

MINUTES of an Annual Meeting of the Members of **THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY** (the "Society"), held at the Portrait Room of Osgoode Hall on the 19th day of June, 2019, at the hour of 5:30 o'clock p.m.

PRESENT: a quorum of the members of the Society.

CHAIR AND SECRETARY

Justice Robert Sharpe, the President of the Society, chaired the meeting and, with the consent of the meeting, Amanda Campbell acted as Secretary of the meeting.

NOTICE OF MEETING

The Chair stated that, a quorum of the members being present and notice of the calling of the meeting having been provided as required by the Society's By-laws, the meeting was properly constituted for the transaction of business.

Justice Sharpe requested a motion to accept the minutes of the 2018 Annual Meeting.

MOTION PASSED: On Motion duly made, seconded and unanimously carried, the minutes of the 2018 Annual Meeting were accepted.

Justice Sharpe introduced a discussion of the 2018 Annual Report and financial statements and noted that members should feel free to offer comments and ask questions following reports.

FINANCIAL STATEMENTS

The Chair presented to the meeting the audited financial statements of the Society for its financial year ended December 31, 2018, prepared by Monte Lisi & Smith, Chartered Accountants (which had been sent to the members with the notice of this meeting).

Jim Phillips briefly reviewed the Society's financial position, noting that the Society had a clean audit and that there are no financial concerns. The Chair then called for any comment or questions concerning the financial statements or the Auditors' Report thereon. There were no questions and audit was accepted.

MOTION PASSED: On Motion duly made, seconded and unanimously carried, the resolution to accept the 2018 audited financial papers was approved.

EDITOR-IN-CHIEF REPORT

Professor Jim Phillips (Editor-in-Chief) referred the meeting to pages 2-4 of the annual report which includes the Editor-in-Chief Report and The Publishing Programme report.

In 2018 the Society published two books. The members' book was *A History of Law in Canada: Volume 1, Beginnings to 1866*, by Philip Girard, Professor of Law, Osgoode Hall Law School, Jim Phillips, Professor of Law, University of Toronto, and Blake Brown, Professor of History, St. Mary's University. This book is the first of 2 volumes, and the first comprehensive history of law in what is now Canada. Our optional extra for 2018 was Suzanne Chiodo, *The Class Actions Controversy*, published by Irwin Law. The Class Proceedings Act, passed in 1993, represented a major innovation in civil procedure, making it possible to join together thousands of plaintiffs in a single action. Suzanne Chiodo's book is the first to analyze comprehensively the history of the origins of this highly significant legislation.

In 2019 our member's book is *Connecting the Dots*: by Happy Arthurs. This book, more of a 'life and times' than an autobiography, is an account of Arthurs' intellectual trajectory, the memoir of a person who has lived his professional life to the full and rendered his country much meritorious service. It covers all aspects of his career, a compendium of trials, tribulations and triumphs, with frankness, perspicacity, and humour. Our optional extra title is *Wounded Feelings: Litigating Emotions in Quebec, 1870-1950*, by Eric Reiter, Professor of History at Concordia University, published with the University of Toronto Press. The book is based on court cases involving defamation, breach of promise of marriage, personality rights, and religious beliefs — all areas of 'emotion' which lead to legal action.

There were no questions.

REPORT ON ORAL HISTORY PROGRAMME

Oral History Coordinator Patricia McMahon reported on the oral history programme. The Osgoode Society's Oral History Program is dedicated to preserving stories about the Canadian legal profession, whether they involve judges, lawyers or others involved in the administration of justice. It is the largest oral history program of its kind. With more than 600 oral history interviews dating back to 1980, it is an invaluable tool for legal historians now and in the future. The program continues and in 2018 five interviews were completed and nine were in progress. There were no questions.

