

Revue générale de droit



Legal Bibliography on the Québec Civil Law published in English (Supplement, 1985-1988)

Jules Larivière, Diana-Lynn Perret and Louis Perret

Volume 20, Number 3, September 1989

URI: <https://id.erudit.org/iderudit/1058460ar>
DOI: <https://doi.org/10.7202/1058460ar>

[See table of contents](#)

Publisher(s)

Éditions Wilson & Lafleur, inc.

ISSN

0035-3086 (print)
2292-2512 (digital)

[Explore this journal](#)

Cite this review

Larivière, J., Perret, D.-L. & Perret, L. (1989). Review of [Legal Bibliography on the Québec Civil Law published in English (Supplement, 1985-1988)]. *Revue générale de droit*, 20(3), 565–571. <https://doi.org/10.7202/1058460ar>

Legal Bibliography on the Québec Civil Law published in English (Supplement, 1985–1988)

JULES LARIVIÈRE

Director of the Law Library, University of Ottawa

DIANA-LYNN PERRET

Library Technician at the Law Library, University of Ottawa

LOUIS PERRET

Professor of the Faculty of Law, University of Ottawa

FOREWORD

This compilation supplements the bibliography first published in (1985) 16 *Revue générale de droit*, pp. 713–760 (Faculté de droit, Section de droit civil, Université d’Ottawa). It covers the period between the end of 1984 up until the end of 1988. The same sources were verified, in addition to Current Law Index. The basic subject arrangement of the first bibliography has been maintained.

ADDITIONS TO TABLE OF ABBREVIATIONS

Bus. & L.	Business and Law
C.F.L.Q.	Canadian Family Law Quarterly
C.L.R.	Construction Law Review
Can. J. Fam. L.	Canadian Journal of Family Law
Maine L.R.	Maine Law Review
Monde Jur.	Le Monde Juridique
Nat. Bank L. Rev.	National Banking Law Review
Nat. Insolvency Rev.	National Insolvency Review
Rev. Jr. U.P.R.	Revista Jurídica de la Universidad de Puerto Rico

I. GENERAL SYSTEM OF THE CIVIL LAW

- BAUDOUIN, Jean-Louis, "The Reform of the Civil Code of Québec : Objectives, Methodology and Implementation". (*Simposio Sobre la Reforma del Código Civil de Puerto Rico*, University of Puerto Rico Law School, April 6-8, 1983), (*Spr' 83*) 52 *Rev. Jur. U.P.R.* 149.
- BRIERLEY, John E.C., "The English Language Tradition in Quebec Civil Law", (1987) 20 Dept. of the Secretary of State of Canada, *L'Actualité terminologique/Terminology Update*, 16.
- BRIERLEY, John E.C., "Quebec Arbitration Law : A New Era Begins", (1985) 40, No. 3, *Arbitration Journal* 20.
- BRIERLEY, John E.C. & RENSHAWE, M.L., "Sources of Civil Law : The Wainwright Collection", (1988) 1 *Fontanus* 27.
- FORTIER, L.Y., "The Québec Civil Code", (1988) 44 *Monde Jur.* 14.
- FRANKLIN, Martin, *Introduction to Québec Law*, 3rd ed. Toronto, Copp. Clark Pitman, 1984.
- FRANKLIN, Martin & FRANKLIN, David, *Introduction to Québec Law*, 3rd ed. (Teacher's key), Toronto, Copp. Clark Pitman, 1985.
- HOWES, D., "From Polyjurality to Monojurality : the Transformation of Québec Law, 1875-1929", (1987) 32 *McGill L.J.* 523.
- LEMAY, Denis, "The Québec Civil Codes", in *Law Libraries in Canada*, Toronto, Carswell, 1988, p. 87.
- MACDONALD, R.A., "History and Sources of the Civil Law of Québec", (1987) 4 *Monde Jur.* 35.
- MACDONALD, R.A., "Understanding Civil Law Scholarship in Québec", (1985) 23 *Osgoode Hall L.J.* 573.
- MASCIOTRA, V., "Québec Legal Historiography, 1760-1900", (1987) 32 *McGill L.J.* 712.
- ROBERT, J.J.M., "The Characteristic Features of the Civil Code of Lower Canada and of Québec", (1987) 4 *Monde Jur.* 40.
- STEIN, P., "Historical Development of Civil Codes", (1983) *Cambridge Lect.* 280.
- YALDEN, Robert, "Unité et différence : the Structure of Legal Thought in Late Nineteenth-Century Québec", (1988) 46 *U.T. Fac. L. Rev.* 365.

