

The Osgoode Society
For Canadian Legal History



THE SEAL OF THE SOCIETY, REPRODUCED ON
THE COVER OF THIS REPORT, REFLECTS AN
ELEMENT OF THE ARMS OF JOHN BEVERLEY
ROBINSON FROM WHOM THE LAND ON WHICH
OSGOODE HALL IS BUILT WAS PURCHASED BY
THE LAW SOCIETY OF UPPER CANADA IN 1829.

Introduction

THE OSGOODE SOCIETY WAS INCORPORATED IN MAY OF
1979. IN 1993 IT BECAME THE OSGOODE SOCIETY FOR
CANADIAN LEGAL HISTORY. FOUNDED AT THE INITIATIVE
OF R. ROY MCMURTRY, A FORMER ATTORNEY GENERAL AND
CHIEF JUSTICE OF ONTARIO, AND OFFICIALS OF THE LAW
SOCIETY OF UPPER CANADA, ITS PURPOSE IS TO STUDY AND
PROMOTE PUBLIC INTEREST IN THE HISTORY OF THE LAW,
THE LEGAL PROFESSION AND THE JUDICIARY IN ONTARIO
AND ELSEWHERE IN CANADA AND TO STIMULATE
RESEARCH AND PUBLICATION ON THESE SUBJECTS.

AMONG THE SOCIETY'S ACTIVITIES ARE ITS
PUBLICATIONS PROGRAMME, AN ORAL HISTORY
PROGRAMME, AND A RESEARCH SUPPORT PROGRAMME TO
ASSIST SCHOLARS DOING RESEARCH IN CANADIAN LEGAL
HISTORY. THE SOCIETY'S INTENTION IS THAT ITS ANNUAL
PUBLICATION WILL BE FUNDED BY MEMBERSHIP FEES. THE
CONTINUATION OF RELATED EFFORTS WILL DEPEND
PRIMARILY ON SUPPORT FROM THE LAW FOUNDATION OF
ONTARIO AND FROM PATRONS, BENEFACTORS AND
SUSTAINING MEMBERS.

The Osgoode Society

For Canadian Legal History

OSGOODE HALL

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IT IS IMPORTANT THAT THE SOCIETY BE
INFORMED PROMPTLY OF ANY CHANGE OF
A MEMBER'S ADDRESS.

PHOTO CREDIT: THE TORONTO STAR/B. SPREMO, C.M.



Editor's Report

We have had another very good year. The publication programme produced another four first class books (discussed below), and there are plenty of titles at various stages for the future. They include a history of the Ontario Court of Appeal, the memoirs of Roy McMurtry, a biography of the Hon. G. Arthur Martin, as well as works on early women lawyers, Upper and Lower Canada, and a prominent Toronto law firm. While many of our books are brought to us by the authors, we continue to be proactive in encouraging and supporting work as a way to fulfil our mandate of advancing knowledge of Canadian legal history. I have been fortunate to be joined by a new Associate Editor, Professor Philip Girard of the Schulich School of Law, Dalhousie University, who is doing invaluable work for the Society.

The oral history programme, our other principal activity, continues apace as well. We have now interviewed over 558 people, and are always receptive to members' suggestions about who we

should include. In recent years we have embarked on two initiatives to broaden the programme, one on African-Canadians in the legal profession, concentrating on the generation now finding its way onto the bench and into partnerships in major firms, and the other we call 'Main Street not Bay Street,' in which we interview lawyers in communities outside downtown Toronto. Both programmes are well established and have yielded some fascinating insights.

We continue to work on a new, improved and much expanded website. The site itself is built, and we are now adding content. After some delays, I expect the new site to go live in the early summer. Check us out at www.osgoodesociety.ca.

I look forward to another successful year, working with our President, Roy McMurtry, Associate Editor Philip Girard, the dedicated Board of Directors, and the ever present and ever resourceful Marilyn MacFarlane.

The Publishing Programme

In 2011 The Society published four books.

ANNUAL BOOK

The Lazier Murder: Prince Edward County, 1884, by Robert J. Sharpe, Justice of the Court of Appeal for Ontario.

Our members book for 2011 is a detailed analysis of a late nineteenth century murder case in Picton, Ontario. Robert Sharpe's latest offering for the Osgoode Society details the murder of a local resident and the subsequent court proceedings. The author provides a fascinating insight into the operation of the criminal justice system at that time, including the pardon process. The trial may well have been a case of what we would now call a 'wrongful conviction', linking the past to a current and compelling aspect of our criminal justice process.

OPTIONAL EXTRAS

We offered members *three* optional extras.

1. *Lawyers and Legal Culture in British North America: Beamish Murdoch of Halifax*, by Philip Girard, Professor, Schulich School of Law, Dalhousie University.

Well known to Osgoode Society readers as the author of *Bora Laskin*, Philip Girard has written an account of an everyday lawyers' practice in the first half of the nineteenth century. It is also an exploration of Canadian legal culture and of the links between law and politics, especially arguments over responsible government.

2. *Dewigged, Bothered and Bewildered: British Colonial Judges on Trial*, by John McLaren, Emeritus Professor of Law, University of Victoria.

Professor McLaren has produced a series of case studies of nineteenth century judges from across the

British empire, including of course the Canadian colonies, who found themselves the centre of political controversy and were either suspended or removed from office. Anchored by excellent introductory surveys of the process of judicial appointment and the developing rules on judicial independence, the book is the first of its kind on the organisation and operation of colonial judicial systems. We are very pleased to publish this volume with the Francis Forbes Society, our Australian equivalent.

3. *Westward Bound: Sex, Violence, the Law, and the Making of a Settler Society*, by Lesley Erickson, Professor, Department of History, University of Calgary.

In partnership with the University of British Columbia Press, we published the first book of a young scholar which examines the operation of the criminal law in the prairie west in the late nineteenth and first half of the twentieth centuries. Local court records and other sources are employed to see how the law worked on reserves, in the cities, and in the countryside, from high profile cases to day-to-day policing and punishment practices.

IF YOU WISH TO RECEIVE any of the above books, please contact our offices. Once again, the Society is offering a package deal of \$120.00 to members who order all three books.

Book Reception

A reception was held at Osgoode Hall, Toronto, on October 26th, 2011 to launch the Society's 2011 books.

