

provinces, six — Nova Scotia, New Brunswick, Prince Edward Island, Ontario, Manitoba and British Columbia have laws based upon the English Common law. The Province of Quebec alone has a system mainly drawn, mediately from the old French law, and ultimately from the Roman law. The enormous tract of the North-West Territories is also governed by a Common law system. It is, of course, essential in considering whether a particular rule of the English law, or a particular British Statute, forms part of the law of a Canadian province to have regard to the precise date on which the English law, or in the case of Quebec, the French law, was adopted as the law of the colony. I shall, therefore, narrate in few words the time and manner of this adoption or *reception* in each province.

*Maritime Provinces.*—By the Treaty of Utrecht in 1713, Nova Scotia was ceded by France to England. It included the present Province of New Brunswick. Cape Breton and Prince Edward Island were ceded by the Treaty of Paris in 1763. Before the cession neither France nor England held undisputed sway. The Nova Scotia Act 33 Geo. II c. 3 (1759) declared "That this Province of Nova Scotia or Acadia, and the property thereof did always of right belong to the Crown of England both by priority of discovery and ancient possession." It was not considered necessary to enact that Nova Scotia and New Brunswick should be governed by English law. Their courts assumed the English law to be in force there upon the principles of common law. The leading case is *Uniacke vs Dickson* (1848) James 287. There Lord Mansfield's statement "the colonies take all the common and statute law of England applicable to their situation and condition" was adopted by the Supreme Court of Nova Scotia.