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Foreword

Québec legal literature is published either in French or in English or in both languages. This bibliography presents only English language or bilingual texts. It does not include the unilingual French publications which of course are the major part of Québec’s legal literature.

This bibliography on Québec Civil Law and Procedure published in English has been prepared as a working tool in the context of the legal cooperation between the Faculty of Law of the University of Ottawa, the Saint-Lucia legal community and the University of the West Indies. It may also be a useful instrument for all other English speaking lawyers who wish to learn about Québec Civil Law and Procedure.


The compilation of the most recent books is based on Canadiana (National Library of Canada) and the Bibliographie du Québec (Bibliothèque Nationale du Québec).

This work has been prepared by André Gingras, of the Québec Bar, and Diana-Lynn Perret of the Law Library of the University of Ottawa. Professor
Louis Perret was the director of the projet.

Ottawa, December 21st, 1984

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Alta. L. Rev. Alberta Law Review
Am. J. Comp. L. American Journal of Comparative Law
C.B.J. Canadian Bar Journal
C. de D. Cahiers de Droit
Can. B. Papers Canadian Bar Association Papers
Can. L. Rev. Canadian Law Review
Can. L. Times Canadian Law Times
Can. Tax. J. Canadian Tax Journal
Corp. Bulletin Bulletin, Bureau of Corporate Affairs
Dalhousie L.J. Dalhousie Law Journal
Int’l. & Comp. L.Q. International & Comparative Law Quarterly
La. L. Rev. Louisiana Law Review
Man. L.S.J. Manitoba Law School Journal
McGill L.J. McGill Law Journal
Osgoode Hall L.J. Osgoode Hall Law Journal
Ottawa L. Rev. Ottawa Law Review
R.D.U.S. Revue de Droit, Université de Sherbrooke
R.J.T. Revue Juridique Thémis
R. du B. Revue du Barreau
R. du D. Revue du Droit
R. du N. Revue du Notariat
S. U. L. Rev. Southern University Law Review
Sup. Ct. L. Rev. Supreme Court Law Review
Thémis Thémis
Tul. L. Rev. Tulane Law Review
U.B.C. Legal Notes University of British Columbia Legal Notes
U. of T. L.J. University of Toronto Law Journal
Western Ont. L. Rev. Western Ontario Law Review
Yale L.J. Yale Law Journal
LAW REPORTS

C.B.R., n.s.  Canadian Bankruptcy Reports, new series
C.R. (3d)  Criminal Reports, Third Series
E.T.R.  Estates & Trusts Reports
R.F.L.  Reports of Family Law
R.L., n.s.  Revue Légale, nouvelle série
R.P.R.  Real Property Reports

FIRST PART — STATUTES AND REGULATIONS

I. CODES

A. Civil Code


****1st and only official edition****


Civil Code of Lower Canada, edited by H. J. KAVANAGH, Montréal, J. Lovell, 1898 (pp. N/A).


Civil Code of Lower Canada, edited by T. MCCORD, Montréal, Dawson, 2nd, 1870 (pp. N/A).

Civil Code of Lower Canada, Annotated, edited by W. P. Sharp, Montréal, Périard, 1889, 2 vol., 1,572 p., plus
— Supplement no. 1-2, Annotated, Montréal, Périard, 1889-1890, 238 p.
— Consolidated Supplement No. 1, Annotated, Montréal, 1898, 704 p.
Civil Code of the Province of Québec, Annotated — Code civil de la province de Québec annoté, edited J. J. Beauchamp, Montréal, Théoret, 1904/05, 2 vol. in 3, 2,870 p.


Québec Code — Code civil du Québec, Édition préparée sous la direction J. L. Baudouin, & Y. Renaud, Outremont, Judico, 1981-

B. Code of civil procedure

Code of Civil Procedure of Lower Canada — Code de procédure civile du Bas-Canada, Ottawa, Printed by Malcolm Cameron, Law Printer to the Queen’s Most Excellent Majesty, 1867, 471 p. ***(Official edition)***

Code of Civil Procedure of the Province of Québec, Québec, Printed by Brousseau and Pageau, Printer to the Queen’s Most Excellent Majesty. 1897, 264 p. ***(Official edition)***


Code de Procédure civile annoté de la province de Québec — Code of Civil Procedure Annotated, edited by P. Ferland, Montréal, Wilson et Lafleur, 1964-


Code of Civil Procedure for the Province of Québec, by V. E. Mitchell, Montréal, John Lovel & Son, 1897 (pp. N/A).

Code of Civil Procedure in the Province of Québec, by I. Wotherspoon, Montréal, Dawson Brothers, 1880 (pp. N/A).


