

1788

March - July

File #82.  
March 1, 1788.  
Judge: Estevan  
Miro.  
Court Clerk: R.  
Perdomo.  
P. 1 to 11.  
Spanish.

DOCUMENT NO. 1741.

BOX 50.

INFORMATION SUBMITTED BY JUAN ESTEVAN  
BORE TO DETERMINE THE TRUE NAMES AND  
SURNAMENES OF CERTAIN MEMBERS OF THE  
FAMILY OF JUAN BAUTISTA HONORATO DE-  
STREHAN DE BEAUPRE, FORMER TREASURY  
OF THE NAVY. TREASURER

The record shows that Juan Estevan Bore, former musketeer in the Guard of the King of France, petitioned the Court to receive information from Pedro Enrique Derneville and Roberto Montrevil, Knights of Saint Louis; Carlos Juan Bautista Flourian, former Captain of Infantry and Santiago Enoul Livaudais, former officer of Infantry, regarding the knowledge they have of the true names and surnames of Juana Catalina de Gauvry, deceased wife of Juan Bautista Honorato Destrehan de Beaupre, and of Maria Feliciana Maxent, daughter of Colonel Gilberto Antonio Maxent, who was the widow of Juan Bautista Honorato Destrehan de Beaupre, and present widow of the Count of Galvez; also regarding their knowledge of the date of the death of said Juan Bautista Honorato Destrehan de Beaupre and of the facts that no inventory was made of his properties and that he left as his sole heiress his and his wife's (Maria Feliciana Maxent) daughter, who was christened with the name of Maria Elisabeth Saustina Adelaida; petitioner also desires to inquire regarding the witnesses' knowledge of certain details of the Succession of said Juan Bautista Honorato Destrehan de Beaupre, of his son Juan Bautista Luis Destrehan de Beaupre and of other members of his family.

The record shows that the witnesses named above answered separately to a written interrogatory presented by the petitioner consisting of six questions, declaring: That they have always known the names and surnames of the

(cont'd)

persons aforementioned to be as stated above; that the date of the death of Juan Bautista Honorato Destrehan de Beupre was June 5, 1775; that he died in the parish of Saint Louis in Louisiana; that it is true no inventory was made of his properties, and that he left his only daughter Maria Elizabeth Saustina Adelaide Destrehan as his sole heiress. The declarers also furnished all the details asked by the petitioner, to the latter's entire satisfaction.

The record further shows that in view of the witnesses' declarations, upon Juan Estevan Bore's petition and with the consent of Attorney General Juan Bautista Bienvenue, and the advice of the Counsellor of War and Honorary Judge of the Real Audiencia (Superior Court) of Guadalajara, Sp., the Court approved the information submitted and gave it legal validity.

The record does not show the costs of these proceedings.

#22  
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File #2592. )  
March 1, 1788. )  
Judge: Antonio )  
Argote. )  
Court Clerk: F. )  
Rodriguez. )  
P. 1 to 3. )  
Spanish and )  
French. )

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CASE OF  
JUAN SENAC  
VERSUS  
ESTATE OF MAURICIO  
DAUPELLE, A FREE MULATTO.

The plaintiff, a resident and surgeon of New Orleans, petitioned the Court alleging that as evidenced by the bill duly presented, the estate of the deceased free mulatto Mauricio Daupelle is indebted to petitioner in the sum of fifty-eight pesos for medical services rendered to said deceased during various sicknesses he suffered; and that petitioner has been informed that Francisco Dusseaux, testamentary executor of the estate of Francisco Demazillier, has in his possession funds belonging to the deceased Mauricio Daupelle. Wherefore, petitioner begs the Court to order said Francisco Dusseaux to satisfy petitioner's claim for which petitioner is ready to issue the proper receipt.

The record, however, is incomplete and only shows that the Court ordered as petitioned by the plaintiff.

#22  
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File #2401 )  
March 3, 1788 )  
Judge: Estevan Miro )  
Court Clerk: F.Ro- )  
driguez )  
P. 1 to 3 )  
Spanish )  
\_\_\_\_\_ )

DOCUMENT NO. 1743.  
BOX 50  
CASE OF  
FRANCISCO BEAUGUARD  
VERSUS  
TODOS SANTOS CHABOT.

The plaintiff, a resident and merchant of New Orleans, petitioned the Court alleging that as evidenced by the invoice duly presented the defendant is indebted to petitioner in the sum of sixty-two pesos and five reales for various merchandise he received from petitioner's warehouses; and that the defendant has failed to pay said sum on demand. Wherefore petitioner begs the Court to issue a warrant instructing the Commander of the Coast of Des Allemands, where the defendant resides, to summon said defendant and order him to declare under oath whether it is true he owes the sum claimed and once he has acknowledged said debt to compel him to make payment.

The record, however, is incomplete and only shows that the Court issued the warrant as solicited by the plaintiff.

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DOCUMENT #1744.

BOX 50.

File #90	)	
March 4, 1788.	)	PROCEEDINGS INSTITUTED BY JOSEF
Judge: Martin	)	RAMON DE URQUIJO, FOR THE PURPOSE
Navarro.	)	OF JUSTIFYING THE INCIDENT IN
Court Clerk: R.	)	WHICH THE FRIGATE UNDER HIS COMMAND
Perdomo.	)	NAMED "LA LUISIANA" WENT AGROUND
P. 1 to 30.	)	SAILING UP THE RIVER.
Spanish.	)	

The record shows that Josef Ramon de Urquijo, Captain of the frigate named "La Luisiana" presented before the Court a document protesting any liability which may be charged against him when said frigate went aground sailing up the river. In said document he also narrated how the incident occurred and gave an account of the damages suffered; stating that the cargo was taken ashore due to the fact that said frigate was leaking as a result of a hole opening in its bottom. He also explains how officers and members of the crew abandoned the frigate, and how said frigate was towed to this port of New Orleans.

On the Captain's petition, the Court admitted the testimonies of the officers and members of the crew of said frigate, said testimonies corroborated the statements rendered by the Captain in the document rendered. The Court taking into consideration the testimonies of the officers and members of the crew exonerated the Captain of any liability in said incident and ordered the insurance company to pay the cost of the repairs of said frigate. The record shows that the insurance company did not contest the case, and paid for the repairs of said frigate as ordered by the Court.

The costs of these proceedings amounted to 56 pesos and 2 reales, said costs were paid by the Captain.

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File #44. )  
March 5, 1788. )  
Judge: Estevan )  
Miro. )  
Court Clerk: R. )  
Perdomo. )  
P. 1 to 8. )  
Spanish and )  
French. )

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CASE OF  
ALEXANDRO BAUDIN  
VERSUS  
CRISTOVAL DE ARMAS Y ARCILA.

The plaintiff, a resident of New Orleans, through his attorney, Antonio Mendez, brought action against the defendant to recover the sum of 691 pesos and six and one half reales in Mexican currency and seventy-nine pesos and two reales in silver money current in New Orleans, for value of certain merchandise received by the defendant from a cargo brought to this port on petitioner's vessel named "El Feliz", as evidenced by the statement duly presented.

The record shows that the case was settled out of Court, and that the costs of these proceedings amounted to ten pesos and seven reales, for which the defendant agreed to pay.

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DOCUMENT #1747.

BOX 50.