2012 Publications

ANNUAL BOOK

***Arming and Disarming: A History of Gun Control in Canada*, by R. Blake Brown, Professor of History, St Mary's University. Published by the University of Toronto Press.**

Although we may think of it as only a contemporary concern, at many times in our history Canadian governments have evinced concern about gun ownership and use. In the first comprehensive history of the subject, Blake Brown looks at gun use and regulation from the early periods of European settlement to the controversy over the gun registry. He shows that rural and urban Canadians have always had very different views about firearms. He also demonstrates that our governments attitudes towards guns have been complex. At different times governments sought to restrict certain types of guns, or to restrict gun ownership among certain people and in certain locales. On other occasions governments encouraged gun ownership, seeing it as a manly pursuit useful for training citizens to be well versed in the practice of using firearms.

ALL MEMBERS RECEIVE THIS BOOK AT NO EXTRA CHARGE.

OPTIONAL EXTRAS

We offer members *three* optional extras.

1. *Canadian Property Law Cases in Context*, edited by Eric Tucker, Professor, Osgoode Hall Law School, and Bruce Ziff and James Muir, Professors, University of Alberta Law School. Published by Irwin Law.

This is another volume examining important Canadian cases by exploring their social, political and economic background, similar to *Work on Trial* (2010) and *Race, Rights and Law in the Supreme Court of Canada* (1997). The volume takes us from the Newfoundland seal hunt in the nineteenth century to Quebec nuisance law, and to more recent controversies involving restrictive covenants (*Galbraith v Madawaska Club*), pollution (*KVP*),



picketing (the Toronto Eaton Centre cases), economic regulation (*Manitoba Fisheries*), the theft of information (*R. v. Stewart*), and land use regulation (*CPR v. Vancouver*).

2. *Hunger, Horses and Government Men: Criminal Law on the Aboriginal Plains, 1870-1905*, by Professor Shelley Gavigan, Osgoode Hall Law School. Published by the University of British Columbia Press.

Professor Gavigan examines the introduction of Canadian criminal law and criminal justice institutions in the old North West (present day Saskatchewan and Alberta) after its acquisition by Canada in 1870. Using newspapers, penitentiary records, Indian department files, and, principally, the records of stipendiary magistrates, she shows the law's impact on the aboriginal peoples of the west, as well as their use of it in coming to terms with the new political reality.

3. *The African-Canadian Legal Odyssey: Selected Essays*, edited by Professor Barrington Walker, Department of History, Queens University. Published by the University of Toronto Press.

This collection of original and republished essays surveys the historical experience of black Canadians and the law. It includes accounts of black legal pioneers, Canadian slave law, case studies of 'private' discrimination, and criminal law cases. The volume includes an extensive introduction by the editor which summarises our knowledge of the black experience and suggests avenues for future research.

IF YOU WISH TO RECEIVE any of the optional extras, please indicate so on the attached form, and when it has been published it will be mailed to you and you will be billed.

Books Previously Published

- 2011 **The Lazier Murder: Prince Edward County, 1884**, Robert J. Sharpe
Lawyers and Legal Culture in British North America: Beamish Murdoch of Halifax, Philip Girard
Dewigged, Bothered and Bewildered: British Colonial Judges on Trial, John McLaren
Westward Bound: Sex, Violence, the Law, and the Making of a Settler Society, Lesley Erickson
- 2010 **Work on Trial: Canadian Labour Law Struggles**, edited by Judy Fudge and Eric Tucker
A History of the British Columbia Court of Appeal, Christopher Moore
Viscount Haldane: Wicked Stepfather of the Canadian Constitution, Frederick Vaughan
Race on Trial: Black Defendants in Ontario's Criminal Courts, 1850-1950, Barrington Walker
- 2009 **Canadian Maverick: The Life and Times of Ivan C. Rand**, William Kaplan
A Trying Question: The Jury in Nineteenth Century Canada, R. Blake Brown
Canadian State Trials, Vol. III, Political Trials and Security Measures, 1840-1914, edited by Barry Wright & Susan Binnie
The Last Day, the Last Hour: The Currie Libel Trial, Robert J. Sharpe (2nd edition- originally published in 1988)
- 2008 **Carnal Crimes: Sexual Assault Law in Canada, 1900-1975**, Constance Backhouse
Essays in the History of Canadian Law, Vol. X: A Tribute to Peter N. Oliver, Jim Phillips, R. Roy McMurtry John Saywell, Eds
The Law of the Land: The Advent of the Torrens System in Canada, Greg Taylor
The Grand Experiment: Law and Legal Culture in British Settler Societies, Hamar Foster, Benjamin Berger, A.R. Buck
- 2007 **The Persons Case: The Origins and Legacy of the Fight for Legal Personhood**, Robert J. Sharpe and Patricia McMahon
Misconceptions: Unmarried Motherhood and the Children of Unmarried Parents Act, Lori Chambers
The Alberta Supreme Court at 100: History & Authority, Jonathan Swainger, Ed.
My Life in Crime and Other Academic Adventures, Martin Friedland

