of a royal arrêt, they appear to have found little difficulty, when occasion arose, in arranging with the attorney-general that a decree, after its registration, should be allowed to stand unpromulgated. In such cases no one outside the little Circle of councillors and higher officials gained any knowledge that the decree had ever been received.

A very interesting example of this method of procedure is afforded in the case of a royal edict which Louis XIV, in 1686, signed and transmitted to the authorities at Quebec for registration and enforcement [1]). The decree was important in that it provided for the immediate erection of grist-mills by all the seigniors of the colony, and stipulated that seigniors who failed to comply with its terms within a year should be forever deprived of their rights of mill banality (droits de moulin banal). This order was very unwelcome to the members of the colonial Council, most of whom were themselves seigniors. They therefore passed the decree to its registration [2]) but appear to have arranged informally with the attorney-general that it should not be promulgated. Promulgation, accordingly did not take place, and the colonial population remained entirely in ignorance of the measures which the king had taken on their behalf. It was only a score of years later, when a new and inquisitive intendant arrived on the scene, that the ruse of the Council was discovered and reported to the king [3]). The Council, therefore, knew of at least one way to circumvent the royal will; but it is fair to the councillors to state that this ruse was resorted to very infrequently.

The other question, namely, whether an ordinance which had been registered and promulgated in France, but which had not been sent

---

[1]) »Arrêt du conseil d'État au sujet des moulins banaux« in Édits et ordonnances du roi concernant le Canada, Vol. I, p. 255—256.

[2]) Jugements et délibèrations du conseil souverain de la Nouvelle-France, Vol. III, p. 87.

[3]) »Je croirais donc, Monseigneur, ... qu'il serait nécessaire que Sa Majesté donnât une déclaration ... qu'on conservât aux seigneurs le droit de banalité en faisant bâtir un moulin dans leurs seigneuries dans un an, sinon qu'on les declarât deschus de leurs droits, sans que les habitans fussent obligés, lorsqu'il y en aurait un de bâti, d'y aller faire moudre leurs grains.... Cela leur a este accordé, en l'année mil six cent quatre-vingt-six, par un arrest qui a esté enregistré au conseil de ce pays; mais l'arrest d'enregistrement n'ayant pas esté envoyé aux justices subalternes pour estre publié, ces peuples n'ont pû jouir de cette grâce jusqu' à present.... On n'en peut imputer la faute qu'au sieur D'Auteuil, lequel en qualité de procureur-général de ce conseil, est chargé d'envoyer les arrests de cette qualité dans les sièges subalternes; mais il estait de son intérêt comme seigneur, et aussi de l'intérêt de quelques conseillers, aussi seigneurs, de ne pas faire connôitre le dit arrest.« Raudot to Pontchartrain (November 10, 1707), in Canadian Archives, Series F, Vol. 26, p. 7 ff.