sovereignty do extend over such newly acquired territory, and that the existing municipal laws of such teiritory are in some degree modified and changed by the acts of acquisition, and without any special decree, or statute of the Executive or Legislative departments of the new sovereignty." However absurd the exception as to pagans mentioned in Calvin's case may be, there can be no doubt of the correctness of the general principle that the laws of the conquered territory, which are contrary to the fundamental principles of the conqueror, cease on the complete acquisition of the conquered territory, because they are opposed to the already expressed will of the conqueror. "Each case must rest *upon* its own basis, and be judged by its own circumstances. From this view of the jurisprudence of the conquered country, we must determine what laws of the acquired territory remain in force, and what laws of the conqueror *propria vigore*, extend over such territory."

In this Island many *political* Laws, to use the very apt expression of Chief Justice Marshall, have been considered abrogated by the conquest without any Statute Law to that effect. For instance, I suppose no one would imagine that an action could be brought against a notary because he has not obeyed the *Réglement* of the 8th January, 1750, renewed on the 9th Nov. 1769, requiring him to send to the Council every three months "une liste des particuliers qui, dans les actes qu'ils ont passés, ont pris la qualité de chevalier, écuyer et autres denominations de noblesse"—If contrary to my opinion, such laws as these are really in force, in that case many among us may find not only their rights but their *état civil* seriously compromised.

In the interpretation of the old Law of the Colony, we should always bear in mind the altered situation of the country; and its position with respect to the Mother Country.

In the case of *Ruding vs. Smith* already referred to—which was the case of a marriage at the Cape of Good Hope (then as now occupied by us) between British subjects under the age of 30, and clearly invalid under the Dutch Law in force there—Lord Stowell said: "suppose the Dutch Law thought fit to fix the age of majority at a still more advanced period than thirty at which it then stood, at forty, it might surely be a question in an English Court, whether a Dutch marriage of two British subjects, not absolutely domiciled in Holland, should be invalidated in England on that account; or in other words, whether a protection intended for the right of Dutch parents, given to them