- 2006 **Magistrates, Police & People: Everyday Criminal Justice in Quebec and Lower Canada, 1764-1837** Donald Fyson
- The Court of Queen's Bench of Manitoba 1870-1950: A Biographical History**, Dale Brawn
- R.C.B. Risk, A History of Canadian Legal Thought: Collected Essays**. Edited and introduced by G.Blaine Baker and Jim Phillips
- 2005 **Bora Laskin: Bringing Law to Life**, Philip Girard
- In Search of Justice: An Autobiography**, Fred Kaufman
- Essays in the History of Canadian Law, Vol. IX, Two Islands: Newfoundland & PEI**, Christopher English, Ed.
- 2004 **Osgoode Hall: An Illustrated History**, John Honsberger
- Aggressive in Pursuit: The Life of Justice Emmett Hall**, Frederick Vaughan
- The Heiress vs. The Establishment: Mrs. Campbell's Campaign for Legal Justice**, Constance Backhouse and Nancy Backhouse
- The Supreme Court of Nova Scotia, 1754-2004: From Imperial Bastion to Provincial Oracle**, edited by Philip Girard, Jim Phillips & Barry Cahill
- 2003 **Brian Dickson: A Judge's Journey**, Robert Sharpe and Kent Roach
- The Conventional Man: The Diaries of Ontario Chief Justice Robert A Harrison, 1856-1878**, edited with an introduction by Peter Oliver
- John J. Robinette, Peerless Mentor: An Appreciation**, George D. Finlayson
- Rule of the Admirals: Law, Custom, and Naval Government in Newfoundland, 1699-1832**, Jerry Bannister
- 2002 **The Law Makers: Judicial Power and the Shaping of Canadian Federalism**, John T. Saywell
- Colonial Justice: Justice, Morality and Crime in the Niagara District, 1791-1849**, David Murray
- Canadian State Trials, Volume Two: Rebellion and Invasion in the Canadas, 1837-8**, F. Murray Greenwood and Barry Wright, Eds
- Courted and Abandoned: Seduction in Canadian Law**, Patrick Brode
- 2001 **Judging Bertha Wilson: Law as Large as Life**, Ellen Anderson
- Labour Before the Law: Collective Action in Canada, 1900-1945**, Judy Fudge and Eric Tucker
- Renegade Lawyer: The Life of J.L. Cohen**, Laurel Sefton MacDowell
- 2000 **'The Thousandth Man': A Biography of James McGregor Stewart**, Barry Cahill
- The Spinster and the Prophet: Florence Deeks, H.G. Wells, and the Mystery of the Purloined Past**, A.B. McKillop
- Uncertain Justice: Canadian Women and Capital Punishment**, Beverley Boissery and F. Murray Greenwood
- Unforeseen Legacies: Reuben Wells Leonard and the Leonard Foundation Trust**, Bruce Ziff.
- 1999 **Colour-Coded: A Legal History of Racism in Canada, 1900-50**, Constance Backhouse
- Essays in the History of Canadian Law, Vol. VIII, In Honour of R.C.B.Risk**, G. Blaine Baker and Jim Phillips, Eds.
- Chief Justice W.R. Jaccett: By the Law of the Land**, Richard Pound
- Fulfilment: Memoirs of a Criminal Court Judge**, David Vanek
- 1998 **White Man's Law: Native People in Nineteenth-Century Canadian Jurisprudence**, Sidney Harring
- 'Terror to Evil-Doers': Prisons and Punishments in Nineteenth-Century Ontario**, Peter Oliver
- 1997 **'Race', Rights and the Law in the Supreme Court of Canada: Historical Case Studies**, James W. St.G. Walker
- Married Women and Property Law in Victorian Ontario**, Lori Chambers
- Casual Slaughters and Accidental Judgments: Canadian War Crimes and Prosecutions, 1944-48**, Patrick Brode
- The Federal Court of Canada: A History, 1875-1992**, Ian Bushnell
- 1996 **Essays in the History of Canadian Law, Vol. VII, Inside the Law: Canadian Law Firms in Historical Perspective**, Carol Wilton, Ed.
- Bad Judgment: The Case of Mr. Justice Leo Landreville**, William Kaplan
- Canadian State Trials, Vol. I, Law, Politics and Security Measures 1608-1837**, F. Murray Greenwood and Barry Wright, Eds.
- 1995 **Just Lawyers: Seven Portraits**, David R. Williams
- Northern Justice: The Memoirs of Mr. Justice William G. Morrow**, W.H. Morrow, Ed.
- Essays in the History of Canadian Law, Vol. VI, British Columbia and the Yukon**, Hamar Foster and John McLaren, Eds.
- A Deep Sense of Wrong: The Treason, Trials, and Transportation to New South Wales of Lower Canadian Rebels After the 1838 Rebellion**, Beverley Boissery

- 1994 **A Passion for Justice: The Legacy of James Chalmers McRuer**, Patrick Boyer
Essays in the History of Canadian Law, Vol. V., Crime and Criminal Justice, Jim Phillips, Tina Loo & Susan Lewthwaite, Eds.
The Life and Times of Arthur Maloney, The Last of the Tribunes, Charles Pullen (*out of print*)
The Politics of Codification: The Lower Canadian Civil Code of 1866, Brian Young
- 1993 **Legacies of Fear: Law and Politics in Quebec in the Era of the French Revolution**, F. Murray Greenwood
Policing Canada's Century: A History of the Canadian Association of Chiefs of Police, Greg Marquis
- 1992 **Speedy Justice: The Tragic Last Voyage of His Majesty's Vessel Speedy**, Brendan O'Brien
Provincial Justice: Upper Canadian Legal Portraits from the Dictionary of Canadian Biography, Robert Fraser, Ed.
- 1991 **Petticoats and Prejudice: Women and Law in Nineteenth-Century Canada**, Constance Backhouse
- 1990 **Essays in the History of Canadian Law, Vol. III, Nova Scotia**, Philip Girard and Jim Phillips, Eds.
Essays in the History of Canadian Law, Vol. IV, Beyond the Law, Lawyers and Business in Canada 1830-1930, Carol Wilton, Ed.
- 1989 **The Genesis of the Canadian Criminal Code of 1892**, Desmond Brown
The Odyssey of John Anderson, Patrick Brode
- 1988 **Middleton: The Beloved Judge**, John Arnup
 See also 2009
- 1987 **The Fiercest Debate: Cecil A. Wright, the Benchers and Legal Education in Ontario, 1923-1957**, C. Ian Kyer and Jerome Bickenbach
- 1986 **Mr. Attorney: The Attorney General for Ontario in Court, Cabinet and Legislature, 1791-1899**, Paul Romney
The Case of Valentine Shortis: A True Story of Crime and Politics in Canada, Martin Friedland
- 1985 **The Supreme Court of Canada: History of the Institution**, James Snell and Frederick Vaughan
- 1984 **Sir John Beverley Robinson: Bone and Sinew of the Compact**, Patrick Brode
Duff, A Life in the Law, David R. Williams (*out of print*)
- 1983 **Essays in the History of Canadian Law, Vol. II**, David H. Flaherty, Ed. (*Now available in paperback*)
- 1982 **Cornerstones of Order: Courthouses and Town Halls of Ontario, 1784-1914**, Marion MacRae & Anthony Adamson
- 1981 **Essays in the History of Canadian Law, Vol. I**, David H. Flaherty, Ed.

Please note

You may choose any fifteen books for \$300.00 (incl. GST).
 For individual volumes or for sets please contact The Society.

Patrons and Benefactors of the Society

We are most grateful to our Patrons and Benefactors whose generous support made many of our efforts possible.

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A "Patrons Page" is included in each of our publications. Additional Patrons and Benefactors are most welcome. Patrons contribute between \$2,500.00 and \$5,000.00; Benefactors \$1,000.00 to \$2,499.00. We also have a category "Corporate Sustaining" which is \$500.00. For information about charitable receipts, please contact our office.

The sixteenth Annual Patrons' Dinner was held on May 17, 2011 at Osgoode Hall in the Benchers' Dining Room. The dinner was hosted by Laurie Pawlitza, Treasurer of the Law Society of Upper Canada, and chaired by R. Roy McMurtry, President of the Society. The purpose of the dinner is to honour Society Patrons whose generosity makes possible the continuation of much of the Society's work, including the publication of optional extras. The Osgoode Society thanks the Law Society of Upper Canada for hosting and sponsoring the Patrons' Dinner.