File #37.	)	PROCEEDINGS INSTITUTED BY JUAN
March 6, 1788.	)	BAUTISTA MACARTY FOR THE PURPOSE
Judge: Martin	)	OF OBTAINING A PERMIT TO SELL THE
Navarro.	)	BRIGANTINE NAMED "EL GALVEZ" OF HIS
Court Clerk: R.	)	OWNERSHIP.
Perdómo.	)	
P. 1 to 5.	)	
<u>Spanish.</u>	)	

Juan Bautista Macarty, a resident and merchant of this City, petitioned the Court alleging, that as evidenced by the document duly presented petitioner is the owner of a certain brigantine named "El Galvez; that petitioner has decided to sell said brigantine to Josef Diaz for the sum of two thousand pesos; wherefore, petitioner begs the Court to order the Court Clerk to draw the necessary deed of sale for which petitioner is ready to pay the corresponding fees.

The Court ordered as petitioned by Juan Bautista Macarty.

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File #69. )  
March 6, 1788. )  
Judge: Estevan )  
Miro. )  
Court Clerk: R. )  
Perdomo. )  
P. 1 to 2. )  
Spanish and )  
French. )

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CASE OF  
FRANCISCO BROUTIN.  
VERSUS  
FERNANDO RODRIGUEZ.

The plaintiff, a resident of this City, petitioned the Court alleging that as evidenced by the three promissory notes duly presented the defendant is indebted to petitioner in the past due sum of three hundred twenty one pesos and four reales; that on several occasions petitioner has demanded said sum, and that the defendant has refused to pay. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature affixed on said promissory notes presented and to declare under oath whether he owes the sum claimed.

The Court ordered as petitioned by the plaintiff.

The record shows that the defendant admitted the plaintiff's allegations and the Court on plaintiff's petition issued a writ of execution against the properties of the defendant to satisfy the plaintiff's claims plus interest and costs of these proceedings. Said writ of execution was not enforced as the defendant paid the plaintiff his claims.

The costs of these proceedings amounted to 10 pesos and 5 reales and were paid by the defendant.

File #112. )  
March 6, 1788. )  
Judge: Antonio )  
Argote. )  
Court Clerk: R. )  
Perdomo. )  
P. 1 to 7. )  
Spanish. )

DOCUMENT #1749.  
BOX 50.

CASE OF  
MATHIAS ALFUENTE  
VERSUS  
ILARIO BOUTTET.

The plaintiff, petitioned the Court alleging, that as evidenced by the promissory note duly presented, the defendant is indebted to petitioner in the past due sum of five hundred eighty pesos, and that the defendant has refused to pay said debt on demand. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature affixed on said promissory note presented and to declare under oath whether he owes to petitioner the sum claimed and after this is done to deliver to petitioner a copy of the defendant's declaration, to promote whatever action may be convenient.

The Court ordered as petitioned by the plaintiff.

The record shows that the Court Clerk failed to contact the defendant as he could not be found in his residence, and that the plaintiff then petitioned the Court to summon the defendant to appear in Court to render the declaration requested.

Later the plaintiff, informed the Court that the defendant has promised to pay him his claim at a later date and that he has consented.

Then the plaintiff ~~then~~ petitioned the Court to dismiss the case and to order the Court Clerk to deliver to him the defendant's promissory note which is attached to the record of these proceedings.

The Court ordered as petitioned by the plaintiff.

The costs of these proceedings which amounted to 7 pesos and 7 reales, were paid by the defendant.

File #58.	)	PROCEEDINGS INSTITUTED BY ZENON
Mar. 7, 1788.	)	TRUDEAU TO BE PERMITTED TO MAKE
Judge: Estevan	)	A DONATION OF THE SUM OF TWO
Miro.	)	THOUSAND PESOS TO HIS FUTURE
Court Clerk: R.	)	SISTER-IN-LAW, MARIA DE LASSIZE.
Perdomo.	)	
P. 1 .	)	
Spanish.	)	

Zenon Trudeau, Captain of the Permanent Regiment of Infantry of Louisiana, petitioned the Court to grant him permission to make a donation of the sum of two thousand pesos to petitioner's future sister-in-law, Maria de Lassize, who is to marry petitioner's brother Felix Trudeau, a Lieutenant of said regiment. Petitioner alleges that in making said donation he is moved by a special affection he bears said Maria de Lassize and also by the desire of helping her to bear the burdens of matrimony. Petitioner further begs the Court to order the Court Clerk to draw the proper deed for the intended donation and then to furnish him with a certified copy of said deed, for which petitioner is ready to pay.

The record shows that the Court granted Zenon Trudeau's petition in all its parts.

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File #195. )  
Mar. 7, 1788. )  
Judge: Joseph )  
Foucher. )  
Court Clerk: )  
R. Perdomo. )  
P. 1 to 17. )  
Spanish and )  
French. )  
\_\_\_\_\_ )

DOCUMENT NO. 1751.  
BOX 50.

CASE OF  
SANTIAGO BILLERET  
VERSUS  
ESTATE OF PETRONA DOVAL.

The plaintiff, a resident of New Orleans, through his legal agent, petitioned the Court alleging that in the year 1787, through a judicial sale of the properties left by the deceased Petrona Doval to her husband Carlos Carrel and their minor children petitioner acquired a certain negro slave named Carlos; that petitioner has found said slave to be physically unfit, afflicted by a hernia, of which petitioner was not informed at the time of the sale. Wherefore, petitioner begs the Court to order Carlos Carrel, testamentary executor and trustee of the estate of his deceased wife, Petrona Doval, to take back said slave and to excuse petitioner from paying the sum for which said slave was adjudicated to him.

The record shows that petitioner, to substantiate his allegation, presented to the Court certificates issued by physicians Juan Senac and Joseph Montegut who had examined the slave in question and who found him to be suffering of hernia, as above stated.

The record further shows that Carlos Carrel, as testamentary executor and trustee of the estate of his deceased wife, with the consent of attorney Antonio Mendez, curator of the minor children of said Carrel, excused petitioner from paying the value of the sick slave who was taken back and incorporated to the estate and then, by mutual agreement and in compliance with a court decree, said slave was advertised for sale at public auction without any responsibility as to his physical condition, and finally was adjudicated to said Carlos Carrel in the sum of 250 pesos.

The costs of these proceedings amounted to twenty-seven pesos and five reales.

File #50.  
Mar. 10, 1788.  
Judge: M. Navarro.  
Court Clerk: R.  
Perdomo.  
P. 1 to 9.  
Spanish.

CASE OF  
FRANCISCO CANDEL  
VERSUS  
DON PEDRO VILLAMIL.

The plaintiff, a resident of the City, petitioned the Court alleging, that as evidenced by the two promissory notes presented the defendant is indebted to the petitioner in the past due debt of 319 pesos, and that the defendant has failed to pay said debt on demand. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature on said two promissory notes presented, and to declare under oath if he owes the sum claimed.

On March 10, the Court granted the plaintiff's petition.

The record shows that the defendant admitted the plaintiff's allegations.

The plaintiff then petitioned the Court to issue a writ of execution against all the property of the defendant to satisfy the sum claimed plus interest and the costs of the proceedings.

The record shows that on April 8, 1788, the Court granted the plaintiff's petition.

