

operative, but which might be thought suitable to the changed circumstances of the colony.<sup>10</sup>

In Prince Edward Island the law of England was expressly introduced by proclamation as of the 7th October, 1763, and in Ontario by a provincial statute of the 15th October, 1792, it was enacted that from and after the passing of the Act, in all matters of controversy relative to property and civil rights resort should be had to the laws of England as the rule for the decision of the same. It was subsequently held that the terms of this statute did not "place the introduction of the English law on a footing materially different from the footing on which the laws of England stand in those colonies in which they are merely assumed to be in force, on the principles of the common law, by reason of such colonies having been first inhabited and planted by British subjects."<sup>11</sup>

In Manitoba it was held that the common law was introduced on the 2nd May, 1670—the date of the charter of the Hudson's Bay Company,<sup>12</sup> but by provincial statute of 1874 and Dominion statute of 1888, the law of England was introduced as of the 15th July, 1870—the date of the admission of Manitoba into the Dominion.

In the North-West Territory (including prior to 1905, the present Provinces of Saskatchewan and Alberta) the common law was in force as of the 2nd May, 1670, until by Dominion statute of 1886 the law of England was introduced as it existed on the 15th July, 1870.

In British Columbia, the law of England was introduced by provincial statute as of the 19th November, 1858.

(10) Clement, 2 ed., p. 45. The classic case in Nova Scotia on the subject of the applicability of Imperial statutes is *Uniacke v. Dickson* (1848), 2 N.S.R. (James) 287. A leading case in New Brunswick is *Doe dem. Hanington v. McFadden* (1836), 2 N.B.R. (Berton) 153.

(11) *Doe dem. Anderson v. Todd* (1845), 2 U.C.R. 82. In this case were stated the principles which were substantially adopted in the later cases.

(12) *Sinclair v. Mulligan* (1888), 5 Man. R. 17.