The Stuart Thom Fund



In 1998, following receipt of two generous gifts from the estates of Stuart Thom and his wife, Lian, the Osgoode Society established the Stuart Thom Fund. In 1999 and 2000 further grants from the Thom estates totalling

\$50,000.00, brought the total contribution to \$100,000.00. This generosity, unequalled among our personal donors, will go a considerable distance to help ensure that the Osgoode Society is able to carry on its work for many years to come. Details about the current state of the Fund are presented in our Financial Statements.

The Society hopes that other possible benefactors may see fit to follow this example and to remember the Society in their estate planning. All donations and bequests will receive charitable receipts for income tax purposes.

Membership

	2011	2010
Student	64	71
Ordinary	580	497
Ind. Sustaining	169	199
Corp. Sustaining	1	1
Life	1	1
	815	769

Individual Sustaining Members

Mr. G. Chalmers Adams
Prof. D. T. Anderson
Dr. Philip Anisman
The Hon. Robert Armstrong
Prof. Dennis Baker
Mr. Larry Banack
Prof. Jane Banfield
Mr. Thomas Bastedo
Mr. Paul Bates
The Hon. Douglas Bean
The Hon. Elizabeth Bennett
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The Hon. Robert Blair
Ms. Sheila Block
Mr. Ian Blue
Mr. Brian Blumenthal
Prof. Dale Brawn
The Hon. Lloyd Brennan
The Hon. George Brophy
Mr. Justice. David Brown
Mr. Brian Bucknall
Mr. Tom Carey
Mr. Steven Chaplin
Mr. Earl Cherniak
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Mr. Justice Edward Ducharme
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The Hon. Petra Newton
Mr. Justice Dennis O'Connor
Mr. Terrence O'Sullivan
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Mr. Paul Taylor
Mr. Justice Edward Then
Mr. David S. Thompson
The Hon. Pamela Thomson
Mr. Richard Tinsley
Prof. Eric Tucker
The Hon. Michael Tulloch
Mr. Ed Upenicks
The Hon. Ronald Veale
Prof. Janet Walker
Mr. J.J. Wardlaw
Mr. Peter Webb
Prof. M. Wilkinson

Mr. John Wilson
Chief Justice Warren Winkler
Mr. Eric M. Wolfman
Mr. Robert Yalden
York University, Law Library

*(Several sustaining members have asked
to remain anonymous)*

Awards

The Society offers or administers a number of awards, three of which are new.

R. Roy McMurtry Fellowship. In 2011 we awarded the fourth R. Roy McMurtry Fellowship in Canadian Legal History. This fellowship was created on the occasion of the retirement as Chief Justice of Ontario of the Hon. R. Roy McMurtry. It honours the contribution to Canadian legal history of the founder of the Osgoode Society for Canadian Legal History and its current President. The fellowship was established by Chief Justice McMurtry's friends and colleagues, and endowed by private donations and the Law Foundation of Ontario. The fellowship is to support graduate (preferably doctoral) students or those with a recently completed doctorate, to conduct research in Canadian legal history, for one year. The 2011 winner was Daniel Rueck, a research associate at the University of Western Ontario, for his post-doctoral work on land use and allocation on Mohawk reserves.

The Osgoode Society congratulates the winner, chosen from a very strong field of applicants, and is delighted that the fellowship has been awarded to such a worthy researcher.

Peter Oliver Prize. The Peter Oliver Prize in Canadian Legal History is named for the Society's founding editor-in-chief, and awarded annually for published work in Canadian legal history written by a student. Students in any discipline and at any stage of their careers are eligible. The winner for 2011 was Jonathon Penney, 'Ivan Rand's Ancient Constitutionalism,' University of New Brunswick Law Journal, Vol. 61, 2010.

John T. Saywell Prize for Canadian Constitutional Legal History. This prize, established through the generosity of Professor Saywell's son John MacIntosh and in recognition of Professor Saywell's



life-long commitment to the highest standards of scholarship in Canadian history and law, is given bi-annually to the best new book in Canadian legal history, broadly defined, that makes an important contribution to an understanding of the constitution and/or federalism.

The second winner of the Saywell Prize, for 2011, was Douglas Harris, Professor of Law at the University of British Columbia, for *Landing Native Fisheries: Indian Reserves and Fishing Rights in British Columbia, 1849-1865*, published by the University of British Columbia Press. The Saywell Prize will be awarded again in June 2013.

Student Book Award

The Society in co-operation with Canadian law schools offers an annual book award to a graduating student deemed to have done excellent work in legal history. The Society provides one book from its back list and a current membership, including the annual publication, to such a student in each participating Canadian Law School.

Graduate Student Assistance Programme

The Society continues its Graduate Student Assistance programme intended to offer some financial assistance to graduate students doing research in Canadian legal history to travel to out-of-town archives. Applications are invited.

Research Support Programme

The Society in 2011 made the following grants:

- \$1,969.24 – Mr. Bradley Miller for work on the history of Canadian extradition law.
- \$7,500.00 – Rosemary Shipton for work on the career of R. Roy McMurtry.

Web Site

See Editor-in-Chief's report.

Oral History

The Society's Oral History Programme is a unique and invaluable source of information on all aspects of our legal past. The interviews have been used

extensively in scholarly research and the programme has gained a wide reputation across Canada and beyond for the quality and scope of its work. Several of our programmes are privately funded, for example by law firms, judges' associations etc., and we are pleased to discuss possible sponsorship with interested parties.

We have been privileged over the past several years to have co-sponsored oral history programmes with several bodies and organizations. We thank the following: The Advocates' Society and The Ontario Conference of Judges.

From the programme's inception, most of the interviews have been carried out by Christine Kates. For the past few years we have also been fortunate to be able to employ the skills of Cynthia Smith. We are now using a third interviewer, Rosemary Legris. The assistance of volunteer interviewers remains important. If you wish to act as a volunteer interviewer, please contact the Society.

The number of legal professionals interviewed through the programme since 1979 now totals 558, with approximately 88,770 pages of transcript. For a complete listing of all interviews conducted for the Osgoode Society oral history programme, please contact Marilyn MacFarlane at mmacfarl@lsuc.on.ca.

Terms of Access to the Osgoode Society Collection

All tapes are transcribed and tapes and transcripts are placed in the Archives of Ontario for safekeeping. Each interviewee may close all or part of the material for a period of years and may also make the material available as he or she sees fit. The Osgoode Society retains copyright to the material. No portion of the material may be photocopied without written permission from the Osgoode Society. The material contained in the Osgoode Society Collection is intended for legal, historical, genealogical or other worthwhile research. It must be used at the Archives of Ontario. For information as to use please contact either the Osgoode Society or the Archives of Ontario at 416-327-1550.