On May 6, before the Court Clerk appears Don Felipe Rasina, Lieutenant Chief Constable, and stated: That in compliance with the preceding decree he  
(cont'd)

(Doc. #1752]  
cont'd.

went to the house of the defendant to request him to pay the sum claimed and that the defendant answered that he has compromised with the plaintiff.

Then the Court ordered Don Luis Lietau, Judicial Appraiser, to estimate the cost of the proceedings which amounted to 10 pesos and 5 reales.

#25(A)  
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File #2400.	)	
March 12, 1788.	)	
Judge: Antonio	)	PROCEEDINGS INSTITUTED BY
Argote.	)	MAGDALENA BRASILLER, WIDOW OF
Court Clerk: F.	)	CAPTAIN HENRIQUE DEPRE, FOR
Rodríguez.	)	THE PURPOSE OF OBTAINING A PER-
P. 1 to 3.	)	MIT TO SELL A CERTAIN PARCEL OF
Spanish and French.	)	LAND OF HER OWNERSHIP.

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Magdalena Brasiller, petitioned the Court alleging, that petitioner owns a parcel of land situated in Opelousas; that said parcel of land was ceded Henrrique Depre petitioner's deceased husband by Santiago Hollier; and that petitioner has decided to sell said parcel of land. Wherefore petitioner begs the Court to grant her the necessary permit to execute said sale.

The Court ordered as petitioned by Magdalena Brasiller.

#24  
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File #104. )  
March 13, 1788. )  
P. 1 to 6. )  
Judge: Don )  
A. Argote. )  
Court Clerk: )  
R. Perdomo. )  
Spanish. )

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CASE OF  
DON RAYMUNDO DUPRAT  
VERSUS  
DON CARLOS VIVAN AND COMPANY.

The plaintiff, petitioned the Court alleging, that as evidenced by the promissory note presented the defendants are indebted to petitioner for the sum of 300 pesos for the value of a certain negro slave that the defendant bought at public auction from the petitioner. Wherefore, petitioner begs the Court to order the defendants to declare under oath whether they owe the sum claimed.

On May 16, 1788, the Court granted the plaintiff's petition.

Then on July 10, 1788, the plaintiff informed the Court that he has compromised with the defendant and petitioned the Court to dismiss the case, and to change the costs of these proceedings to the defendant, who has agreed to pay them.

On the same day the Court ordered Don Luis Liotau, Judicial Appraiser, to estimate the costs of these proceedings which amounted to 5 pesos and 5 and 1/2 reales.

DOCUMENT #1755.  
BOX 50.

File #126 )  
March 13, 1788. )  
P. 1 to 3. )  
Judge: Don A. )  
Argote. )  
Court Clerk: R. )  
Perdomo. )  
Spanish. )

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CASE OF  
SANTIAGO MIGUEL  
VERSUS  
FRANCISCO BOZAS.

The plaintiff, a resident of this City, petitioned the Court alleging, that yesterday about three o'clock in the afternoon the defendant embarrassed the petitioner by addressing insulting words to petitioner in the presence of Don Luis Barral, and Don Estevan Hermo. Wherefore, petitioner begs the Court to order the public interpreter Don Juan Josef Duforest to receive the declaration of the two witnesses, and after this is done to deliver said declaration to petitioner, in order to bring proper action against the defendant.

On March 13, 1788, the Court granted the plaintiff's petition.

The record shows that on March 20, 1788, the Court Clerk, informed the Court that the plaintiff did not present the witnesses as he has promised.

The record is incomplete and the outcome of this case is not known.

#23  
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File #2586. )  
 March 14, 1788. )  
 Judge: Antonio )  
 Argote. )  
 Court Clerk: F. )  
 Rodriguez. )  
 P. 1 to 3. )  
 Spanish. )

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CASE OF  
 NICOLAS AND FRANCISCO RIXNER,  
 FREE NEGROES,  
 VERSUS  
 ESTATE OF MAURICIO DAUPEINE, A  
 FREE MULATTO.

The plaintiffs, residents of New Orleans, brought action against the defendant to collect the sum of 245 pesos due them for work performed in the construction of a certain house of the deceased Mauricio Daupeine, situated in this City. Petitioners allege: That the construction of said house was completed after the death of said Mauricio Daupeine under the direction of Mauricio Milon, who was placed in charge by Francisco Demasilier, testamentary executor of the estate of said deceased; and that said testamentary executor has died without having paid the aforesaid sum to petitioners. Wherefore, petitioners beg the Court to order Joseph Dusseaux, testamentary executor of the estate of Francisco Demasilier, to satisfy petitioners' claim out of the funds he may have in his possession belonging to the estate of the deceased Mauricio Daupeine, previous the formalities which the Court may deem necessary to fulfill.

The record shows that upon testimony given by Pelagia Daupeine, sister of the deceased, substantiating the petitioners claim, the Court ordered Joseph Dusseaux, who had in his charge the funds of the estate of said deceased, to satisfy said claim, and that said Dusseaux complied with the Court order.

The record does not show the costs of these proceedings.

File #2618. )  
Mar. 14, 1788. )  
Judge: Antonio )  
Argote. )  
Court Clerk: )  
F. Rodriguez. )  
P. 1 to 4. )  
Spanish. )

Don Carlos Vivant and Soulier, business associates, petitioned the Court alleging that they own a certain negro slave named Feliciana which petitioners purchased from the firm of Guilbo and Duberge, of Guari-co and that they have decided to sell said slave, and that they do not have a written title. Wherefore, petitioners beg the Court to grant them the authority to sell said slave and to order the Court Clerk to issue the proper deed of sale.

The record shows that the Court ordered the petitioners to prove their title to said slave, and that petitioners presented three witnesses, whose declarations under oath, substantiated said allegation in their petition.

The record further shows that on Mar. 15, 1788, the Court granted the petition of Don Carlos Vivant Douclo and Soulier.

#25(A)  
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File #2628. )  
March 15, 1788. )  
Judge: Estevan )  
Miro. )  
Court Clerk: P. )  
Pedesclaux. )  
P. 1 to 24. )  
Spanish and French. )

DOCUMENT NO. 1758.  
BOX 50.

CASE OF  
ISIDORO, A NEGRO SLAVE,  
VERSUS  
MAGDALENA BRASILLIER, WIDOW OF  
ENRIQUE DEPRES.

The plaintiff, through his attorney, brought action against the defendant, his mistress, to compel her to grant him his freedom, alleging that he was ready to pay for his freedom the sum of 300 pesos, which is the same sum paid by defendant's deceased husband to petitioner's former master Francisco Devillier; that petitioner had agreed with his said deceased master to grant petitioner's freedom for said sum after serving him six years; and that petitioner has already served the six years as agreed. Wherefore petitioner begs the Court to order the defendant to issue petitioner's letter of freedom, as agreed.

The record shows that the defendant was notified of the plaintiff's petition and that she agreed to grant him his freedom for the 300 pesos, plus payment of the wages for the entire length of time plaintiff had been a fugitive and therefore had failed to serve defendant.

The record further shows that the plaintiff was notified of the defendant's answer and that he disregarded it, filing a new petition to have the Court declare him free based upon a certificate that he presented, issued by his former master, Francisco Devillier, wherein the latter declared that he considered petitioner free since he had complied with his agreement with defendant's deceased husband, and that said slave had worked an additional three years besides the six years

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Document # 1758.

(cont'd)

agreed upon, said three years labor being valued at 300 pesos, which is the sum claimed by the defendant.

