

TO: Wainwright Trustees and
Colleagues

FROM: Professor Crépeau
Wainwright Senior Fellow

SUBJECT: Wainwright Senior Fellow
Report

As my term as Wainwright Senior Fellow and, *ex officio*, Chairman of the Wainwright Trust draws to a close, I should like to submit a report of the activities which have taken place since June 1971.

1. Wainwright Senior Fellowship

It was a great honour to be appointed the first of the Wainwright Senior Fellows. It is both in this capacity and in that of Chairman of the Civil Code Revision Office that I delivered the third John H. Tucker Jr. Lecture on Civil Code Revision in Quebec at the Louisiana State University in Baton Rouge, on 28 February 1974. I have attached a copy of this lecture herewith. As an annual stipend of \$1500 was provided, an account of the expenditures incurred during tenure of the Fellowship will be found below (Annex 1). The books purchased through this fund for the use of the Wainwright Senior Fellow are stamped "Wainwright Senior Fellow". These books will eventually be returned to form the basis of a Wainwright Faculty collection.

2. Wainwright Junior Fellowship

Professor Ronald Cohen was appointed, in 1971, the first Wainwright Junior Fellow. Madame Francine Vallée-Ouellet was appointed Wainwright Junior Fellow (1975) by the Wainwright Trustees in December of 1974. The Fellowship was tenable until 1 June 1975 when Madame Vallée-Ouellet became a colleague. It was understood, however, that she would submit, by the end of 1975, an essay on her chosen topic of *Les droits et obligations du copropriétaire*.

3. Wainwright Scholarships

Over the last five years Wainwright Scholarships, Bursaries and Prizes have been awarded on the recommendation of the Scholarships Committee of the Faculty of Law. Fifty-seven awards have been granted in all to the total sum of \$59,300.00, five of which were Wainwright essay prizes, thirty-eight scholarships and fourteen bursaries. (Annex 2)

4. Wainwright Lectures

The first of the series of the Wainwright Memorial Lectures was delivered by Mr. Justice Albert Mayrand on 15 March 1973 on the subject of *L'inviolabilité de la personne humaine*. The lecture served as a basis for a book which was published by Wilson & Lafleur Ltée, Montréal, 1975 with the assistance of the Social Science Research Council of Canada. A lancement in honour of the publication was given by the Wainwright Trustees 22 October 1975. A

complimentary copy was sent to the University authorities and to members of Faculty, as well as to press representatives.

The second lecture of the series will be delivered by Professor Joseph Dainow in the Spring of 1976. The lecture will be entitled, *Civil Law in a Mixed Jurisdiction*.

5. Wainwright Collection

The Law Library of McGill University has been awarded an annual grant in order to continue the development of the Wainwright Collection of Legal History. Miss Marianne Scott, Law Librarian, has submitted an annual report of acquisitions to the Wainwright Trustees on the eve of each renewal grant.

6. Research and Conference funds

(a) travel

Several conferences were attended by a member or members of Faculty through the financial support of the fund. A list of these conferences is hereto attached (Annex 3).

(b) research projects

Each year members of Faculty were invited to submit applications to the Wainwright Trustees for research funds, outlining in their applications the research project in mind, and the names of students who would be suitable candidates for summer employment. From these applications various projects were chosen and on completion of these, reports were submitted to the Trustees by those persons involved. A list of these research projects is attached (Annex 4).

(c) income supplements

- Mr. Peter Haanappel, teaching fellow, Obligations (1975)

- Mrs. Sanda Rodgers Magnet, lecturer, Legal Method (1975)

7. Wainwright Legal Essay Competition

A legal competition entitled the "Wainwright Memorial Legal Essay Competition" was created to honour the memory of the late Arnold Wainwright, Q.C. and to promote, through the publication of research, the evolution and influence of the Civil law particularly in Canada. The competition shall be held every two years, the deadline for the first of which will be 23 December 1976. The Regulations of the competition are attached hereto (Annex 5).

In concluding this report, I should like to express my gratitude to my fellow Trustees, Professor J.E.C. Brierley, Professor J.W. Durnford (until May 1974) and Professor Y. Caron (since June 1974). Together, we have tried, "in all loyalty and with the care and diligence of the prudent administrator", to carry out the wishes of the late Arnold Wainwright Q.C. in the light of McGill's unique contribution through its national programme of legal studies. It is our sincere hope that we have not failed him in his expectations.

Annex 3 – List of Conferences attended:

- Colloquium on Proprietary aspects of Personal Property Security, Edinburgh, September 1971 (Professor Caron)
- UK Conference on Comparative Law, Leeds, September 1972 (Professor Caron)
- Colloquium on Company Law, UK, September 1972 (Professor Caron)
- Summer research on Trusts in UK, 1974 (Professor Waters)
- Colloquium in Exeter on the Comparative Law of Trusts, September 1975 (Professors Caron and Waters)

Annex 4 – List of Projects undertaken:

- (1971) - The poor and their legal problems (Robert Cooper)
- Obligations casebooks; La dissertation juridique (Professor Crépeau)
- Debt Collection Project (Professor Trebilcock)
- Law of Security on Property in Quebec (Professor Caron)
- Canadian Legal History; Successions (Professor Brierley)
- Law and Society Casebook (Professor Slattery)

- (1972) - Special Contracts Casebook (Professor Cayne)
- An investigation into the law of Quebec legislation, doctrine and jurisprudence with respect to exemption clauses (Professor Crépeau)
- Obligations casebooks, continuation of (Professor Crépeau)
- Taxation as related to the civil law province (Professor Caron)
- Research on a comparative basis concerning the registration of real rights under the Ontario Registration System, the Ontario Torrens System and the Quebec Registration System of real rights; and building extensive bibliography of articles concerning law reform in the common law jurisdictions (Professor Caron)
- Highway Victims Indemnity Act thesis (Madame Sinclair)

- (1973) - Obligations casebook (Professor R. Cohen)
- Obligations casebooks, continuation of (Professor Crépeau)
- Cause in the Quebec Law of Enrichment without Cause (David Fine)
- Consumer Protection Act (Professor Caron)
- Taxation, continuation of (Professor Caron)

- (1974) - Medical Law Research (Professor Crépeau)
- Obligations and La dissertation juridique, continuation of (Professor Crépeau)
- Consumer Protection Act, continuation of (Professor Caron)
- Casebook on Property II and textbook on hypothecs (Professor Caron)
- Major Legal Systems (Dean Brierley)
- L'inviolabilité de la personne humaine (Dean Brierley)

- (1975) - Medical Law Research, continuation of (Professor Crépeau)
- Foundations of Canadian Law and Civil Procedure and Evidence (Professor P. Glenn)
- Casebook on Environmental Law (Professor Viasic)
- Charter By-laws of the City of Montreal (Miss Scott, Librarian)