II. PRIVATE INTERNATIONAL LAW

- BRIERLEY, John E.C., "Canadian Acceptance of International Commercial Arbitration", (1988) 40 *Maine L.R.* 287.
- BRIERLEY, John E.C., "Overview of International Commercial Arbitration Law in Quebec and in the Canadian Common Law Provinces" in *Proceedings of the First International Commercial Arbitration Conference*, Québec, Faculté de droit, Université Laval; Montréal, Wilson & Lafleur, 1986, p. 273.
- GAUTHIER, Johanne, "Conflict of Laws : Old Rules and Modern Problems", (1986) *Meredith Mem. Lect.* 189.
- HARRINGTON, S.J., "Forum Non Conveniens in the Québec and Federal Courts — Rigidity or Flexibility", (1986) *Meredith Mem. Lect.* 257.

- LALONDE, M. & others, "Domestic and International Commercial Arbitration in Québec : Current Status and Perspectives", (1985) 45 *R. du B.* 705.
- MCBEAN, John, *Conflict of Laws and Canadian Matrimonial Property Redistribution Laws*, Master Thesis, McGill University, 1988, 208 leaves.
- MCLEOD, James, G., "Domestic Contracts in the Conflict of Laws", in *Marriage Contracts*, Toronto, Carswell, 1988, p. 127.
- PEACOCK, M.G., "Doctrine of Forum Non Conveniens in Ontario and Québec : the Two Solitudes", (1987) 47 *R. du B.* 111.

III. PERSONS AND FAMILY

- BACKHOUSE, Constance, "Pure patriarchy" : Nineteenth-Century Canadian Marriage, (1986) 31 *McGill L.J.* 264.
- BÉDARD, Lise, BUIST, Pierre and DEROME, Michelle, *Separation or Divorce : Children First*, Ste-Foy, Qué., Direction des communications, Ministère de la Justice du Québec, 1986, 20 p.
- BERCOVITCH, J., "Civil Law Regulation of Reproductive Technologies : New Laws for the New Biology?", (1986) 1 *Women and the Law* 385.
- BÉDARD, Lise, DEROME, Michelle and STANTON, Julie, *Separation and Divorce*, Ste-Foy, Qué., Ministère de la Justice, Direction des communications, 1987, 72 p.
- Excerpts From the Civil Code of Québec and the Civil Code of Lower Canada*, (1984) *Contemp. Trends* 281.
- HENDY, Donald M., "The Effects of Québec Marriage Contracts on the Division of Property at the Time of Divorce in Québec and Ontario", (1988) 3 *C.F.L.Q.* 185.
- KASIRER, N., "The Surrogate Motherhood Agreement : a Proposed Standard Form Contract for Québec", (1985) 16 *R.D.U.S.*, 351.
- KNOPPERS, B.M., "From Parental Authority to Judicial Interventionism : The New Family Law of Québec", (1984) *Contemp. Trends* 205.
- KNOPPERS, B.M., BRUDER-BURMAN, D., "Recent Developments in Family Law in Québec", (1984) 4 *Can. J. Fam. L.* 249.
- L'HEUREUX-DUBÉ, Claire, "The Québec Experience : Codification of Family Law and a Proposal for the Creation of a Family Court System, (Includes Appendix with Report on the Family Court by Civil Code Revision Office)" (Symposium : Family Law), (1984) 44 *La. L. Rev.* 1575.
- MAYRAND, A., "The Québec Civil Code : New Steps Towards Equality in Family", (1983) *Cambridge Lect.* 288.

IV. PROPERTY

- CARSLEY, F.L., "Registering a Commercial Lease in Québec, why Bother?", (1985) 2 *Bus. & L.* 42.
- DES ROSIERS, François, *The Rent Control System in Québec*, (Research Study; n° 25), Toronto, Ont., Commission of Inquiry into Residential Tenancies, 1986, 87 p.

- JOHNSON, T., "In a Manner of Speaking : Towards a Reconstitution of Property in Mid-Nineteenth Century Québec", (1987) 32 *McGill L.J.* 636.
- LAFLÈCHE, Marc, "Real Estate and the Commission des Valeurs Mobilières du Québec", (1988) 5 *Bus. & L.* 41.
- MACDONALD, R.A., "Enforcing Rights in Corporal Moveables : Revendication and its Surrogates", (1986) 31 *McGill L.J.* 573.

V. SUCCESSIONS, GIFTS AND TRUSTS

- AMARON, K., "Tracing in Québec (Civil Law Trust Provisions)", (1988) 5 *Nat. Insolvency Rev.* 56.
- BRENNER, Gabrielle A., *Why did Inheritance Laws Change?*, Rév., (Cahiers de recherche/ Institut d'économie appliquée), Montréal, Qué., École des hautes études commerciales, 1984.
- How to Settle an Estate*, Québec, Qué., Gouvernement du Québec, Ministère du Revenu, 1986, 28 p.
- KIRKPATRICK, J.G., "The Role of the Trustee Under a Trust Deed in Québec Civil Law", (1987) 47 *R. du B.* 495.
- LONGPRÉ, François, "Charges Under the Québec Special Corporate Powers Act", (1988) 5 *Nat. Insolvency Rev.* 71.
- MCCLEAN, Albert J., "The Québec Trust : Role Rich and Principle Poor?" (Fourth Wainwright Lecture) (1984) 29 *McGill L.J.* 312.
- SARNA, L., "Tracing and Québec Trusts", (1986) 5 *Nat. Bank L. Rev.* 57.