The record shows that the Court found the plaintiff's contentions to be malicious and of bad faith, and for these reasons decided in favor of the defendant, ordering the plaintiff's release from jail, where he had been kept pending the outcome of this suit, and that he be placed at the service of the defendant until he has paid in full the 300 pesos for his freedom.

The costs of these proceedings amounted to twenty-three pesos and two reales.

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*march 17, 1788*

File #100.	)
Judge: Don	) PROCEEDINGS INSTITUTED BY DON GILBER-
E. Miro.	) TO ANTONIO ST MAXENT, COLONEL OF THE
Court Clerk:	) ROYAL ARMIES OF THIS CITY, FOR THE
R. Perdomo.	) PURPOSE OF PROVING THE PURITY OF BLOOD
P. 1 to 20.	) OF HIMSELF AND WIFE, MADAM ISABEL DE
Spanish	) LA ROCHE, AND THAT HE IS THE FATHER
	) OF MADAM FELICIANA, WIDOW OF HIS EX-
	) CELLENCY THE COUNT OF GALVEZ.

Don Antonio Gilberto de St. Maxent, petitioned the Court alleging that it is convenient to petitioner to have the Court admit the witnesses that petitioner will present to answer the tenor of the interrogatory following this petition; to also cite the official syndic of this City, to whom notice of this petition shall be given and the documents presented, and after having given his approval, for the court to then approve said proceedings in order to give them official validity, and after this is done to give petitioner an original of the proceedings.

The interrogatory presented consisted of 13 questions, leading to the information decided by the petitioner, as to whether petitioner was married to Madam Maria Isabel de la Roche, and from which matrimony among other children reared and educated was Madam Maria Feliciana de St. Maxent, widow of the Count of Galvez; as to whether petitioner is a legitimate son of Don Antonio de St. Maxent and Madam Isabel Le Coag; and whether they know that petitioner is of pure white blood without any mixture of negro, mulatto, or moorish.

The record shows that the Court granted Don Gilberto Antonio de St. Maxent, petition and that the declarations of the witnesses presented brought out the fact that petitioner is a legitimate son; that his daughter is the widow of the Count of Galvez and that petitioner is a descendant of the pure white race.

The record further shows that Don Juan Bautista Bienvenu  
(cont'd)

(Doc. #1759)  
cont'd.

official syndic of this City, approved the evidence presented by Don Antonio Gilberto de St. Maxent and that upon his petition the Court on April the 21, 1788 officially approved said information.

There is a notice on the record dated Apr. 24, 1788 and signed by Perdomo, Court Clerk, to the effect that Don Antonio Gilberto de St. Maxent, was given an original copy of these proceedings.

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DOCUMENT #1760.  
BOX 50.

File #80.	)	
March 24, 1788.	)	PROCEEDINGS INSTITUTED BY SANTI-
Judge: Martin	)	AGO KENNEDY FOR THE PURPOSE OF
Navarro.	)	OBTAINING A PERMIT TO PURCHASE
Court Clerk: R.	)	THE PACKET-BOAT NAMED "EL CONDE
Perdomo.	)	DE GALVESTON", OWNED BY PEDRO
P. 1 to 2.	)	FRANCISCO PIOZE.
Spanish.	)	

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Santiago Kennedy, a resident and merchant of this City, petitioned the Court alleging that petitioner desires to purchase the packet-boat named "El Conde de Galveston" owned by Pedro Francisco Pioze, a resident of New Orleans. Wherefore, petitioner begs the Court to grant him the necessary permit to execute said purchase.

The Court ordered as petitioned by Santiago Kennedy.

#24  
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File #2607. )  
March 27, 1788. )  
Judge: Antonio )  
Argote. )  
Court Clerk: Pedro )  
Pedesclaux. )  
P. l. )  
Spanish. )

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DOCUMENT NO. 1762.  
BOX 50.

PROCEEDINGS INSTITUTED BY JOSEF  
ANTONIO DE TREBINO TO REGISTER  
TWO PROMISSORY NOTES IN THE OF-  
FICE OF THE COURT CLERK.

Josef Antonio de Trebino, a resident of New Orleans, petitioned the Court alleging, that he is about to start on a voyage to the port of Guarico and that he is a holder of two promissory notes executed in his favor, one by Luis Cornud for the sum of 877 pesos and four reales, and the other by Monsieur Audravill for the sum 807 pesos and five reales, which petitioner fears he may lose during said voyage. Wherefore, petitioner begs the Court to order the Court Clerk to register in his office in the book used for that purpose, the promissory notes aforementioned and then to return them to petitioner.

The record shows that the Court ordered as petitioned by Josef Antonio de Trebino, and that the Court Clerk complied with the Court order.

#22  
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File #10.	)	PROCEEDINGS INSTITUTED BY CRISTO-
March 28, 1788.	)	VAL DE ARMAS TO RESELL THE BRIGAN-
Judge: M. Navarro.	)	TINE NAMED "NUESTRA SENORA DEL CAR-
Court Clerk: R.	)	MEN, ALIAS "LA VENTURA" TO ITS
Perdomo.	)	FORMER OWNER, BENTURA VILARO.
P. 1	)	
Spanish.	)	

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Christoval de Armas, a resident and merchant of New Orleans, petitioned the Court alleging that by public instrument passed before Notary Rafael Perdomo in the month of November 1787, Bentura Vilario sold to petitioner a brigantine named "Nuestra Senora del Carmen" alias "La Ventura" with the agreement that petitioner would sell it back to said Vilario in the term of eighteen months; and that said Vilario has delivered to petitioner the value of said brigantine, as agreed. Wherefore, petitioner begs the Court to order that the proper title be issued in favor of Bentura Vilario, exempt from the Royal Tax which he paid at the time of the first sale.

The record shows that the Court ordered as petitioned by Christoval de Armas.

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File #66. )  
Apr. 1, 1788. )  
Judge: E. )  
Miro. )  
Court Clerk: )  
R. Perdomo. )  
Spanish. )  
P. 1 to 4. )

CASE OF  
DON FELIPE TREVINO  
VERSUS  
DON LUIS CHACHERE.

Plaintiff, Captain of the Regiment of Louisiana, and a resident of this City petitioned the Court alleging that he conferred power of attorney on the defendant for the purpose of making certain collections, and to remit to petitioner whatever money he collects, and that the defendant has made said collections and refuses to remit the money collected. Wherefore, petitioner begs the Court to forward a warrant to the Commander of the Post of Natchez instructing said commander to order the defendant to forward whatever money he has collected, and in default thereof to seize defendant's properties in order to satisfy petitioner's claim.

On Apr. 1, 1788, the Court granted the plaintiff's petition.

The record shows that the plaintiff again petitioned the Court alleging that in the event that the defendant has disposed of his properties to issue another warrant to the Commander of the Post of Natchez giving the petitioner the right to collect from the debtors and buyers of the defendant whatever terms they may have in their possession belonging to the defendant in order to satisfy petitioner's claim.

On Apr. 3, 1788, the Court granted the plaintiff's petition.

The record is incomplete and the outcome of this case is not known.

File #2588. )  
 Apr. 1, 1788. )  
 Judge: Estevan )  
 Miro. )  
 Court Clerk: P. )  
 Pedesclaux. )  
 P. 1 to 10. )  
 Spanish and French. )

CASE OF  
 PEDRO ROUSSEAU  
 VERSUS  
 J. CAPURANT.

