

A brief reference to the original sources of law in Canada and to the history of the previous revisions of the statutes, in the various provinces, will not be without value.

The sources of our Canadian laws are briefly as follows: Firstly, in the periods between the conquest of the various provinces and the issue of commissions from the Crown to the Governors, the country was governed by martial law in military tribunals, with recourse to the law of the conquered people where the military law was wanting, or on questions without its jurisdiction; secondly, the regular commissioners and instructions of the Governors of the various provinces, supplemented, in the case of Ontario and Quebec, by a Royal Proclamation: and, thirdly, the ordinances passed thereunder and the laws enacted by the Legislative Assemblies called together in pursuance thereof, or erected pursuant to acts of the Imperial Parliament. Thanks to Todd, Bourinot and Houston, the documentary history of our law is clear enough.

The source of the *lex scripta* in each of the various provinces of the Dominion may be briefly enumerated as follows: In Nova Scotia, Governor Cornwallis' commission in 1749; in New Brunswick, Governor Carleton's commission in 1784; in Prince Edward Island, Governor Patterson's commission in 1769; in Quebec and Ontario, the royal proclamation of 1763; in British Columbia, Governor Blanshard's commission in 1849; and in Manitoba, the Canadian Act, 33 Vict., ch. 3 (1870). A useful reference can be made to the earlier chapters of Mr. J. G. Bourinot's book, which are very clear, for a more detailed account of the introduction of English law into Canada. It will be noticed that in the commissions to the Governors of the other provinces, there is no express provision introducing the law of England into the new colony, as was held to be the case in Quebec and Ontario from the wording of the proclamation of 1763; and it seems rather as if it was intended that legislative assemblies should be, as soon as possible, called together, and that they should introduce into their respective provinces such part of the law of England as they might consider necessary or beneficial to the country. On the following dates legislative assemblies