

# Program

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Refreshments will be served in the foyer outside the main lecture theatre, Murray Fraser Hall 2370.

Dinner on Monday night will be held at Pulcinella Restaurant, at 1147 Kensington Cres. N.W.

Our new Rare Books room on the main floor of the library is open from 8:30 to 4:00.

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## July 17

**8:00 – 8:30 Coffee and pastries in foyer outside MFH 2370**

**Welcome remarks 8:30 – 9:00 (MFH 2370)**

**Session 1 9:00 – 10:30: Writing a History of Law in Canada**

1. Blake Brown, “Consent, Tort, and Surgery in Early Twentieth-Century Canada”
2. Jim Phillips, “Squatting and Land Titles in Pre-Confederation Canada”
3. Philip Girard, “Form and Substance in Canadian Constitutional History”

**Break – refreshments in foyer outside MFH 2370**

**Session 2 10:45 – 12:15: Law’s Boundaries (MFH 2370)**

Chair: Rob Hamilton

1. Lyndsay Campbell, “The Jurisdiction of Colonial Legislatures and the Great (Forgotten) Case of *Stockdale v. Hansard*”
1. Brian Young, “Law, Religion, and Civil Society in 19th Century Quebec: The View from the Archbishop’s Palace”
2. Bradley Miller, “Marriage and Transnational Law in British North America/Canada”
3. Angela Fernandez and Christopher Shorey, “Legal Archaeology in Canada: *Pierson v. Post* and the *Frederick Gerring*”

**Lunch in foyer outside MFH 2370**

**Session 3A 1:15 – 2:45: Changes in Private Law (MFH 2370)**

Chair: Eric Reiter

1. Rande Kostal and Erika Chamberlain, “Re-imagining Affirmative Duties of Care in Canada, 1968-74: Two episodes in Canada’s Private Law Revolution, 1965-1990”
2. Michel Morin, « La survie et la modernisation du droit civil, 1774-2017 »
3. Douglas C. Harris, “A History of Condominium in the Country”

### **Session 3B 1:15 – 2:45 – Crime, Space and Troubling People (MFH 3340)**

Chair: Darren Pacione

1. Barrington Walker, “The 2012 Danzig Shooting and Zones of Exception in Toronto”
2. Jonathan Swainger, “Anxious at the Very Gates of Hell: Crime, Race and Community Identity on a North American Settlement Frontier, 1908-1925”
3. Claire Gjertsen and Stefan Parker, “‘Passing the Wine’: Tracing the Struggle of the Calgary Italian Community to Legalize Homemade Wine Production”
4. Karen Pearlston, “The State’s Business in the Bedrooms of Lesbian Nation”

### **Session 4A 2:45 – 4:15: Gender and the Household (MFH 2370)**

Chair: Peter Gossage

1. Jean-Philippe Garneau, “Household Debts and the Coutume de Paris in Pre-Industrial Montreal (1795-1830): Gender, Capitalism and Legal Cultures”
2. Lori Chambers, “The Historical Development of Children’s Right to Protection from Harm in Canada”
3. Marie-Neige Laperrière, « Le point de vue des femmes, comme source historique pour comprendre le droit civil québécois. L’exemple de la capacité juridique de la femme mariée, 1913-1965 »

### **Session 4B 2:45 – 4:15: Legal Institutions and the Work of Interpretation (MFH 3340)**

Chair: Mark Harding

1. Catharine MacMillan, “Canada, Commerce and the Judicial Committee of the Privy Council”
2. Ian Holloway, “The Constitutional Significance of Judicial Biography – the Case of Lord Sinha”
3. Jeffrey L. McNairn, “‘Where Covert Guile and Artifice Abound’: To Know Insolvency and Fraud in Upper Canada, 1794-1843”

### **Break – refreshments in foyer outside MFH 2370**

### **Session 5: 4:30 – 6:00: Indigenous Peoples and Regulation (MFH 2370)**

Chair: Genevieve Painter

1. Jean-François Lozier, “The Missing and Murdered of 1669”
2. Nicole O’Byrne, “No other weapon except organization”: A Comparative Study of Métis-State Relations in Alberta and Saskatchewan (1930-1964)”
3. Shaunnagh Dorsett, “Excluding the Regular Courts: Martial Law, Imperial Control, and Māori Rebels, 1846-7”
4. Jacqueline Briggs, “Towards a History of Legal Aid in Canada: An Introduction to the Department of Indian Affairs Legal Aid Program for Status Indians Accused of Murder, 1880 to 1970”