The plaintiff, a Captain of the Royal Armies, brought action against the defendant, a resident of Natchitoches, to recover the sum of one thousand pesos for a past due promissory note executed by said defendant in favor of Monsieur Beauregard, for merchandise received, said Beauregard having later endorsed it to Luis Lalande Dapremont and the latter to petitioner. Petitioner alleges: That the defendant has shown no intention of paying said sum since he consigns to this City all his merchandise under different persons' names, undoubtedly with the purpose of preventing petitioner from enforcing his claim; and that petitioner knows the defendant has consigned a shipment of tobacco to Monsieur Guerbois for the Royal warehouses, the value of which tobacco has not yet been paid by the Royal Treasury. Wherefore, petitioner begs the Court to order the provisional attachment of the value of said tobacco until the final settlement of this case.

The record shows that the Court ordered the attachment of the sum of 431 pesos and four reales value of the above mentioned tobacco, as petitioned, with the provision that it be left in deposit at the Royal Treasury; and that upon plaintiff's petition and after the legitimacy of his claim was fully established through declarations rendered by Luis Lanlade Dapremont, endorser of the promissory note in question, and by other persons who testified to the fact that the signature affixed to said note was that of the defendant, the court ordered Vicente Nunez, Chief Treasurer of the Army, to deliver to plaintiff the 431 pesos and

(cont'd)

(Doc. 1765)

cont'd.

four reales which had been attached and left in deposit at the Royal Treasury as the value of the aforesaid tobacco.

The record further shows that in compliance with a Court order issued upon petition of Court Clerk Pedro Pedescleux, public appraiser Luis Liotaud made an itemized statement of the costs of these proceedings which amounted to nine pesos and five reales, and that the defendant was ordered to pay for said costs.

#22

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File #55.	) PROCEEDINGS INSTITUTED BY FRANCISCO
Apr. 3, 1788.	) BOULIGNI FOR THE PURPOSE OF OBTAINING
Judge: Estevan	) AN AUTHORIZATION TO SELL A CERTAIN
Miro.	) HOUSE OF HIS OWNERSHIP MORTGAGED TO
CC: R. Perdomo.	) ENRIQUE DERNEVILLE AND TO LIFT SAID
P. 1 to 5 <sup>1/2</sup>	) MORTGAGE ON SAID HOUSE AND TO PLACE
Spanish.	) IT ON A PLANTATION, AND TEN NEGRO
	) SLAVES ALSO OWNED BY HIM.

Francisco Bouligni petitioned the Court alleging: That petitioner is urged to pay several debts which he has contracted; that for this reason petitioner has decided to sell a certain house of his ownership to Pablo Segon for the sum of twenty one thousand pesos; that petitioner has mortgaged said house to Enrrique Derneville in the sum of six thousand pesos of which sum, two thousand five hundred pesos which is the first payment on said mortgage are past due; that petitioner has requested said Enrrique Derneville to lift the mortgage on said house and place it on a plantation and ten negro slaves owned by petitioner to be able to sell said house to pay Don Enrrique Derneville said past due sum of two thousand five hundred pesos; that said Enrrique Derneville has refused to grant said request, prejudicing petitioner's interest and that of his creditors; wherefore petitioner begs the Court to order the Court Clerk to lift the mortgage on said house and place it on said plantation and ten negro slaves, as above requested.

The record shows that the Court granted said Francisco Bouligni's petition and refused to grant Enrrique Derneville an appeal of said decision on the grounds that the Superior Court has no jurisdiction in this matter.

The cost of these proceedings amounted to 17 pesos and six reales which were paid by said Enrrique Derneville.

File #2627. )  
Apr. 4, 1788. )  
Judge: A. Argote. )  
Court Clerk: Pedesclaux )  
P. 1 to 24. )  
Spanish. )

DOCUMENT #1767.  
BOX 50.

CASE OF  
ANTONIO XIMENEZ  
VERSUS  
DON FRANCISCO MENA.

The plaintiff, a resident of this City, petitioned the Court alleging that the defendant is indebted to petitioner in the past due sum of 272 pesos, as a balance due on a promissory note made in favor of the plaintiff for the sum of 272 pesos, as evidenced by the document presented, and that the defendant has refused to make payment on demand. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature affixed on said promissory note, and to make payment on said promissory note and in default thereof to issue a writ of execution against the personal property of the defendant in order to satisfy said debt, plus interest and the cost of these proceedings.

On Apr. 4, 1788, the Court granted the plaintiff's petition.

The record shows that the defendant admitted the plaintiff's allegation and that Francisco Pascalis de la Barre, Chief Constable, on plaintiff's petition and by order of the court notified the defendant to pay the plaintiff the sum claimed of 262 pesos, plus interest and the costs of these proceedings; and that the defendant refused to make payment, and that a writ of execution was ordered by the court and executed on a certain negro slave named Eventura, of the defendant's ownership.

The record further shows that all the defendant's creditors including the plaintiff granted the defendant a moratorium to pay his debts and that by order of the court the said negro slave was returned to defendant.

#25(A)  
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File #2582.	)	
Apr. 5, 1788.	)	PROCEEDINGS INSTITUTED BY ENRIETA
Judge: Estevan	)	REGNIER, WIDOW OF JUAN SOUBIE TO
Miro.	)	REGISTER TWO LETTERS IN THE OFFICE
Court Clerk: R.	)	OF THE COURT CLERK.
Perdomo.	)	
P. l.	)	
Spanish.	)	

Enrieta Regnier, widow of Juan Soubie, petitioned the Court alleging that it is convenient to petitioner's interest to register in the office of the Court Clerk, in the book used for that purpose, the two letters duly presented signed by Monsieur Dalchurut, at Saint Genevieve, one dated March 18, addressed to petitioner's deceased husband and the other dated November 4, addressed to petitioner. Wherefore, petitioner begs the Court to order as petitioned, and after said letters are registered to return them to petitioner.

The record shows that the Court ordered as petitioned by Enrieta Regnier.

The record does not show the costs of these proceedings.

#22

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File #2601.	)	PROCEEDINGS INSTITUTED BY PABLO SEGON
Apr. 5, 1788.	)	TO BE ALLOWED TO REGISTER IN THE OFFICE
Judge: Estevan	)	OF THE COURT CLERK A STATEMENT WHEREIN
Miro.	)	HE SPECIFIES ALL THE LOSS THAT HE SUFF-
Court Clerk: P.	)	FERRED IN THE FIRE WHICH OCCURRED IN
Pedesclaux.	)	THIS CITY.
P. 1 to 2.	)	
Spanish.	)	

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Pablo Segon, a resident and merchant of this city, petitioned the Court to be allowed to register in the office of the Court Clerk a statement in which petitioner describes the loss he suffered in the fire that occurred in this City on March 21, 1788, said loss amounted to one hundred thousand forty four pesos and three and one half reales and to deliver to petitioner the original of said statement after it has been duly registered.

The Court ordered as petitioned by Pablo Segon.

