Code of Lower Canada was being prepared, the Commissioners were sometimes hard put to it to turn into English some term of the old French law. The quaint words of the English Common law were too terribly strange. It was, not unnaturally, feared that French Canadian lawers would never take very kindly to them. By a happy thought the Commissioners turned to the Scots law and found sometimes there the very word they wanted, e. g. instead of taking the English term " Easement " they retained *Servitude* which is a term which both France and Scotland inherited from the Roman law. (See McCord's Edition of the Civil Code, p. IX of the Preface). But though much of the substance and nearly all the language of Scottish law is still very Roman, Scotland could not now be classed as in Duck's time with the countries of the Civil law. There are three main reasons for this change.

1. Before the Union with England there was very little commercial law in Scotland, and not much in England. English mercantile law is in great measure a product of the eighteenth century. Lord Mansfield, who has been called its *father*, sat as Chief Justice during the years 1756-1788. Largely through the writings of Bell the rules of commercial law which Mansfield and his successors laid down in England found their way to Scotland and were accepted there as sound (See Bell's Preface to the first edition of his Commentaries). Instead of turning to the Pandects, or to the French or Dutch civilians, for light upon a point of commercial law, the Scots lawyers began to turn to the reports of English cases.

2. During the period of nearly two centuries since the Union there has been a mass of legislation applying to both England and Scotland.

3. The English doctrine of the binding authority of