### **Dinner**

## July 18

### **8:00 – 8:30 Coffee and pastries in foyer outside MFH 2370**

#### **Session 6A 8:30 – 10:00: Familles, droit et justice au Québec: Out of the Archives (MFH 2370)**

Chair: Alexandra Havrylyshyn

1. Peter Gossage, « Familles, droit et justice au Québec, 1840-1920 : Aperçu d'un projet en cours
2. Donald Fyson, "Families and Felons: Convicts' Relatives and the Penal Law in 19th-Century Quebec"
3. Thierry Nootens, « Je donne toujours mes papiers à mon mari » : savoirs féminins, finances domestiques et droit civil au Québec, 1866-1931. Le « retard » québécois à l'épreuve des archives judiciaires
4. Eric H. Reiter, "Family Defamation in Quebec: The View from the Archives"

#### **Session 6B 8:30 – 10:00: Legal Research (MFH 3340)**

Chair: Lou Knafla

1. Jacqueline Z. Wilson, "Redress, Records and the Colonial Legal Past: The Equivocal Role of Archives in Determining Reparations"
2. Mélanie Méthot, "Analyzing Bigamy Cases without Legal Records: It Is Possible"
3. Graham Price, "A Survey of Legal Archives in Canada"

### **Break – refreshments in foyer outside MFH 2370**

#### **Session 7A 10:15 – 11:45 – Legal Profession (MFH 2370)**

Chair: Wes Pue

1. Constance Backhouse, "Women Lawyers and Judges: The Progress of Generations"
2. Alexandra Havrylyshyn, "Practicing Law in a Lawyer-less Colony: The Curious Case of Jacques Nouette de la Poufellerie"
3. Pooja Parmar and John McLaren, "Advocating for Unpopular Causes and the Expectations of 'Respectable' Lawering in British Columbia, 1900-1940: An Initial Exploration"
4. Serge Dauchy, "The Role of Justice and the Judiciary within the French Colonial Enterprise in North America in the 17<sup>th</sup> Century"

#### **Session 7B 10:15 – 11:45 – Crime Stories (MFH 3340)**

Chair: Nicole O'Byrne

1. Darren Pacione, "Defending the Front de Libération du Québec: Self-Representation as Political Strategy in the Courtroom"
2. Ted McCoy, "Seeking Unruly Women: Breaking The Bond Between Crime and Punishment in Prison History"
3. Greg Marquis, "What I Learned about Writing True Crime"

### **Lunch in faculty lounge on 4th floor**

**Session 8A 12:45 – 2:15 – Writing Legal History (MFH 2370)**

Chair: Sarah Pike

1. Michael Boudreau, “Atlantic Canadian Legal History: Past, Present, and Future Trends”
2. Louis A. Knafla, “The Historiography of Law and Society in Prairie Canada, 1870-2000”
3. Andrew Buck, “‘Lost’ Case Law in Canada: Vancouver Island, 1849-1871: A Pilot Study”

**Session 8B 12:45 – 1:30 – Teaching and Pedagogy (MFH 3340)**

Chair:

1. Daniel Heidt, “Moving between Classrooms: Mobilizing and Merging Legal, Historical and High School Pedagogies for Canada 150.”
2. James Muir on the Confederation Game

NB: This panel will end early to allow any who are interested to move into a computer lab in the library (room 2346) to explore Daniel Heidt’s Confederation Debates digitization project.

**Session 9 2:15 – 3:45 Low Law and the Drawing of Lines (MFH 2370)**

Chair: Nathalie McKean

1. Mary Stokes, “Bringing Bylaws into Low Law: Toward the Historical Study of Low Legislation”
2. Sarah Hamill, “The Last Gasp of Temperance? Liberalising the Liquor Laws in Post-war Alberta, 1945-1958”
3. Shelley Gavigan, “Historicizing Criminalization of Canada’s First Nations: A Project for Legal Historians?”
4. Janet Miron, “From Crime to Mental Illness: The Regulation of Attempted Suicide in English-Speaking Canada, 1892-1972”

**Break – refreshments in foyer outside MFH 2370**

**Session 10A 4:00 – 5:30 Indigenous Peoples and Settler Sovereignty (MFH 2370)**

Chair: Jacqueline Briggs

1. Robert Hamilton, “‘This Land of Which You Wish to Make Yourself Now Absolute Master’: The Legal Historical Construction of Sovereignty and Empire in Canada’s Maritime Provinces”
2. David G. Bell, “Eighteenth-Century Maritime Treaties in Nineteenth-Century Memory”
3. Genevieve Painter, “‘Give us his name’: Speech, Temporality, and Dispossession in a 19th Century Settler Colony”
4. Sarah P. Pike, “Gilbert Malcolm Sproat, 1834-1913: A B.C. Indian Reserve Commissioner’s attempt to answer the ‘Indian Land Question’”

**Session 10B 4:00-5:30 Confederation Game (MFH 4365)**

To be conducted by James Muir. This is your chance to remake Confederation as a “father.”

**Closing remarks**