#24  
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File #2605. )  
Apr. 12, 1788. )  
Judge: Estevan ) CASE OF  
Miro. ) FRANC ISCA TREPANIE, WIDOW OF JUAN  
Court Clerk: P. ) BAUTISTA MACARTY AND JUANA MACARTY  
Pedesclaux. ) VERSUS  
P. 1 to 4. ) BERNARDO BERNODY.  
Spanish. )

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The plaintiffs, residents of this City, petitioned the Court alleging, that as evidenced by the document duly presented the defendant is indebted to petitioners in the sum of three thousand seven hundred eighty three pesos and two and one half reales in Mexican coin, for a farm and parcel of land which the defendant adjudicated in a public sale; that said debt is past due and that the defendant has not paid on demand. Wherefore, petitioner begs the Court to order the defendant to pay the petitioners their claim and in default thereof to order the Court Clerk to issue a writ of execution against the properties of the defendant in order to satisfy the sum claimed, plus interest and costs of these proceedings.

The Court ordered as petitioned by the plaintiffs.

The record is incomplete and the outcome of the case is not known.

#24  
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File #15.	)	
Apr. 12, 1788.	)	PROCEEDINGS INSTITUTED BY JUAN PAILLET
Judge: Antonio	)	TO PROVE THAT VALUABLE PAPERS AND OTHER
de Argote.	)	BELONGINGS ENTRUSTED TO HIS CARE, WERE
CC: R. Perdomo.)	)	DESTROYED BY FIRE ON MARCH 21, 1788.
P. 1 to 15.	)	
Spanish.	)	

Don Juan Paillet, a merchant of this City, petitioned the Court alleging that it is convenient to petitioner to have the Court receive information from the witnesses that he will present and who will declare under oath according to the following interrogatory: 1. Whether they know that petitioner possessed in his house four trucks loaded with various merchandise belonging to Mr. Jenesis Ransin and that they were destroyed by fire on March 21, 1788. 2. Whether they know that in the same manner were burned several documents in his house amongst which were four promissory notes executed in favor of Don Gabriel Fusellier de la Claire: The first note executed by Don Francisco Bouligny; the second by Mr. Devilliers, the blind man; the third by Don Luis Judice and the fourth by Hilario Boutet. 3-Whether they know that also in the same manner were destroyed by fire in said house two boxes containing 52 dozens of socks for the army and another box containing a two cylinder machine to copy letters, these belonging to Mr. Martin Jr., son of Andres, a merchant of Marseilles, France.

Petitioner alleges that owing to the intensity of the fire all efforts to save these articles were unsuccessful. Wherefore petitioner begs the Court to deliver to the petitioner a copy of these testimonies duly authorized in public form.

On Apr. 15, 1788, Don Juan Paillet presented as his witnesses before the Court Clerk, Don Santiago Huber Belxir, Don Salomon Mallines and Don Juan Baptiste Caravi to render their declarations, and after they were duly sworn according to law, they answered to the above interrogatory,

(cont'd)

(Doc. #1772)  
cont'd.

their testimonies entirely substantiating petitioner's allegations.

The record shows that on Apr. 17, 1788, the Court, after having examined the evidence presented, approved it, but granted the persons whose effects had been burned while in the possession of petitioner, the right to promote whatever action they deemed convenient on their behalf.

#25(A)  
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File #42. )  
Apr. 12, 1788. )  
Judge: Antonio )  
Argote. )  
Court Clerk: R. )  
Perdomo. )  
P. 1 to 9. )  
Spanish. )

DOCUMENT #1773.  
BOX 50.

CASE OF  
ANDRES BERNARD  
VERSUS  
SANTIAGO CONSTAR.

The plaintiff, a resident of this City, petitioned the Court alleging that as evidenced by the promissory note duly presented the defendant is indebted to petitioner in the past due sum of three hundred pesos, in New Mexican coin; that on several occasions petitioner has demanded said sum and that the defendant has refused to pay. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature affixed on said promissory note presented and to declare under oath whether he owes the sum claimed.

The Court ordered as petitioned by the plaintiff.

The record shows that the defendant admitted the plaintiff's allegations, and that the plaintiff petitioned the Court to order the Court Clerk to issue a writ of execution against the person and properties of the defendant in order to satisfy the sum claimed, plus interest and costs of these proceedings, and that the plaintiff petitioned the Court not to issue a passport to the defendant who intends to leave the city for the port of Guarico, or to void said passport in the event that it has been issued.

The record further shows that the Court ordered the defendant to pay the plaintiff his claim which is derived from a negro slave that the defendant purchased from the plaintiff, and that due to the fact that the defendant is absent from the city and the action brought by the plaintiff to obtain said negro back has not been settled, the court ordered the plaintiff to give a security for three hundred pesos in case that said sale is void by the court, and thus protect the three hundred pesos which the court ordered the defendant to pay to the plaintiff.

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The case is incomplete and the outcome of the case is not known.

File #1774. )  
Apr. 12, 1788. ) DON FERNANDO RODRIGUEZ, PETITIONED THE  
P. 1 to 6. ) COURT FOR THE PURPOSE OF PROVING THE  
Judge: Don E. ) OWNERSHIP OF A CERTAIN NEGRO SLAVE.  
Miro. )  
Court Clerk: )  
P. Pedesclaux. )  
Spanish. )

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Don Fernando Rodriguez, a resident of this city, petitioned the court alleging that about five years ago, petitioner bought from Don Juan Suirray a certain negro slave named Josef; petitioner paid cash at the time of the sale and in order to prove petitioner's title. Wherefore, petitioner begs the Court to admit parole evidence of said sale and to declare petitioner the owner of said slave.

On Apr. 12, 1788, the court ordered the court clerk to receive the petitioner's parole evidence.

The record shows that on Apr. 15, 1788, Don Fernando Rodriguez presented as his witness Don Santiago Felipe Guinault, Don Santiago Estevan Lemaire and Don Felix de Marter, whose declarations under oath substantiated said Don Fernando Rodriguez's allegations.

On May 5, 1788, the court after having examined the records, declared Don Fernando Rodriguez, the owner of said negro slave named Josef.

File #85 )  
Apr. 14, 1788 )  
Judge: Juan Doro- )  
teo del Postigo )  
Court Clerk: R.Per- )  
domo )  
Pages 1 to 3 )  
Spanish )

DOCUMENT NO. 1775  
BOX 50

PROCEEDINGS INSTITUTED BY  
JUAN ANTONIO ST. ANNE TO BE RE-  
LEASED FROM THE RESPONSIBILITY  
HE HAS ON CERTAIN ACCOUNTS AND  
PROMISSORY NOTES.

The record shows that Juan Antonio St. Anne, former agent of the deceased Commander of the Post of Arkansas, Balthazar de Villiers, and special agent appointed to liquidate the affairs of a business partnership which said deceased had with Monsieur Arnaud, of Natchitoches, petitioned the Court to release him of all the responsibilities arising out of the acknowledgment he made of various accounts and promissory notes executed by several persons in favor of said partnership, and to authorize him to claim the sum of 800 livres tournois (French pounds) from the responsible party whenever he deemed it convenient, which sum petitioner supplied out of his private funds to pay several creditors of said partnership with the purpose of facilitating the liquidation of the affairs of said partnership. Petitioner further alleges that he never was able to recover said 800 livres tournois nor his commissions as such agent.

Petitioner also begs the Court to furnish him with a certified copy of the preceding petition and of the Court's decree.

The record further shows that the Court released petitioner of all the responsibilities arising out of the acknowledgment he made of the aforementioned accounts and promissory notes; authorized him to claim the 800 livres tournois due him, plus his commissions, and ordered the Court Clerk to give him the certified copy he solicited.