VI. OBLIGATIONS, OFFENCES AND QUASI-OFFENCES

- ATLAS, K.S., "Consensual Protection for the Prepaying Buyer in Québec", (1986) 11 *Can. Bus L.J.* 267.
- BISSEGGER, C.W., "Paradise Eroded — the Secured Creditor Under Attack, Québec Lumber Products Inc. Case Study", (1985) *Meridith Mem. Lect.* 95.
- BLISS, H.J., "Québec Torts — More than a Book Review", (1987) 6 *Advocates' Soc. J.* 5 : 21.
- BOODMAN, Martin, "The Prepaying Customer : Another Perspective (Qué.)", (1986) 11 *C.B.L.J.* 257.
- BOODMAN, M., "The Prepaying Buyer of Corporal Moveables in Québec", (1987) 47 *R. du B.* 871.
- BRIDGE, G. Michael, "Contractual Damages for Intangible Loss : a Comparative Analysis", (1984) 62 *Can. Bar. Rev.* 323.
- CAIRNS, J.W., "Employment in the Civil Code of Lower Canada : Tradition and Political Economy in Legal Classification and Reform", (1987) 32 *McGill L.J.* 673.
- CROTHERS, J.D., "Faute lourde and the Perfectly Drafted Exclusion Clause...", (1985) 26 *C. de D.* 881.
- GAUTREAU, J.R. Maurice, "Developments in the Law of Restitution", (1985) 5 *Advocates' Q.* 419.

- GAUTREAU, J.R.M., "Unjust Enrichment, Fiduciary Loyalty, and Remedies", (1986) 5 *Advocates' Soc. J.* 2 : 4.
- GREEN, Michel, "Comparative Study of Canadian and American Personal Injury Cases", (1986) 53 *Assurances* 456.
- HOLDING, D. John, "The Relationship Between Recent Trends in Tort Litigation and the Current Insurance Crisis in Canada", (1986) 54 *Assurances* 435.
- JOBIN, P.G., "Cumulation in Québec Civil Law : a Basic and Lively Issue", (1985) 10 *Can. Bus. L.J.* 306.
- GOODMAN-MAILHOT, Joy, "Mirror-Image Cases Explore Ontario-Québec Auto Liability", (1986) 5 *Ont. Lawyers Wkly*, № 44, 17.
- JUKIER, R., "The Emergence of Specific Performance as a Major Remedy in Québec Law", (1987) 47 *R. du B.* 47.
- JUKIER, R., "Flexibility and Certainty as Competing Contrary Values : a Civil Lawyer's Reaction to the OLRC's Recommendations on Amendments to the Law of Contract", (1988) 14 *Can. Bus. L.J.* 13.
- JUTRAS, D., "Civil Law and Pure Economic Loss : What are we Missing?", (1987) 12 *Can. Bus L.J.* 295.
- KAUFFMAN, D.H., "Application of Unjust Enrichment to Construction Matter in Québec", (1985) 10 *C.L.R.* 123.
- KOLISH, Evelyn, "Imprisonment for Debt in Lower Canada, 1791-1840", (1987) 32 *McGill L.J.* 602.
- LEGOUËFF, S., "Execution and Seizure Against RRSPs in Québec", (1985) 2 *Nat. Insolvency R.* 18.
- LERNER, D. Marc, "Bad Faith and Punitive Damages", (1986) 54 *Assurances* 225.
- MACDONALD, R.A., "Modernization of Personal Property Security Law : a Québec Perspective", (1985) 10 *Can. Bus. L.J.* 182.
- MAUGHAN, G.B., PASKELL-MEDE, M., "The Duty of Defend in Liability Insurance in Québec", (1986) 46 *R. du B.* 205.
- GAUTREAU, J.R.M., "Constructive Trusts and Unjust Enrichment, (Case Comm.) *Sorochan v. Sorochan*, (1986) 29 *D.L.R.* (4th) 1 (S.C.C.)", (1987) 7 *Advocates' Q.* № 4, 495.
- NADON, M., "The Law of Negligence and Products Liability : a General Overview", (1986) *Meredith Mem. Lect.* 95.
- NICHOLL, I.S. John, "Breaches of Conditions and Warranties : When can Coverage be Denied?", (1988) 55 *Assurances* 500.
- O'DONNELL, J. Vincent et NICHOLL, John I.S., "Insurance Broker's Duties and Responsibilities", (1988) 56 *Assurances* 204.
- PARNEGA, B., "Québec and Michigan Insurance Plans : how they Affect Ontario Actions", (1987) 5 *Can. J. Insurance L.* 2.
- PASKELL-MEDE, Mindy, STIEBER, Steven, "Conflicts of Interest Involving the Insurer", (1987) 55 *Assurances* 330.
- ROMERO, L.J., "Specific Performance of Contracts in Comparative Law : Some Preliminary Observations", (1986) 27 *C. de D.* 785.
- VAUGHAN, F., "Civil Code Influences on the Supreme Court of Canada, 1875-1980 : Particularly in Contract and Negligence", (1986) 20 *Gazette* 48.
- SILVEWER, Benjamin, "The Rights of a Unpaid Vendor in Québec", (1985) 2 *Nat. Insolvency Rev.* 94.