Completed Interviews in 2010

IN-DEPTH

Mr. Philip Anisman
Mr. Ken Arenson
Mr. Bradley Crawford
Mr. Marshall Crowe
Mr. Frank Falconi
Mr. Justice Alan Ingram
Mr. Ian Kyer
Mr. Richard Shibley

Treasurer's project

Mr. W.A.D. Millar

African Canadian Lawyers & Judges

Mr. Justice Irving Andre
Mr. Andrew Alleyne
Mr. Justice Hugh Fraser
Ms. Arleen Huggins
Mr. Andrew Nunes

Markham project

Mr. J. Lachlan Cattanach
Mr. Irving Gliberman
Mr. James Jagtoo
Mr. Sidney Poon
Mr. David Tsubouchi

SPONSORED PROJECTS

Ontario Court of Justice History project

The Hon. Charles Anderson
The Hon. William Gorewich
The Hon. Maryka Omatsu

The Advocates' Society

Bruce Carr-Harris
Philippa Samworth
Jeffrey Leon

In Progress

IN-DEPTH

Mr. Paul Haines

Markham project

Ms. Martha Mingay

SPONSORED PROJECTS

Ontario Court of Justice History project

The Hon. J. Bark
The Hon. I. Hansen
The Hon. S. Nosanchuk

Attorney General (Ontario) Project

Ms. Janet Minor

Directors and Annual Meeting

Meetings of the Board of Directors were held on February 16, April 28, and October 11. The Annual Meeting of Members of the Society took place on June 21 at Osgoode Hall.

The following were unanimously elected as Directors of the Osgoode Society:

The Hon. Robert Armstrong, Court of Appeal for Ontario
The Hon. Kenneth Binks, Low, Murchison LLP
Mr. David Chernos, Torgys LLP
Ms. Kirby Chown
J. Doug Ewart
Ms. Violet French, Torkin Manes LLP
Professor Martin Friedland, C.C., Q.C., Faculty of Law, University of Toronto
Professor Philip Girard, Schulich School of Law, Dalhousie University
Mr. John D. Honsberger, Q.C., Raymond & Honsberger
The Hon. Horace Krever
Mr. C. Ian Kyer, Fasken Martineau DuMoulin LLP
Ms. Virginia MacLean, Q.C., Barrister & Solicitor
Ms. Patricia McMahon, Osler, Hoskin & Harcourt LLP
The Hon. R. Roy McMurtry, Gowlings LLP
The Hon. Paul Perell, Superior Court of Justice
Professor Jim Phillips, Faculty of Law, University of Toronto
The Hon. Paul H. Reinhardt, Ontario Court of Justice
Mr. Joel Richler, Blake, Cassels & Graydon LLP
Mr. William Ross, WeirFoulds LLP
Mr. Paul Schabas, Blake, Cassels & Graydon LLP
The Hon. Robert Sharpe, Court of Appeal for Ontario
Ms. Mary Stokes, Legge & Legge
The Hon. Michael Tulloch, Superior Court of Justice
(The Treasurer of The Law Society of Upper Canada, and the Attorney General for Ontario, are directors ex officio.)

The annual meeting was addressed by Mr. Justice Robert J. Sharpe on his book, *The Lazier Murder: Prince Edward County, 1884*.

Once again, the Directors of the Society thank the Law Foundation of Ontario and the Law Society of Upper Canada for their encouragement and support and express their gratitude to the Patrons and Benefactors of the Society and to sustaining members. And we thank our solicitors, Osler, Hoskin & Harcourt LLP, for their continuing guidance and advice.

The Directors welcome inquiries and suggestions on any aspect of the work of the Society. Osgoode Hall.

April, 2012



THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY FINANCIAL STATEMENTS

DECEMBER 31, 2011

CONTENTS

	Page
INDEPENDENT AUDITORS' REPORT	13-14
FINANCIAL STATEMENTS	
Balance Sheet	15-16
Statement of Revenue and Expenditures	17
Statement of Changes in Net Assets	18
Statement of Cash Flows	19
Notes to Financial Statements	20-26



INDEPENDENT AUDITORS' REPORT

To the Members of The Osgoode Society for Canadian Legal History:

Report on the Financial Statements

We have audited the accompanying financial statements of The Osgoode Society for Canadian Legal History, which comprise the balance sheet as at December 31, 2011 and the statement of revenue and expenditures, statement of changes in net assets and cash flow statement for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian generally accepted accounting principles, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.





Basis for Qualified Opinion

As with many charitable organizations, the Society derives revenue from donations, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, our verification of donations was limited to the amounts recorded in the records of the Society and we were not able to determine whether any adjustments might be necessary to donations, excess of revenues over expenditures for the year, assets and net assets.

Qualified Opinion

In our opinion, except for the possible effects of the matter described in the Basis for Qualified Opinion paragraph, the financial statements present fairly, in all material respects, the financial position of The Osgoode Society for Canadian Legal History as at December 31, 2011, and its financial performance and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

A handwritten signature in dark ink, appearing to read 'Monte-Lisi & Smith'.

Toronto, Ontario
February 24, 2012

Chartered Accountants
Licensed Public Accountants

THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

(Incorporated without share capital under the laws of the Province of Ontario)

BALANCE SHEET

AS AT DECEMBER 31, 2011

	2011	2010
	\$	\$
ASSETS		
CURRENT		
Cash	188,371	24,563
Investments (Note 3)		
Other (unrestricted)	241,835	212,885
Stuart Thom Fund (Note 4)	-	25,000
Peter Oliver Memorial Student Fund (Note 5)	300	300
Honourable R. Roy McMurtry Legal History Fellowship (Note 6)	16,000	16,000
John T. Saywell Prize for Canadian Constitutional Legal History (Note 7)	-	2,000
Accounts receivable (Note 8)	28,754	52,465
Prepaid expenses	29,560	5,719
Publication inventory (Note 9)	62,196	52,161
	567,016	391,103
INVESTMENTS - RESTRICTED FUNDS		
Peter Oliver Memorial Student Fund (Note 3, 5)	5,492	5,803
Honourable R. Roy McMurtry Legal History Fellowship (Note 6)	467,765	474,960
John T. Saywell Prize for Canadian Constitutional Legal History (Note 7)	32,201	28,234
CAPITAL ASSETS (Note 10)	312	490
	1,072,786	900,590

