



Statistical Analysis of Cases Contained in [1964] S.C.R.

Philip Lococo

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

Citation Information

Lococo, Philip. "Statistical Analysis of Cases Contained in [1964] S.C.R.." *Osgoode Hall Law Journal* 3.3 (1965) : 445-448.
<http://digitalcommons.osgoode.yorku.ca/ohlj/vol3/iss3/2>

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.

**STATISTICAL ANALYSIS
OF
CASES CONTAINED IN [1964] S.C.R.***

TABLES

1. Subject Matter of Litigation
2. Volume of Work
3. Provincial Breakdown
4. Action of Individual Justices
5. Cases and Majority Ratio

TABLE I. SUBJECT MATTER OF LITIGATION

Type of subject	Motion dismissed	Appl'n granted	Rept.	Unrpt.	C.A. Aff'd (includes Ex. Ct. where applicable)	C.A. rvsd.	No. Jdges sit
ORIG JURISD.							
Habeas Corpus							
References							
APPELLATE							
(1) <i>Private</i>							
Accounts							
Adoption							
Agency							
Animals							
Annulments							
Assignments			2			2	2x5
Associations							
Banks & Banking			2		2		2x7
Bankruptcy			2		2		(1x5) (1x7)
Breach of Promise							
Charities							
Choses in action							
Companies			1			1	1x5
Conflicts			1		1		1x5
Contracts			4			4	4x5
Copyrights							
Damages			3		1	2	3x5
Debtor and Creditor							
Devolution							
Divorce							
Executors and Adm'ors			1			1	1x5
Hospitals							
Husband and Wife			1		1		1x5

*Statistics compiled by Philip Lococo, 3rd year student, Osgoode Hall Law School.

TABLE I. SUBJECT MATTER OF LITIGATION

Type of subject	Motion dismissed	Appl'n granted	Rept.	Unrpt.	C.A. Aff'd (includes Ex. Ct. where applicable)	C.A. rvsd.	No. Jdges sit
APPELLATE (cont'd.)							
Infants							
Insurance			1		1		1x5
Interest							
Judicial sep'n							
Landlord and Tenant			4		3	1	4x5
Libel and Slander			1			1	1x5
Malicious Prosec.							
Master and Servant			1		1		1x5
Mechanics Lien							
Mines and Minerals			1		1		1x5
Mortgages			1		1		1x5
Motor Vehicles			6		3	3	6x5
Negligence			7		3	4	7x5
Occupiers Liab. ...			2		1	1	2x5
Patents & Trade-marks			2		1	1	2x5
Petrol and Nat. Gas							
Partnerships	1		4		2	1	4x5
Physicians							
Real Property			3		2	1	3x5
Royalties							
Sales of Land							
Sales of Goods							
Shipping			2		1	1	2x5
Subrogation							
Suretyship			1			1	1x5
Usufruct							
Watercourses			1		1		1x5
Wills			4		3	1	4x5
<i>(2) Public Law</i>							
Admin Brds			3		3		3x5
Aliens							
Certiorari			1		1		1x9
Combines							
Constitutional			5		4	1	(4x7 (1x9
Criminal	1		18		8	9	(5x5 (5x7 (6x9
Crown			1		1		1x5

TABLE I. SUBJECT MATTER OF LITIGATION

Type of subject	Motion dismissed	Appl'n granted	Rept.	Unrpt.	C.A. Aff'd (includes Ct. where applicable)	C.A. No. rvsd. Ex.	Jdges sit
APPELLATE (cont'd.)							
Expropriation			2		1	1	2x5
Habeas Corpus			2		2		2x7
Immigration	1		1				1x5
Labour			3		2	1	(2x5 1x9)
Mandamus			1		1		1x5
Municipal Corps ..			6		3	3	6x5
Prohibition			2			2	2x5
Public Utilities			1			1	1x5
Royal Commissions							
Schools			1			1	1x5
Securities							
Taxation	1	1	12		6	4	(1x1 1x9 10x5)
Workmen's Compens.							
PROCEDURAL							
Appeal	3	1	4				(3x5 1x1 1x5)
Costs			1		1		1x5
Decl. Action			1		1		1x9
Evidence			2			2	2x5
Injunction			1		1		1x5
Judgments and Orders			1			1	1x5
Jurisdiction	1		4			3	(3x5 1x9)
Jury Trial			1			1	1x5
Procedure	1		1				1x5
Statutory Interp.			1		1		1x5

TABLE II. VOLUME OF WORK

Year	Refer- ences	Habeas Corpus	Motions dismd.	Motions var'd	Unreported Public	Unreported Private	Reported Public	Reported Private	Totals
1964*							45	45	90

*1964—Canada Law Reports, S.C.R. in bound edition were not available at date of publication, thus the motions and unreported cases were not available.

TABLE III. PROVINCIAL BREAKDOWN

1964 Source	Refer- ences	Habeas Corpus	Motions dism'd	Motions var'd	Unreported Pub.	Unreported Priv.	Reported Pub.	Reported Priv.	Total
Newfoundland	-	-	-	-	-	-	-	-	-
Nova Scotia	-	-	-	-	-	-	-	-	-
P. E. Island	-	-	-	-	-	-	-	-	-
New Brunswick ...	-	-	-	-	-	1	1	1	1
Prov. of Quebec ...	-	-	-	-	-	9	10	19	19
Ontario	-	-	-	-	-	15	9	24	24
Manitoba	-	-	-	-	-	5	4	9	9
Saskatchewan	-	-	-	-	-	1	4	5	5
Alberta	-	-	-	-	-	1	8	9	9
British Columbia..	-	-	-	-	-	3	2	5	5
Yukon	-	-	-	-	-	-	-	-	-
North West Terr...	-	-	-	-	-	2	-	2	2
Exchequer Court*	-	-	-	-	-	10	5	15	15
Federal Boards**	-	-	-	-	-	1	-	1	1
									90

TABLE IV. ACTION OF INDIVIDUAL JUSTICES

Judgment	J	Concurrence			C	Total			T	
Volume of Work										
	Majority			Dissent			Other†			
	J	C	T	J	C	T				
Taschereau.....	6	40	46	-	-	-	2			
Cartwright.....	21	30	51	7	1	8				
Fauteux.....	10	36	46	1	1	2				
Abbott.....	8	43	51	2	-	2				
Martland.....	6	47	53	1	1	2				
Judson.....	13	41	54	5	-	5				
Hall.....	9	43	52	-	4	4				
Ritchie.....	9	41	50	4	-	4				
Spence.....	12	33	45	5	1	6				
Type of Work										
	Common law	Civil law	Criminal law	Consti- tutional law	Other Public law					
Taschereau.....	12	9	13	1	11					
Cartwright.....	26	6	14	3	12					
Fauteux.....	10	9	17	3	9					
Abbott.....	16	9	11	3	13					
Martland.....	24	1	16	3	11					
Judson.....	27	2	11	3	16					
Hall.....	21	6	17	3	9					
Ritchie.....	21	4	15	3	11					
Spence.....	20	3	13	1	15					

TABLE V CASES AND MAJORITY RATIO

Total number of cases reported		— 90	
Unanimous decisions		— 71	
(9-0)	5	(7-0)	11
(8-1)	1	(6-1)	0
(7-2)	0	(5-2)	0
(6-3)	5	(4-3)	0
(5-4)	0		
	11		11
			67
			1
Total: 90			

* Cases dealt with were patents and trademarks, shipping and taxation.
 ** In this case, Board of Transport Commissioners.
 † Denotes concurrence with in this case a major difference on a point of law.