</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>9/0...33</th>
<th>8/0...1</th>
<th>7/0...32</th>
<th>6/0...1</th>
<th>5/0...40</th>
<th>3/0...1</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/1...0</td>
<td>7/1...0</td>
<td>6/1...1</td>
<td>5/1...0</td>
<td>4/1...1</td>
<td>2/1...0</td>
</tr>
<tr>
<td>7/2...6</td>
<td>6/2...0</td>
<td>5/2...2</td>
<td>4/2...0</td>
<td>3/2...2</td>
<td></td>
</tr>
<tr>
<td>6/3...9(^2)</td>
<td>5/3...0</td>
<td>4/3...6</td>
<td>3/3...0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5/4...8(^3)</td>
<td>4/4...0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^1\) Both "Original Jurisdiction" and "Appellate" decisions are included in this table. A decision involving one or more appeals (including cross-appeals), motions or references is considered to be one case for the purposes of this table unless the composition of majority and minority varies among the appeals, motions or references.

\(^2\) In *Can. Lab Supplies v. Englehard Ind.*, [1979] 2 S.C.R. 787, the judgment of Laskin C.J. (Spence and Dickson J.J. concurring) has been treated as a dissenting judgment for the purposes of this table. The point of difference concerns damages only.

\(^3\) In *Chartier v. A.G. Que.*, [1979] 2 S.C.R. 474, the judgment of Pratte J. (Martland, Dickson and Beetz J.J. concurring) has been treated as a dissenting judgment for the purposes of this table.
### TABLE V

**TYPE OF WORK**

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Common Law</th>
<th>Civil Law</th>
<th>Constitutional</th>
<th>Criminal</th>
<th>Other Public Law</th>
<th>Reported Motions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beetz</td>
<td>15</td>
<td>19</td>
<td>6</td>
<td>41</td>
<td>34</td>
<td>2</td>
</tr>
<tr>
<td>Chouinard</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dickson</td>
<td>22</td>
<td>22</td>
<td>9</td>
<td>36</td>
<td>39</td>
<td>5</td>
</tr>
<tr>
<td>Estey</td>
<td>21</td>
<td>19</td>
<td>6</td>
<td>41</td>
<td>36</td>
<td>3</td>
</tr>
<tr>
<td>Laskin</td>
<td>16</td>
<td>10</td>
<td>3</td>
<td>28</td>
<td>22</td>
<td>2</td>
</tr>
<tr>
<td>Martland</td>
<td>22</td>
<td>12</td>
<td>9</td>
<td>37</td>
<td>31</td>
<td>3</td>
</tr>
<tr>
<td>McIntyre</td>
<td>8</td>
<td>4</td>
<td>3</td>
<td>14</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Pigeon</td>
<td>19</td>
<td>23</td>
<td>9</td>
<td>41</td>
<td>39</td>
<td>4</td>
</tr>
<tr>
<td>Pratte</td>
<td>16</td>
<td>22</td>
<td>8</td>
<td>35</td>
<td>32</td>
<td>3</td>
</tr>
<tr>
<td>Ritchie</td>
<td>24</td>
<td>11</td>
<td>9</td>
<td>39</td>
<td>31</td>
<td>2</td>
</tr>
<tr>
<td>Spence</td>
<td>4</td>
<td>9</td>
<td>5</td>
<td>25</td>
<td>26</td>
<td>0</td>
</tr>
</tbody>
</table>

The composition of the Court has changed as follows:

Left: Spence Dec. 29, 1978  
Joined: McIntyre Jan. 1, 1979  
Pratte June 30, 1979  
Chouinard Sept. 24, 1979

---

1 Both "Original Jurisdiction" and "Appellate" decisions are included in this table. A decision involving one or more appeals (including cross-appeals), motions or references is considered to be one case for the purposes of this table. Procedural cases and references are classified according to their underlying subject matters. Cases involving multiple subject matters may be classified under one or more of "Common Law," "Civil Law," "Constitutional," "Criminal" or "Other Public Law."

*Central Canada Potash Ltd. v. The Gov't of Sask.*, [1979] 1 S.C.R. 42, heard before Laskin C.J., Martland, Ritchie, Spence, Pigeon, Dickson and Pratte JJ., has been included under both "Constitutional" and "Common Law" because of multiple subject matters, i.e., "Constitutional" and "Conspiracy and Intimidation."

*Bliss v. A.G. Can.*, [1979] 1 S.C.R. 183, heard before Ritchie, Martland, Pigeon, Dickson, Beetz, Estey and Pratte JJ., has been included under both "Constitutional" and "Other Public Law" because of multiple subject matters, i.e., "Constitutional" and "Civil Rights."

*Keable v. A.G. Can.*, [1979] 1 S.C.R. 218, heard before Pigeon, Martland, Ritchie, Dickson, Beetz, Estey and Pratte JJ., has been included under both "Constitutional" and "Other Public Law" because of multiple subject matters, i.e., "Constitutional" and "Crown and Sovereign Immunity."

