

interstice and occupies every wide space which the statute law cannot occupy." (Commentaries I, p. 343, Lacy's Ed.) And as another American writer wells puts it, "It is interwoven with the very idiom that we speak, and we cannot learn another system of laws without learning at the same time another language." (Du Ponceau on Jurisdiction, p. 91). And Kent refers to the declaration by the Supreme Court of the United States at an early period in the history of that famous Court — that the remedies in the federal courts at Common law and in equity were to be, not according to the practice of state courts, but "according to the principles of common law and equity as distinguished and defined in that country from" which we derived our knowledge of those principles." (Kent, *ib.*, p. 342).

Just as the Roman law outlived the Roman authority in Gaul and Spain, so the English law survived the severance of the United States from the British Empire.

In Canada there are certain laws applicable to the whole Dominion. These are (1) the Criminal law, which is of English origin, and was codified in 1892 by the Dominion Statute 55 & 56 Vict., chap. 29. (2) The Statutes passed by the Dominion Parliament since 1867, when the provinces were confederated. (3) The few Imperial Statutes passed since responsible Government was introduced, which are applicable to Canada. One of the most important is the Merchant Shipping Act 1894. In addition to these law common to the whole Dominion, each Province with its independent local legislature, has its own laws, administered by its own courts. The judgments of the provincial courts are under certain conditions subject to appeal to the Supreme Court, at Ottawa, or to the Privy Council, in England. Of the seven