ELECTION OF DIRECTORS

The Chair then stated that it was in order to proceed with the election of directors. He informed the meeting that The Attorney General of Ontario (currently represented by Joshua Hunter), The Treasurer of the Law Society of Upper Canada (currently Mr. Malcolm Mercer) and the Society's Past President (The Honourable R. Roy McMurtry) are directors ex-officio. He then declared the meeting open for nominations. The persons listed on Schedule B hereto were duly nominated.

There being no further nominations, the Chair declared nominations closed and the number of nominees being equal to the number of directors eligible for election at the meeting, the Chair then declared each of those nominated to be duly elected a director of the Society, each to hold office until his or her successor is elected or appointed, subject to the provisions of the Corporations Act of Ontario and of the Society's By-laws.

APPOINTMENT OF AUDITORS

The Chair stated that the next item of business was considering the appointment of an independent auditor for the Society and authorizing the directors to fix such auditor's remuneration. On motion duly made, seconded and unanimously carried, the following resolution was passed:

RESOLVED THAT Monte Lisi & Smith, Chartered Accountants be and they are hereby appointed auditors of the Society, to hold office until the holding of the next annual meeting of the shareholders of the Society unless they are earlier duly removed from office, at a remuneration to be fixed by the Board of directors, the Board being hereby authorized to fix such remuneration.

PRIZE PRESENTATION

The Chair then asked Professor Phillips to present the winners of each of the Osgoode Society awards for 2019.

The 2019 co- winners of the R. Roy McMurtry Fellowship in Canadian Legal History are Anna Jarvis, a PhD student in the History Department at York University, who is working on the life and times of Edward Jarvis, Chief Justice of Prince Edward Island from 1828 to 1852.

The other co-winner is Filippo Sposini, a PhD student in the Institute for the History and Philosophy of Science and Technology at the University of Toronto, who is working on the law and practice of civil confinement for insanity in nineteenth-century Canada.

The Peter Oliver Prize in Canadian Legal History was established in 2006 to honour the late Professor Peter Oliver, the Osgoode Society's founding editor-in-chief. The prize is awarded annually for a student's published journal article, book chapter or book about Canadian legal history. Students in any discipline at any stage of their career are eligible.

The 2019 winner of the Peter Oliver Prize in Canadian Legal History is Suzanne Chiodo, a Ph. D. student at Oxford University, for her book *The Class Actions Controversy: The Origins and Development of the Ontario Class Proceedings Act*, published by Irwin Law.

GUEST SPEAKER

The Chair asked if there was any other business. There being none, Jim Philips introduced the guest speaker Harry Arthurs to address members on aspects of his forthcoming book, *Connecting the Dots: The Life of an Academic Lawyer*.

The speaker is thanked by Justice Sharpe.

ADJOURNMENT

There being no further business, on motion duly made, seconded and unanimously carried, the meeting then adjourned.

Chairman

Secretary

SCHEDULER

Schedule B-Osgoode Society Directors for Election to the Board in 2019*

THAT THE FOLLOWING BE ELECTED AS DIRECTORS OF THE OSGOODE SOCIETY FOR CANADIAN LEGAL HISTORY:-

Professor Heidi Bohaker

Beven Brooksbank

Shantona Chaudhury

David Chernos

Paul Davis

Linda Silver Dranoff

Timothy Hill

Ian Hull

Trisha Jackson

Justice Mahmud Jamal

Virginia MacLean

Rachel McMillan

Waleed Malik

Dana Peebles

Justice Paul H. Reinhardt

Justice Paul Schabas

The Hon. Robert Sharpe

Jonathan Silver

Alex Smith

Justice Lorne Sossin

Mary Stokes

Justice Michael Tulloch

John Wilkinson

MOTION – Motion should be suggested to proceed officially elect directors.

*The Attorney General of Ontario (currently represented by Joshua Hunter), The Treasurer of the Law Society of Upper Canada (currently Mr. Malcolm Mercer) and the Society's Past President (The Honourable R. Roy McMurtry) are directors ex-officio.