

CANADA / JUDGMENT

Phillips v. Roy et al.

[1977] 2 SCR 521**COURT**

Supreme Court of Canada

DECIDED

2 June 1977

Source: decisions.scc-csc.ca · Research copy typeset by Esheria. Not court-issued or certified.

Phillips v. Roy et al. Collection Supreme Court Judgments Date 1977-06-02 Report

[1977] 2 SCR 521 Judges Martland, Ronald; Ritchie, Roland Almon; Spence, Wishart Flett; Dickson, Robert George Brian; Beetz, Jean On appeal from New Brunswick Subjects Motor vehicles Decision Content Supreme Court of Canada Phillips v. Roy et al., [1977] 2 S.C.R. 521 Date: 1977-06-02 Elizabeth Mary Phillips and Evangeline Phillips Appellants; and Leo Roy and Lionel Fontaine Respondents. 1977: June 2. Present: Martland, Ritchie, Spence, Dickson and Beetz JJ. ON APPEAL FROM THE SUPREME COURT OF NEW BRUNSWICK, APPEAL DIVISION Motor vehicles—Failure to establish negligence—Concurrent findings by Courts below—No reason to reverse. APPEAL from a judgment of the Supreme Court of New Brunswick, Appeal division^[1], affirming a judgment of Stevenson J.² dismissing appellants' claim for damages. Appeal dismissed with costs. Raymond Dubé, for the appellants. J. Turney Jones, Q.C., for the respondents. The judgment of the Court was delivered orally by MARTLAND J.—We see no reason to reverse the concurrent findings of the Courts below that the appellants failed to establish negligence on the part of the respondent Roy. The appeal is dismissed with costs. Appeal dismissed with costs. Solicitors for the appellants: Raymond, Dubé, Dalhousie. Solicitors for the respondents: Gilbert, McGloan, Gillis & Jones, Saint John.

[1] (1974), 4 A.P.R. 137. 2(1974), 9 N.B.R. 618.

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/5849/index.do>

CASE PAGE <https://chat.esheria.ai/case-law/canada/phillips-v-roy-et-al-1977>

Prepared on 26 October 2026 · Esheria