because they found it convenient to do so; it is now well settled that, since the ordinances were not registered in the colonies, they were in no way binding upon the colonial authorities.[1]

But the royal ordinances were not the only enactments by which the Custom of Paris or "common law" of the colonies was supplemented or changed. The Sovereign Councils of the colonies might themselves issue decrees, and the ordinances issued by the council at Quebec fill several ponderous volumes.[2] Likewise the Intendant in New France and the Sub-delegate in Louisiana issued their multitude of *réglements* covering all sorts of matters from the most important to the most trivial, as the writer has elsewhere shown.[3] Indeed, if there is any one feature which impresses the student of French administration in the New World, it is the prodigious official activity there displayed. Still this bewildering mass of colonial legislation did not greatly modify the general principles of colonial law as set forth in the Custom of Paris and in those of the royal ordinances which had been registered, for the obvious reason that the ordinance power of the colonial authorities was limited to the elucidation and interpretation of the law, and did not extend to the radical alteration of it. It is true, however, that they did not limit themselves strictly in this respect, but allowed themselves considerable latitude, for, as one of the intendants expressed it in a despatch to the king, there would soon be more lawsuits in the colony than persons, if the authorities did not hold themselves free to order things in a fashion which often involved wide departures from the letter of the law.[4]

When the French withdrew from their extensive territories in 1760, therefore, they left implanted in these a legal system which was fundamentally Teutonic in character, and which, except so far as the law of special contracts was concerned, bore very little important trace of Roman influence. The jurisprudence of the French colonies in America had been much less romanized than the jurisprudence of the motherland at this time; for many branches of the home jurisprudence had been thoroughly impregnated

[1] F. P. Walton, The Scope and Interpretation of the Civil Code of Lower Canada (Montreal, 1907), especially the cases cited on p. 4, note 3.

[2] Jugements et déliberations du conseil souverain de la Nouvelle-France (6 vols., Quebec, 1885–1891).

[3] "The Office of Intendant in New France" in American Historical Review, October, 1906, pp. 15–38.

[4] Raudot to Pontchartrain (November 10, 1707), in Canadian Archives, Series F., vol. xxvi. pp. 7 ff.