Code of Civil Procedure of Québec, edited by W. A. Weir, 1889 and 1903 (pp. N/A).


Code of Civil Procedure of the Province of Québec (Annotated), edited by S. W. Jacobs, and Léon Garneau, Montréal, Carswell, 1903 (pp. N/A).


Code of Civil Procedure of the Province of Québec, edited by R. S. Weir, Montréal, 1900 (pp. N/A).

Code of Civil Procedure of the Province of Québec, edited by R. S. Weir, Montréal, 1903 (pp. N/A).


Code of Civil Procedure of the Province of Québec, including Rules of Practice of Superior Court of Queen’s Bench, edited by S. W. Weber, Montréal, 1953 (pp. N/A).


II. OFFICIAL DOCUMENTS ON LEGISLATION

COMMISSION APPOINTED TO CODIFY THE LAWS OF LOWER CANADA IN CIVIL MATTERS.

Civil Code of Lower Canada; reports, Québec Desbarats, 1865, contents:


Vol. 2- 4th, and 5th report, 471 p.

Vol. 3- 6th and 7th report and supplementary report, 391 p.

Report of the Commission for the Revision and Consolidation of the General Statutes of the Province of Québec. Québec, C. F. Langlois printer to the Queen’s Most Excellent Majesty:

1st & 2nd Parts Covers Titles I to IX: 1883-1884, 1,142 p.
3rd Part Covers Titles X to XI: 1885, 435 p.


CIVIL CODE REVISION OFFICE, Report on the Québec Civil Code, 2 vols in 3 contents,
Vol. 1- Draft of Civil Code
Vol. 2- Commentaries,

III. STATUTES (chronologically) AND REGULATIONS
A. Statutes of Québec
Ordinances, Made for the Province of Québec, by the Governor and Council of the Said Province, Since the Establishment of the Civil Government (1764-1767), (Appendix E of the Report of the Work of the Public Archives, 1913), Ottawa, Queen’s Printer, 1914.
**Provincial Statutes of Lower Canada**, Québec, King’s Printer, 1793-1837, 15 vol.
**Ordinances Made and Passed by His Excellency the Governor General and Special Council for the Affairs of the Province of Lower Canada**, Québec, Queen’s Printer, 1838-1841, 6 vol.

**Consolidated Statutes of Lower Canada**, Québec, Queen’s Printer, 1861.


**Statutes of the Province of Quebec**, Québec, Queen’s Printer 1867-1969 (Before 1942 the French and English versions were published separately).

**Statutes of Quebec**, Québec, Éditeur Officiel du Québec, 1969-

**B. Regulations of Québec**

**Gazette Officielle du Québec / Québec Official Gazette**, Québec, Imprimeur de la Reine.


Gazette Officielle du Québec Partie 2 Laws and Regulations, Québec, Québec Official Publisher, 1978-


**Statutory Regulations**, Québec, Éditeur Officiel du Québec, 1972, 10 vol. (Loose-leaf service).

**SECOND PART — CASE LAW REPORTS**

**I. CURRENT SERIES**

Canada Supreme Court Reports. Queen’s Printer for Canada, 1878-1922.
Canada Supreme Court Reports. Queen’s Printer for Canada, 1970-

Jurisprudence-express (weekly) (bilingual), Montréal, Société québécoise d’information juridique.


Les Rapports judiciaires du Québec, Montréal, Le Barreau de la Province de Québec,

Cour du Banc de la Reine (in appeal), 1892-1966.
Cour supérieure, 1892-1966.

Les Recueils de jurisprudence du Québec, Montréal, Le Barreau de la Province de Québec,

Les Recueils de jurisprudence du Québec, Québec, Éditeur officiel du Québec,
Cour d’appel, 1974-
Cour supérieure, 1974-
Cour provinciale, 1974-
La Revue de droit judiciaire, Montréal, Wilson et Lafleur 1983-
La Revue légale, 1869-1892, 21 vol.
La Revue légale, new série, Montréal, Wilson et Lafleur, 1895-

II. OLD SERIES
DORION, Décisions de la Cour d’appel — Queen’s Bench Reports, 1880-1884, 4 vol.
The Legal News, 1877-1897, 20 vol.
The Lower Canada Jurist, 1856-1891, 35 vol.
The Lower Canada Reports, 1850-1867, 17 vol.
MATHIEU, Rapports judiciaires revisés de la province de Québec, 1726-1891, 29 vol.
Montreal Condensed Reports, 1853-1854, 1 vol.
Montreal Law Reports, Queen’s Bench, 1884-1891, 7 vol.
Montreal Law Reports, Superior Court, 1884-1891, 7 vol.
PYKE’S Reports of Cases, Court of King’s Bench, 1809-1810, 1 vol.
Quebec Law Reports, 1875-1891, 17 vol.
RAMSAY’s Appeal Cases, 1873-1886, 1 vol.
La Revue de jurisprudence, 1895-1942, 48 vol.
STUART’s Reports, 1810-1835, 1 vol.
STUART’s Vice-Admiralty Reports, 1836-1874, 2 vol.