#22  
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File #2392.	)	
Apr. 15, 1788.	)	PROCEEDINGS INSTITUTED BY JACOBO
Judge: Antonio	)	COWPERTHWAIT, JUAN VENTURA MORALES,
Argote.	)	JOSEPH MONTEGUT, JUAN BAUTISTA MELA-
Court Clerk: P.	)	DUC AND OTHER CREDITORS OF THE DE-
Pedesclaux.	)	CEASED FRANCISCO BIROT, TO HOLD A
P. 1 to 66.	)	NEW MEETING OF CREDITORS TO DISCUSS
Spanish and	)	THE GRADING AND PAYMENT OF THEIR RE-
French.	)	SPECTIVE CLAIMS.

The record shows that insolvency proceedings were instituted against the estate of the deceased Francisco Birot; that before they came to a conclusion, the records of said proceedings were destroyed by fire; that consequently the creditors of the deceased among whom were Jacobo Cowperthwait, Juan Ventura Morales, Joseph Montegut and Juan Bautista Meleduc, filed petitions to have a new meeting of creditors in order to discuss the grading and payment of their respective claims; that evidently said meeting was held, and that the Court then made the grading and distribution of the estate among the creditors to satisfy their claims, some of which claims were paid only in part.

The record further shows that Antonio Morales, receiver in the insolvency proceedings instituted against the estate of the deceased Francisco Birot, in compliance with a Court order, delivered to the Court Clerk all the bills and accounts due the deceased by several persons, in order that their payment may be enforced.

The record, however, is incomplete and shows that only one of the debts due the deceased was paid, the proceeds of which were delivered to Juan Ventura Morales, one of the privileged creditors of the deceased, as another part payment on his claim.

The record does not show the cost of these proceedings.

File #2390. )  
Apr. 16, 1788. )  
Judge: Josef )  
Foucher. )  
CC: R. Perdomo. )  
P. 1 to 23. )  
Spanish. )

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CASE OF  
ALEJANDOR BORE  
VERSUS  
LUIS BOISDORÉ.

The plaintiff, through his Attorney, petitioned the Court alleging, that as evidenced by the mortgage duly presented the defendant is indebted to petitioner in the past due sum of ten thousand three hundred pesos; that the defendant has failed to pay said sum on demand. Wherefore, petitioner begs the Court to issue a writ of execution against the person and properties of the defendant, especially on the negro slaves specified on said mortgage, to satisfy the sum claimed, plus interest and costs of these proceedings.

The record shows that the Court ordered as petitioned by the plaintiff, and that said writ of execution was not enforced due to the fact that the Governor of this Province issued a decree granting one year of grace to pay their debts to those persons who lost their properties or business in the fire occurred in this City on March 21, 1788.

The record further shows that the defendant died; that the year of grace granted by the Governor elapsed; that the plaintiff brought this action against the Succession of said deceased, and that the Court on plaintiff's petition again ordered the enforcement of said writ of execution. But said writ was not enforced because the properties of said deceased were ceded to the creditors by the widow.

The record also shows that the plaintiff admitted  
(cont'd)

having received the sum of two thousand pesos from the Succession of said deceased, leaving a balance of eight thousand three hundred pesos; that the widow ceded all the properties of said deceased to his creditors, and that the plaintiff petitioned the Court to notify the creditors of his claim.

The record also shows that Luis Boisdore Jr. as creditor of his deceased father contested the claim made by the creditor Alexandro Bore on the grounds that said Bore has received on various occasions sums of money from his deceased father, and that the reason why his claim, has not been reduced was due to the fact that said Bore was charging usurious interest, and that most payments made by his deceased father were applied to the interest; wherefore, he petitioned the Court to order said Bore to apply the payments made by his deceased father to the principal.

The record further shows that after a long litigation the Court decided that Alexandro Bore was only entitled to three thousand seven hundred pesos and six reales on his claim as the payment made by the deceased Boisdore has reduced his claim to said sum.

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File #2629. )  
Apr. 16, 1788. )  
Judge: Don E. )  
Miro. )  
Court Clerk: R. )  
Pedesclaux. )  
P. 1 to 13. )  
Spanish. )

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DOCUMENT #1778.  
BOX 50

CASE OF  
DON FRANCISCO DE SALES BADILLO  
VERSUS  
PEDRO VISOSO.

The plaintiff, petitioned the Court alleging that it is convenient to petitioner that the Court order the defendant to declare under oath whether he has delivered to Don Josef Zamora, the sum of 800 pesos that the defendant has in his charge belonging to petitioner. Wherefore, petitioner begs the Court to order as petitioned.

On Apr. 16, 1788, the Court granted the plaintiff's petition.

On Apr. 17, 1788, in compliance with the preceding decree the defendant appeared before the Court Clerk to give his declaration, and after he was duly sworn according to law, stated; that it is true that he delivered said sum of 800 pesos to said Zamora, in virtue of a decree issued by the Governor.

The plaintiff, further petitioned the Court alleging, that as evidenced by the defendant's declaration, wherein the defendant declared of having delivered said sum of 800 pesos to said Zamora; and that the defendant fraudulently disposed of said sum he had in deposit for petitioner. Wherefore, petitioner begs the Court to compel the defendant to pay said sum immediately and in default thereof issue a writ of execution against all of his property in order to satisfy said sum plus interest and the costs of these proceedings.

On Apr. 19, 1788, the Court ordered the Court Clerk to forward a copy of the plaintiff's petition to Don Josef Zamora.

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(Doc. #1778)  
cont'd.

Then Don Jose Zamora, after having received a copy of the plaintiff's petition, answered it alleging that the plaintiff instituted these proceedings with malice, as his reasons are unsound and unfounded as this case has been settled by this Tribunal, and that the plaintiff has appealed to the Superior Court of Havana, which appeal is still pending. Wherefore, intervivor begs the Court to dismiss the plaintiff's auction.

On Apr. 28, 1788, the Court decreed as petitioned by the intervivor and condemned the plaintiff to pay for the costs of these proceedings which amounted to 9 pesos and 3 reales.

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File #2396. ) PROCEEDINGS INSTITUTED BY AGUSTIN  
Apr. 17, 1788. ) BAUDIN TO OBTAIN A PERMIT TO SELL  
Judge: Antonio ) A NEGRO SLAVE NAMED BAUTISTA, OF  
Argote. ) HIS OWNERSHIP.  
Court Clerk: P. )  
Pedeschlaux. )  
P. 1 to 4. )  
Spanish and )  
French. )

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The record shows that Agustin Baudin, a resident of New Orleans, petitioned the Court alleging that as evidenced by the private deed of sale duly presented petitioner purchased from Monsieur Dandaule a certain negro slave named Bautista of 30 years of age and a tailor by trade, at San Pedro de la Martinique, on December 17, 1787; and that the Notaries of this City have refused to accept as valid petitioner's title on said negro slave on the ground that it was acquired through a private deed, and consequently they have also refused to authorize any deed of sale involving said slave. Wherefore petitioner begs the Court to order any of the Notaries of this City to authorize the sale which petitioner intends to make of said slave.

The record shows that the Court, after having established the legitimacy of petitioner's title on said negro through two witnesses who testified as to the authenticity of Monsieur Dandaule's signature, granted petitioner's prayer.

The record does not show the costs of these proceedings.