VII. PROOF AND CIVIL PROCEDURE

- BRIERLEY, J.E.C., "Quebec's New (1986) Arbitration Law", (1987) 13 *Can. Bus. L.J.* 58.
- CÔTÉ, L., "The Operation in Time of the Statute of Frauds and of the Statute of Limitations", (1986) 16 *R.D.U.S.* 315.
- GREY, J.H., "Duquet Revisited", (1987) 28 *C. de D.* 441.
- LALONDE, M. and others, "Domestic and International Commercial Arbitration in Québec : Current Status and Perspectives", (1985) 45 *R. du B.* 705.
- REID, H., "The Class Action in Québec", (1983) *Cambridge Lect.*, 206.

VIII. MATRIMONIAL REGIMES

- BLACK, V., "Québec Marriage Contracts in Common Law Courts : Room for Improvement", (1985) 45 *Rep. Fam. L.* (2d) 93.
- CHARLEBOIS, M., "Québec Family Property Law : in Need of Reform", (1985) *Women* 239.
- CONNELL-THOUZEZ, K., "Matrimonial Property Regimes in Québec Before and After the Reform of 1981 : Adapting Traditional Institutions to Modern Reality", (1984) *Contemp. Trends* 27.
- HENDY, Donald M., "The Effects of Québec Marriage Contracts on the Division of Property at the Time of Divorce in Québec and Ontario", (1988) 3 *C.F.L.Q.* 185.
- KNOPPERS, B.M. et BRUDER-BURMAN, D., "Recent Developments in Family Law in Québec", (1984) 41 *Can. J. Fam. L.* 249.
- Matrimonial Regimes in Canada; a Comparative Analysis of Provincial Legislation*, Uniform Law Conference of Canada, (1986) *Unif. L. Conf.* 268.
- WOLFSON, L.H., CORBIN, B.S., "Survey of Family Property Law Across Canada", (1986) 1 *Money & Fam. L.* 17.

IX. PRIVILEGES, HYPOTHECS, PLEDGE, SURETYSHIP AND REGISTRATION

- ATLAS, Kenneth S., "Consensual Protection for the Prepaying Buyer in Québec", (1986) 11 *C.B.L.J.* 267.
- BOODMAN, M., "The Prepaying Buyer of Corporal Moveables in Québec", (1987) 47 *R. du B.* 871.
- BOODMAN, Martin, "The Prepaying Customer : Another Perspective (Qué.)", (1986) 11 *C.B.L.J.* 257.
- KIRKPATRICK, J.G., "The Role of the Trustee Under a Trust Deed in Québec Civil Law", (1987) 47 *R. du B.* 495.
- LACROIX, Denis, "Business Financing Incentives : a Québec Perspective", (1985) 37 *Tax Conf. Rep.* 24 : 1.
- LAROCHELLE, L.M., BRUNET, M. et SIMMONDS, R., "Continuing Securities Reform in Canada : Amendments to Québec's Act", (1986) 11 *C.B.L.J.* 147.
- LONGPRÉ, François, "Charges Under the Québec Special Corporate Powers Act.", (1988) 5 *Nat. Insolvency Rev.* 71.

- MACDONALD, R.A., SIMMONDS, R.L., "The Financing of Moveables : Law Reform in Québec and Ontario", in *New developments in Commercial Lending*, (1981) *Meredith Mem. Lect.* 246.
- MACDONALD, Roderick A., "Modernization of Personal Property Security Law : a Québec Perspective", Text of a Paper Delivered at the 14th Annual Workshop on Commercial and Consumer Law, October 19-20, 1984, Faculty of Law, University of Toronto, (1985) 10 *C.B.L.J.* 182.
- MACDONALD, R.A., "Privileges and Other Preferences Upon Moveable Property in Québec : their Impact Upon the Rights and Recourses of Execution Creditors", (1985) *Debtor L.* 255.
- SARNA, Lazar, NEUDORFER, Asher, *The Law of Hypothecs in Québec*, Montréal, Jewel Publication, 1987, 375 p.