THIRD PART — MONOGRAPHS, THESIS AND ARTICLES

I. GENERAL SYSTEM OF THE CIVIL LAW

A. Monographs and thesis
MCCORD, Thomas, *Synopsis of the Changes in the Law Effected by the Civil Code of Lower Canada*, Ottawa, 1866 (pp. N/A).

B. Articles


II. PRIVATE INTERNATIONAL LAW

A. Monographs and Thesis


B. Articles


III. PERSONS AND FAMILY

A. Monographs and Thesis


CARROLL, Lovell C., Marriage in Québec, Montréal, 1936, 151 p.


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B. Articles


FREEDMAN, Frances Schanfield, ‘‘The Juridical Capacity of the Married Woman in Québec in Relation to Partnership of Acquests and Recent Amendments to the Civil Code’’, (1975) 21 McGill L.J. 518.


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JOHNSON, Walter S., ‘‘Separation as to Bed and Board and as to Property in the Québec Conflict of Laws, (1960-61) 7 McGill J.J. 115.

KAVANAGH, H. J., ‘‘The Incapacity of Married Women Separate’’, (1903) 9 R.L..n.s. 529.


Vipond, Ernest E., “Petition to be Allowed to Sue for Separation from Bed and Board”, (1945) 5 R. du B. 23.

Walsh, Thomas E., "Error as to Person and the Nullity of Marriage", (1949) 9 R. du B. 190.


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B. Articles


Bourque, P., "Real Estate Law, in Bankruptcy Seminar", Ottawa, Department of Consumer and Corporate Affairs, Bankruptcy Branch, 1972 (pp. N/A).


V. Successions, Gifts and Trusts

A. Monographs and Thesis


B. Articles


VI. OBLIGATIONS, OFFENCES AND QUASI-OFFENCES

A. Obligations

1. Monographs and Thesis


RITCHIE, T. W., *Some Remarks on the Title of Obligations as Reported by the Commissioners*, Montréal, 1863 (pp. N/A).


2. Articles


BLAIKIE, Peter M., “Restrictive Covenants: Conflicting Views in the Court of Appeal”, (1968) 14 McGill L.J. 120.


KAHN, Asher, "Contracts by Correspondence", (1959-60) 6 McGill L.J. 98.


B. Offences and Quasi-Offences

1. Monographs and Thesis


2. Articles


Sigler, Max, “Gratuities Received by the Victim of an Accident and the Award of Damages”, (1958) 18 R. du B. 208.


C. Named Contracts

1. Monographs and Thesis


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McGIBBON, R. D., Law of Assignment and Abandonment of Property in Province of Québec, Montréal, 1880 (pp. N/A).


2. Articles

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VII. PROOF AND CIVIL PROCEDURE

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MITCHELL, V. E., and F. L. SNOW, Manual of Procedure in the Several Courts . . . of Québec, Montréal, 1897 (pp. N/A).


WOTHERSPOON, I., Practice and Procedure in the Courts Having Civil Jurisdiction in the Province of Québec, Montréal, 1870, 1880 (pp. N/A).

B. Articles

BELLEAU, C., “The Law of Civil Procedure in the Province of Québec with Special Reference to the Field of the Execution of Judgments as Compared with the St. Lucia Experience”, in Essays on the Civil Codes of Québec and St. Lucia, Ottawa, University of Ottawa Press, 1984, p. 265.


VIII. MATRIMONIAL REGIMES

A. Monographs and Thesis

B. Articles


IX. PRIVILEGES, HYPOTHECS, PLEDGE, SURETYSHIP AND REGISTRATION

A. Monographs and Thesis
Canadian Mortgage Practice Reporter, Toronto, Richard de Boo, 2 vols., (Loose-leaf service).

B. Articles


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X. PRESCRIPTION — ARTICLES


DURNFORD, John W., “Prescription as a Mode of Acquisition of Immoveable Property”, (1964-65) 67 R. du N. 491, 559.


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La Revue du Barreau, 1941- . . . five numbers yearly
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