

Breton had an even more chequered career than the Canada of those days. For several centuries they were the subject of a game of battledore and shuttlecock between Great Britain and France.

Nova Scotia was discovered by Cabot in 1497. The first attempt to settle Cape Breton was by Baron de Lery in 1518. Nova Scotia was partially colonized by Marquis de La Roche in 1598. The English drove out the French in 1613 and in 1621 it was granted to Sir William Alexander. It was restored to France by the Treaty of St. Germain-en-laye in 1632, but 22 years later Cromwell retook possession, and his action was confirmed by the Treaty of Westminster in 1655. Although given back to France by the Treaty of Breda in 1667 it was actually in possession of England until 1670. In 1690 it was again seized by the English under Phips, but retransferred to France by the Treaty of Ryswick in 1697. It was again captured by the English in 1710; and the Treaty of Utrecht confirmed this in 1713, with the proviso that France should retain Cape Breton. Pepperel, however, captured the latter in 1744; but it was restored to France by the Treaty of Aix-La-Chapelle in 1748. The game came to an end when the Treaty of Paris in 1763 assured both Nova Scotia and Cape Breton to Great Britain. Nova Scotia has therefore been in England's possession since 1713 and as far as possible administered by their laws. This brings us to the subject referred to in the title of this article.

J. Murray Clark, K.C., LL.D., of Toronto, in a lecture recently delivered at Harvard University, stated that, a few months ago, Mr. Justice Chisholm, of Nova Scotia, discovered, in some hitherto neglected records, the Minute of the Order which provided for the first establishment, in a part of what is now Canada, namely Nova Scotia, of a Court of Judicature to administer English law. The Minute directed that the "Lawes of Virginia" should be followed as the rule or pattern. That was in 1721, when Virginia was still British, and when its boundaries were much more extensive than at present. The "Lawes of Virginia" were therefore introduced into that part of what is now Canada, which lay to the south of French Canada, and which, when the Dominion was formed by the federation of 1867, became part of the Dominion of Canada.