

In Quebec the Custom of Paris and the common law of France were introduced by the royal edict of 1663 creating the Sovereign Council (later known as the Superior Council) of Quebec. "Avons en outre au dit conseil souverain donné et attribué, donnons et attribuons le pouvoir de connaître de toutes causes civiles et criminelles, pour juger souverainement et en dernier ressort selon les loix et ordonnances de notre royaume, et y procéder autant qu'il se pourra en la forme et manière qui se pratique et se garde, dans le ressort de notre cour de parlement de Paris, nous réservant néanmoins, selonc notre pouvoir souverain, de changer, réformer et amplifier les dites loix et ordonnances, d'y déroger, de les abolir, d'en faire de nouvelles, ou tels réglemens, statuts et constitutions que nous verrons être plus utiles à notre service et au bien de nos sujets du dit pays."¹³

The lois and ordonnances of earlier date than 1663 had not made many changes in the private law, but several of the grandes ordonnances of Louis XIV. have a special importance for the student of commercial law. The ordinance of 1667 on civil procedure with some modifications was in 1678 brought into force in Quebec by registration with the Sovereign Council.¹⁴ The ordinance of 1673 (sur le commerce) and that of 1681 (sur la marine), which codified the commercial law and the maritime law respectively, were, however, not so registered, and

(13) Edits et Ordonnances Royaux, Déclarations et Arrêts du Conseil d'Etat du Roi concernant le Canada (Quebec, 1854), vol. 1, p. 38. The text of the Edit de Création is reprinted in Lemieux, *Les Origines du Droit Franco-Canadien*, pp. 264-7. The Custom of Paris was explicitly introduced, and resort to any other custom was forbidden, by the Ordinance of 1664 establishing the Compagnie des Indes occidentales. The charter of this company was revoked in 1674 and the territory which had been granted to it was restored to the jurisdiction of the Crown. Lemieux, pp. 272, 311. It is to be noted that the Custom of Paris which had obtained a dominating position among the various customs of France, was far from covering the whole field of private law. The important subjects of obligations and contracts were largely regulated by Roman law. General Survey of Events, Sources, etc., in *Continental Legal History* (Boston, 1912), pp. 209, 262-3.

(14) Lemieux, *op. cit.*, p. 312.