See accompanying notes

THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

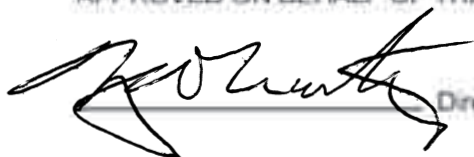
(Incorporated without share capital under the laws of the Province of Ontario)

BALANCE SHEET

AS AT DECEMBER 31, 2011

	2011 \$	2010 \$
LIABILITIES		
CURRENT		
Accounts payable and accrued liabilities	39,958	38,611
Deferred grant revenue	211,294	23,426
	<u>251,252</u>	<u>62,037</u>
DEFERRED CONTRIBUTIONS		
Honourable R. Roy McMurtry Legal History Fellowship (Note 6)	483,765	490,960
John T. Saywell Prize for Canadian Constitutional Legal History (Note 7)	7,201	5,234
Peter Oliver Memorial Student Fund (Note 5)	-	103
	<u>490,966</u>	<u>496,297</u>
NET ASSETS		
John T. Saywell Prize for Canadian Constitutional Legal History (Note 7)	25,000	25,000
Stuart Thom Fund for Special Projects (Note 4)	155,484	155,484
Stuart Thom Fund (Note 4)	100,000	100,000
Peter Oliver Memorial Student Fund (Note 5)	5,792	6,000
Unrestricted	44,292	55,772
	<u>330,568</u>	<u>342,256</u>
	<u>1,072,766</u>	<u>900,590</u>

APPROVED ON BEHALF OF THE MEMBERS:


Director


Director

See accompanying notes

THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

STATEMENT OF REVENUE AND EXPENDITURES

FOR THE YEAR ENDED DECEMBER 31, 2011

	2011 \$	2010 \$
REVENUE		
The Law Foundation of Ontario (Note 8)	203,605	221,803
Membership fees	53,452	59,924
Book sales	33,612	36,490
Fundraising	33,000	25,000
Honourable R. Roy McMurtry Legal History Fellowship (Note 8)	16,000	16,000
Other	8,943	7,064
Provincial Judges grant	5,000	5,000
Investment income	3,630	1,736
John T. Saywell Prize	2,000	-
Donations	600	418
Peter Oliver Memorial Student Fund (Note 5)	101	325
	359,943	373,760
EXPENDITURES		
Society programmes		
Publication (Note 9)	103,755	100,034
Oral history	57,229	55,282
Editorial and programme support	25,388	41,455
Research support (Note 11)	19,468	13,172
Membership and promotion	17,846	12,867
Honourable R. Roy McMurtry Legal History Fellowship (Note 6)	16,000	16,000
Receptions	10,038	4,920
John T. Saywell prize	2,000	-
Royalties	551	1,197
Peter Oliver Memorial Student Fund prize (Note 5)	311	325
	252,586	245,252
Administrative		
Administrative services	53,256	51,801
Office	27,930	26,599
Professional fees	23,345	26,462
Website	7,731	4,975
Supplies	3,524	4,723
Insurance	3,081	2,705
Amortization	178	303
Bad debt	-	454
	119,045	117,822
	371,631	363,074
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES	(11,688)	10,686

See accompanying notes



THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY
STATEMENT OF CHANGES IN NET ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2011

	John T.Saywell Prize for Canadian Constitutional Legal History	Stuart Thom Special Projects Fund	Stuart Thom Fund	Peter Oliver Memorial Student Fund	Unrestricted	2011	2010
	\$	\$	\$	\$	\$	\$	\$
NET ASSETS							
Beginning of year	25,000	155,484	100,000	6,000	55,772	342,256	331,570
Excess (deficiency) of revenue over expenditures	-	-	-	(208)	(11,480)	(11,688)	10,686
End of year	25,000	155,484	100,000	5,792	44,292	330,568	342,256

See accompanying notes

THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED DECEMBER 31, 2011

	2011 \$	2010 \$
CASH, beginning of the year	237,458	191,054
CASH FLOW FROM OPERATING ACTIVITIES		
Grants	420,924	245,716
Membership and book sales	82,285	97,552
Fundraising and donations	33,600	30,418
Investment income	3,630	1,736
Publication costs	(130,852)	(105,924)
Administrative expenditures	(115,032)	(123,909)
Editorial, programme and research support	(54,675)	(51,847)
Oral history	(44,248)	(54,751)
Membership expenditures	(27,884)	(17,787)
	167,748	21,404
CASH FLOW FROM FINANCING ACTIVITIES		
Restriction removed on investments for the Stuart Thom Fund	25,000	25,000
CASH, end of the year	430,206	237,458
CASH CONSISTS OF:		
Cash	188,371	24,563
Investments, other	241,835	212,895
	430,206	237,458

See accompanying notes

THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

NOTES TO FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2011

1. OBJECTIVES OF THE ORGANIZATION

The Osgoode Society for Canadian Legal History (the "Society") was formed to study and promote public interest in the history of the law, the legal profession and the judiciary in Ontario and elsewhere in Canada and to stimulate research and publication on these subjects.

The Society meets these objectives by publishing books on Canadian legal history, sponsoring the collection of oral histories from individuals within the legal community, providing research and publication grants, and sponsoring and hosting legal history seminars.

The Society is incorporated, without share capital, under Letters Patent. The Society has been granted tax exempt status as a charitable organization under the Income Tax Act of Canada (the "Act"). In order to maintain the exempt status under the Act, the Society must meet certain requirements within the Act. In the opinion of management, these requirements have been met.

2. SIGNIFICANT ACCOUNTING POLICIES

(a) Investments

Investments consist of Guaranteed Investment Certificates, which are designated as held for trading. It is the Society's policy that investments are redeemed as cash flow dictates. Investments are recorded at their fair value, which is approximated by accruing related investment income.

(b) Capital assets

Capital assets are recorded at cost. Amortization is provided annually at rates calculated to write off the assets over their estimated useful lives as follows:

Office equipment	20% declining balance
Computer equipment	45% declining balance

(c) Publication inventory

Inventory, which consists of books available for sale, is carried at the lower of cost and net realizable value, as measured using the specific identification method.

(d) Financial instruments

The Society's financial instruments comprise cash, investments, receivables, accounts payable and accrued liabilities, and deferred contributions.

Cash, receivables, accounts payable and accrued liabilities, and deferred contributions are reported at their fair values on the balance sheet date, which are the same as the carrying values.

THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

NOTES TO FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2011

2. SIGNIFICANT ACCOUNTING POLICIES, continued

(e) Revenue recognition

The Society follows the deferral method of accounting for revenue. Revenue is recognized when it is received or receivable, if the amount can be reasonably estimated and if collection is reasonably assured. Deferred revenue represents the portion of grants not yet expended as required.

Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Deferred contributions represent the balance of restricted contributions not yet spent.

Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Membership fees are recognized as revenue when application for membership is received.

Grants are recognized as revenue in the period to which they relate, or when costs for which the funds were granted are incurred.

Book sales are recognized as revenue when the books are shipped to customers.

Fundraising is recognized as revenue in the period to which it relates.

Donations are recognized as revenue when received. For donations with specific restrictions on use, revenue is recognized when the related expenses are incurred.

Investment income is recognized as revenue in period in which it is earned. Investment income earned on deferred contributions is deferred and recognized as expenses are incurred, unless otherwise permitted under the terms of the restriction.

(f) Contributed goods and services

Volunteers contribute numerous hours each year to assist the Society in carrying out its activities. The fair value of the contributed services cannot be reasonably estimated and is not recognized in the financial statements.

The Law Society of Upper Canada provides office services to the Society, including rent, telephone and computer assistance, the fair market value of which is not readily available. As such, no amount is recognized in the financial statements.

(g) Use of estimates

These financial statements are the representation of management and have been prepared in accordance with Canadian generally accepted accounting principles. The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, the disclosure of contingent liabilities at the date of the financial statements and the reported amount of revenue and expenses during the period. Actual results could differ from those estimates.



THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

NOTES TO FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2011

2. SIGNIFICANT ACCOUNTING POLICIES, continued

(h) Recent Canadian accounting pronouncement

For the fiscal year ending December 31, 2012, management proposes to adopt the Accounting Standards for Not for Profit Organizations, Part III of the Canadian Institute of Chartered Accountants Handbook. No significant changes to the accounting policies or financial statement disclosure is expected on this change in the basis of accounting.

3. INVESTMENTS

Investments are carried at fair value, which is approximated by recognizing accrued investment income to the balance sheet date. The investments are Guaranteed Investment Certificates, maturing January 18, 2012 and earning rates between 1% and 1.65%.

The fair value of investments at year end, including the investments held for the Stuart Thom Fund (Note 4), Stuart Thom Special Projects Fund (Note 4), and Oliver Fund (Note 5), was \$247,627 (2010 - \$243,998).

4. STUART THOM FUND

The Stuart Thom Fund was established in 1998 from funds donated by the Thom family and from a portion of net assets restricted by the Board of Directors. \$100,000 was contributed to the Society with the stipulation that the donations be maintained for a period of not less than 10 years, at which time the funds would be generally available for use. The full amount of these contributions are now available for use. For ease and efficiency of managing the investments, these funds have been commingled with the Society's investments. The assets of the Thom Fund are included in Investments - other (unrestricted).

The Society is entitled to use the investment income from The Stuart Thom Fund for its operations. At its discretion, the Board of Directors may allocate investment income and any other amounts, to the Fund. For fiscal 2011, no investment income (2010 - \$nil) was allocated to the Stuart Thom Fund.

The Stuart Thom Special Projects Fund was established by the Board of Directors in 2009 and represents an allocation of the net assets previously restricted by the Board as part of the Stuart Thom Fund. This fund is to be used for projects that significantly advance the mission of the Society, to a maximum of \$30,000 per annum. For ease and efficiency of managing the investments, these funds have been commingled with the Society's investments.

The Society is entitled to use the investment income from The Stuart Thom Special Projects Fund for its operations. At its discretion, the Board of Directors may allocate investment income and any other amounts to the Fund. For fiscal 2011 no investment income (2010 - \$Nil) was allocated to the Stuart Thom Special Projects Fund.

5. PETER OLIVER MEMORIAL STUDENT FUND

The Peter Oliver Memorial Student Fund was created by the Society in 2006 and represents funds restricted for use by the Society. The purpose of the fund is to provide an annual award for published work by a student in the area of Canadian legal history. The annual award includes a copy of the current year's publication, a copy of the Peter Oliver Essay volume and any five books from the back publications list.

THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

NOTES TO FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2011

5. PETER OLIVER MEMORIAL STUDENT FUND, continued

	2011	2010
	\$	\$
Fund, beginning of year	6,103	6,428
Awards granted	(311)	(325)
Fund, end of year	5,792	6,103

The ending fund balance consists of \$5,792 of internally restricted net assets. At year end, the assets of the fund are fully invested in a Guaranteed Investment Certificate (*Note 3*). As the award is estimated at approximately \$300 annually, this amount has been classified as a current, with the balance of the fund classified as long-term.

6. HONOURABLE R. ROY MCMURTRY LEGAL HISTORY FELLOWSHIP

The Honourable R. Roy McMurtry Legal History Fellowship (the "McMurtry Fellowship") was established by the Society in 2006 to enable students and post-doctoral candidates in Canadian legal history to undertake or continue their studies, writing and research in the field.

Deferred contributions represent unspent resources restricted for purposes of the Honourable R. Roy McMurtry Legal History Fellowship. Investment income earned on the funds represents restricted contributions to the fellowship.

	2011	2010
	\$	\$
Fund, beginning of year	490,960	499,233
Contributions	6,000	6,000
Investment income	2,805	1,727
Fellowships granted	(16,000)	(16,000)
Fund, end of year	483,765	490,960

The Law Society Foundation has agreed to provide an annual contribution to the McMurtry Fund of \$6,000, ending in 2015.

In 2011, one fellowship, totaling \$16,000, was awarded, with \$8,000 paid in 2011 and \$8,000 to be paid in 2012. Total fellowship(s) of \$16,000 are expected to be awarded in 2012, with \$8,000 to be paid in 2012 and the balance the following year. As such \$16,000 is considered a current asset, with the balance classified as long term.

Under an Investment Services Agreement between Osgoode and the Law Society of Upper Canada (LSUC), LSUC manages the investments related to the McMurtry Fellowship. As at year end the investments of the fellowship are comprised of:

THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

NOTES TO FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2011

6. HONOURABLE R. ROY MCMURTRY LEGAL HISTORY FELLOWSHIP, continued

	2011	2010
	\$	\$
Cash	33,765	40,960
Investments	450,000	450,000
	<u>483,765</u>	<u>490,960</u>

As at December 31, 2011, the investments represent funds held in a Premium Savings Account, earning interest at 0.65%.

7. JOHN T. SAYWELL PRIZE FOR CANADIAN CONSTITUTIONAL LEGAL HISTORY

The John T. Saywell Prize for Canadian Constitutional Legal History ("Saywell Prize") was created in 2008. An award of \$2,000 is to be granted bi-annually to the best new book in Canadian legal history that makes an important contribution to an understanding of the constitution and or federalism. The prize is to be funded from investment income on a \$25,000 endowment and related deferred contributions.