*Sask. Power Corp. v. TransCanada Pipelines Ltd.*, [1979] 1 S.C.R. 297, heard before Martland, Ritchie, Spence, Pigeon, Dickson, Estey and Pratte JJ., has been included under both "Constitutional" and "Common Law" because of multiple subject matters, i.e., "Constitutional" and "Contract."

*A.G. Ont. v. Peel*, [1979] 2 S.C.R. 1134, heard before Laskin C.J., Martland, Ritchie, Pigeon, Dickson, Beetz, Pratte and McIntyre JJ., has been included under both "Criminal" and "Other Public Law" because of multiple subject matters, i.e., "Criminal" and "Municipal Law."
TABLE VI
ACTION OF THE JUSTICES

This table indicates, first, the number of cases on which a justice sat; second, the number of cases in which a justice wrote a judgment (whether “Majority” or “Dissent”); third, the number of cases in which a justice did not write a judgment and concurred with the judgment of another justice (whether “Majority” or “Dissent”); and, fourth, the number of times a justice concurred with the judgment of a particular justice. For example, Laskin C.J.C. sat on 79 cases, wrote 31 majority and 7 dissenting judgments, and concurred with the majority judgment of another justice in 34 cases and with the dissenting judgment of another justice in 7 cases without writing a judgment of his own. Further, he concurred with the majority judgment of Beetz J. once; Dickson J. eight times; Estey J. nine times, etc.; and concurred with the dissenting judgments of Dickson J. once; Martland J. once; and, Spence J. five times.

<table>
<thead>
<tr>
<th>Number of Cases</th>
<th>Judgments</th>
<th>Concurrences</th>
<th>Concurrences with Another Justice</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Beetz</td>
<td>Chouinard</td>
<td>Dickson</td>
</tr>
<tr>
<td>Beetz 115</td>
<td>6</td>
<td>103</td>
<td>0</td>
</tr>
<tr>
<td>Majority 2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dissent 4</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Chouinard 5</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Majority 0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dissent 0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dickson 129</td>
<td>12</td>
<td>99</td>
<td>2</td>
</tr>
<tr>
<td>Majority 8</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dissent 4</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

1\(^{1}\)
<p>| | | | | | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estey</td>
<td>122</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Majority</td>
<td>15</td>
<td>93</td>
<td>3</td>
<td>0</td>
<td>10</td>
<td>0</td>
<td>23</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Dissent</td>
<td>0</td>
<td>14</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Laskin</td>
<td>79</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Majority</td>
<td>31^3</td>
<td>34</td>
<td>1</td>
<td>0</td>
<td>8</td>
<td>9</td>
<td>0</td>
<td>2^3</td>
</tr>
<tr>
<td></td>
<td>Dissent</td>
<td>7^4</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mclnty</td>
<td>36</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Majority</td>
<td>4</td>
<td>32</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>11</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Dissent</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pigeon</td>
<td>130</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Majority</td>
<td>27</td>
<td>94</td>
<td>5</td>
<td>0</td>
<td>9</td>
<td>10</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>Dissent</td>
<td>3</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pratte</td>
<td>111</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Majority</td>
<td>17</td>
<td>90</td>
<td>5</td>
<td>0</td>
<td>10</td>
<td>10</td>
<td>20</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>Dissent</td>
<td>1^2</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ritchie</td>
<td>111</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Majority</td>
<td>12</td>
<td>93</td>
<td>3</td>
<td>0</td>
<td>7</td>
<td>6</td>
<td>27</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Dissent</td>
<td>2</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spence</td>
<td>76</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Majority</td>
<td>7</td>
<td>55</td>
<td>1</td>
<td>0</td>
<td>8</td>
<td>10</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Dissent</td>
<td>5^4</td>
<td>9</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>5^4</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1 Both "Original Jurisdiction" and "Appellate" decisions are included in this table. A decision involving one or more appeals (including cross-appeals), motions, or references is considered to be one case for the purposes of this table unless the vote or composition of majority or minority varies among the appeals, motions or references.

Where a justice in our opinion indicates approval of another judgment without officially adopting it as his own, no concurrence is entered. Where one judgment is delivered as the opinion of the Court, all other justices sitting on the case are entered as concurring with the author of the opinion.

2 In Chartier v. A.G. Que., [1979] 2 S.C.R. 474, the judgment of Pratte J. (Martland, Dickson and Beetz JJ. concurring) has been treated as a dissenting judgment.


4 In Can. Lab Supplies v. Englehard Ind., [1979] 2 S.C.R. 787, the judgment of Laskin C.J. (Spence and Dickson JJ. concurring) has been treated as a dissenting judgment. The point of difference concerns damages only.