The deferred contributions represent unspent resources restricted for purposes of helping to fund the Saywell Prize.

	Deferred Contribution	Endowment	2011	2010
	\$	\$	\$	\$
Fund, beginning of year	5,234	25,000	30,234	29,390
Contributions	3,392	-	3,392	-
Investment income	575	-	575	844
Fellowships granted	(2,000)	-	(2,000)	-
Fund, end of year	<u>7,201</u>	<u>25,000</u>	<u>32,201</u>	<u>30,234</u>

The balance of \$25,000 received in 2008 for the Saywell Endowment Fund is subject to externally imposed restrictions stipulating that the resource is to be maintained permanently. Investment income on this balance is externally restricted to fund the John T. Saywell Prize for Canadian Constitutional Legal History and is included in deferred contributions.

The next Saywell Prize will be awarded in 2013, and as such the balance is classified as long term.

The funds for the Saywell Prize are invested in Guaranteed Investment Certificates, maturing August 16, 2012 and August 16, 2013, earning rates between .95% and 2.0%. The fair value of these investments at year end, was \$32,201.

THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

NOTES TO FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2011

8. MEASUREMENT UNCERTAINTY

Accounts receivable and grant revenue include an amount of \$12,800 related to program funding from the Law Foundation of Ontario (the "Foundation"). Receipt of this balance is contingent upon the Foundation's acceptance of Osgoode's audited financial statements and final grant approval.

9. PUBLICATION INVENTORY

Included in publication programme costs is a write down of \$31,600 (2010 - \$27,900) required to reflect inventory at the lower of cost and net realizable value.

10. CAPITAL ASSETS

	Cost	Accumulated Amortization	Net 2011	Net 2010
	\$	\$	\$	\$
Office equipment	2,344	2,207	137	171
Computer equipment	1,880	1,705	175	319
	4,224	3,912	312	490

11. RELATED PARTY TRANSACTIONS

During the year the Society approved research support grants in the amount of \$17,500 for research conducted on behalf of two directors of the Society. Included in accounts payable is \$2,825 related to these grants. The transactions were recorded at the exchange value.

12. COMMITMENTS

The Society fulfills its mandate in part through providing research grants. As at December 31, 2011, the Society has outstanding commitments totaling \$450 (2010 - \$1,450) to be expended on research projects. These amounts have not been recognized as a liability of the Society as the terms requiring payment have not been met.

The Society is party to an agreement to produce a publication planned for the 2014 year. The agreement requires the following minimum amounts to be paid.

	\$
2012	100,000
2013	100,000
2014	40,000



THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY

NOTES TO FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2011

13. CAPITAL MANAGEMENT

The Society's objectives in managing capital are to safeguard its assets and provide as good a return on investment as possible, with a minimum of risk. These objectives are met by investing capital in Guaranteed Investment Certificates. Investments are monitored by giving consideration to prevailing interest rates and cash flow requirements. The Society's managed capital includes:

	\$
Net assets	330,568
Deferred Contributions	
John T. Saywell Prize for Canadian Constitutional Legal History	7,201
Honourable R. Roy McMurtry Legal History Fellowship	<u>483,765</u>
	<u>821,534</u>

14. FINANCIAL INSTRUMENTS

The Society's financial instruments comprise short term deposits. The main purpose of these financial instruments is to provide financing for the organization's activities. The Society has various other financial assets and liabilities such as trade receivables and trade payables, which arise directly from operations. It is the Society's policy that investments are redeemed or traded as cash flow dictates. The main risks arising from the Society's financial instruments are interest rate risk and credit risk.

(a) Interest Rate Risk Exposure

The Society's exposure to the risk of changes in market interest rates relates to the Society's cash and investment balances. The Society manages its risk by investing in fixed rate investment instruments.

(b) Credit Risk Exposure

The credit risk on the financial assets of the Society equates to the carrying amount. The Society carries receivables from members of the organization and recognized third parties. Receivable balances are monitored on a regular basis to minimize the exposure to bad debt. Credit risk associated with cash and investments is limited to the risk of default by the counter party, with a maximum exposure equal to the carrying amount of these assets.

15. COMPARATIVE FIGURES

Certain of the prior year's figures have been reclassified to conform with the current year's presentation.

The Osgoode Society Officers

President

The Hon. R. Roy McMurtry

Editor-in-Chief

Jim Phillips

Associate Editor

Philip Girard

Treasurer

C. Ian Kyer

Secretary & Administrator

Marilyn MacFarlane

Counsel

Osler, Hoskin & Harcourt LLP

Board of Directors

See page 11



Patrons of the Society

Blake, Cassels & Graydon LLP

Gowlings

The Law Foundation of Ontario

Lax O'Sullivan Scott Lisus LLP

McCarthy Tétrault LLP

Osler, Hoskin & Harcourt LLP

Palaise Roland Rosenberg Rothstein LLP

Torkin, Manes LLP

Torys LLP

WeirFoulds LLP



The Osgoode Society

For Canadian Legal History

APPLICATION FOR MEMBERSHIP

(Please disregard or pass on to a friend if you have already renewed for 2012)

	Membership	
Student	\$ 21.50	<input type="checkbox"/>
Ordinary	\$ 50.00	<input type="checkbox"/>
Individual Sustaining	\$155.00	<input type="checkbox"/>
Corporate Sustaining	\$500.00	<input type="checkbox"/>

Membership for 2012 (please enclose cheque)

Name _____

Address _____

Business # 11924 9092 RR0001. HST/GST does not apply to the donation portion.



The Osgoode Society

For Canadian Legal History

OSGOODE HALL

130 QUEEN STREET WEST

TORONTO, ONTARIO. M5H 2N6

TELEPHONE - 416-947-3321

FAX NO. - 416-947-3447

E-MAIL - mmacfarl@lsuc.on.ca

OPTIONAL EXTRAS – prices include GST
please send me when it appears

- | | |
|---|----------------|
| <input type="checkbox"/> <i>Canadian Property Cases</i> | \$45.00 |
| <input type="checkbox"/> <i>Broken Grounds, Aboriginal Law</i> | \$45.00 |
| <input type="checkbox"/> <i>The African-Canadians Legal Odyssey</i> | \$50.00 |

Once again, the Society is offering a package deal to members who order all the 'Optional Extras.' We will supply these books when they appear at a special price of \$125.00 incl. GST.

The membership volume *Arming & Disarming: A History of Gun Control in Canada*, is mailed to all members AT NO EXTRA CHARGE.