File #2622. )  
Apr. 17, 1788. )  
Judge: E. Miro. )  
CC: Pedesclaux. )  
P. 1 to 9. )  
Spanish. )

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CASE OF  
VILLANUEVA  
VERSUS  
JUAN ROBIN.

The plaintiff, as one of the heirs of his deceased father Juan Villanueva, petitioned the Court alleging that as evidenced by the contract presented, petitioner's deceased father contracted with the defendant to exchange 4 arpents of land situated on the other side of the river, for 150,000 shingles, and that the defendant has failed to carry out his part of the contract. Wherefore, petitioner begs the Court to issue a writ of execution against the properties of the defendant in order to satisfy said claim, plus interest and the cost of these proceedings.

The record shows that on Apr. 30, 1788, the Court orders the plaintiff to present a power of attorney from the widow of Villanueva, tutress of her minor children, and also decreed that whatever is claimed by the petitioner if obtained is to<sup>be</sup> equally divided among his brothers.

The record is incomplete and the outcome of this case is not known.

#25(A)  
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File #118. )  
Apr. 18, 1786. )  
Judge: Don E. )  
Miro. )  
Court Clerk: R. )  
Perdomo. )  
P. 1 to 11. )  
Spanish. )

CASE OF  
DON DANIEL CLARK  
VERSUS  
DON LUIS BOISDORE

The plaintiff, petitioned the Court, alleging that it is convenient to petitioner to order the defendant to declare under oath, whether it is true that he has transferred to petitioner the sum of 8000 pesos, that Don Julian Guerin, owed to the defendant, and that said sum was to be paid on Oct. of last year said sum is the balance of greater sum originating from 21 slaves that petitioner sold to the defendant, and to further order the defendant to declare whether he has received some money from said Guerin, after the defendant transferred said sum of 8000 pesos, to petitioner and to give a copy of the defendant's declaration to petitioner.

On Apr. 8, 1786, the Court granted the plaintiff's petition.

The record shows that the defendant admitted the plaintiff's allegations and stated: That he received from said Guerin, the sum of 5000 pesos but that said Guerin, still owes him the balance of 2000 pesos.

The plaintiff then petitioned the Court, to order a writ of execution against all the properties of the defendant in order to satisfy the sum claimed of 8636 pesos.

On Apr. 14, 1786, the Court granted the plaintiff's petition.

#23  
#10 The record shows that both parties compromised and that the plaintiff, petitioned the Court to order the defendant to pay for the costs of these proceedings.

The record is incomplete and the outcome of this case is not known.

File No. 8.	)	PROCEEDINGS INSTITUTED BY CARLOS
Apr. 21, 1788.	)	VIVANT AND COMPANY, RESIDENTS AND
Judge: Martin	)	MERCHANTS OF NEW ORLEANS, TO OB-
Navarro.	)	TAIN A PERMIT TO SELL A BRIGANTINE
Court Clerk: R.	)	NAMED "EL DELIVRADO", OF THEIR
Perdomo.	)	OWNERSHIP.
P. 1 to 4.	)	
Spanish.	)	

The record shows that Carlos Vivant and Company, a business firm formed by Vivant, Duclot and Soulie, residents and merchants of New Orleans, applied to the Court for a permit to sell to Santiago Mather, also a resident and merchant of New Orleans, a certain brigantine of their ownership named "El Delivrado" which is anchored at this port. Petitioners alleged that they are unable to present their title on said brigantine because it was destroyed in the fire that occurred in this city on March 21, 1788.

The record further shows that petitioners' title on the said brigantine was fully established through information furnished by the office of the Administration of Revenues the records of which showed a permit issued to petitioners to purchase the brigantine in question.

The Court, in view of the above information, granted the permit solicited by petitioners and the deed of sale was then drawn by the Court Clerk.

The costs of these proceedings amounted to the sum of five pesos and one real which was paid by petitioners as ordered by the Court.

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File #189.	)	
Apr. 21, 1788.	)	
P. 1 to 15.	)	
Judge: Don M. Navarro.	)	PROCEEDINGS INSTITUTED BY DON JULIAN VIENNE FOR THE PURPOSE OF HAVING A CERTAIN POLACRE OF HIS OWNERSHIP APPRAISED.
CC: R. Perdomo. Spanish.	)	

Don Julian Vienne, a merchant of this City, petitioned the Court alleging that as evidenced by the document presented to the Administrator of Royal Revenues, petitioner is the owner of the polacre named "El Mars", which he purchased in the port of Guarico; and that having said polacre arrived to this port, petitioner desires to sell it. Wherefore, petitioner begs the Court to appoint expert appraisers to appraise said polacre, in order that petitioner may pay the Royal Taxes fixed on foreign vessels.

On Apr. 21, 1788, the Court ordered the petitioner to present his title, and also to state the date and month in which said vessel arrived to this port.

The record shows that Don Julian Vienne petitioned the court to order the translations into Spanish of the title he presented. The Court after having examined the documents presented, granted Don Julian Vienne's petition, and ordered the Court Clerk to forward a copy of these proceedings to the office of the collector of Royal Revenues, and to estimate the costs of these proceedings.

On May 2, 1788, Don Pedro Vivoso and Don Arnold Mag, who were appointed by the Court to appraise said vessel, accompanied by the Court Clerk went on board said vessel for the purpose of appraising same and after they made a thorough inspection of the conditions of said vessel, they appraised it for the sum of 1800

(cont'd)

FILE NO. 1782  
APR. 24, 1933

JUDGE: [Illegible]

pesos.

IN PROVISION INSTALLED BY STATE OF  
MEXICO, I FREE MEXICAN, TO OBTAIN A  
PERMIT TO SELL A PARCEL OF LAND OF  
THE MEXICAN.

Then Don Estevan de Quinones, Official Judicial Appraiser in compliance with the preceding decree, presented an itemized statement of the costs of these proceedings which amounted to 20 pesos and 1 real.

Mica St. Martin, a free citizen and a resident of the District, petitioned the Court alleging that as evidenced by the private deed duly presented petitioner is the legitimate owner of a certain parcel of land of irregular dimensions which year 1894 acquired from [Illegible] by exchange, and that [Illegible] desires to sell said parcel of land to a free citizen [Illegible]. Therefore, petitioner begs the Court to

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the necessary permit to perform the intended sale and decree that any of the Notaries of this City may have the proper deed of sale.

The record shows that the Court ordered [Illegible] to pay the ownership of said parcel of land [Illegible] as the private deed presented does not constitute evidence, in compliance of which petitioner presented three witnesses who declared that they knew petitioner to be the legitimate owner of said land.

The record further shows that the Court in consideration of the witnesses' declarations, granted the permit as solicited by Mica St. Martin.

File #2597

Apr. 22, 1788.

Judge: Antonio  
Argote.Court Clerk: P.  
Pedesciaux.

P, 1 to 5.

Spanish and

French.

PROCEEDINGS INSTITUTED BY ELENA ST.  
MARTIN, A FREE NEGRESS, TO OBTAIN A  
PERMIT TO SELL A PARCEL OF LAND OF  
HER OWNERSHIP.

Elena St. Martin, a free negress and a resident of New Orleans, petitioned the Court alleging that as evidenced by the private deed duly presented petitioner is the legitimate owner of a certain parcel of land of irregular measurements which petitioner acquired from Francisco Henry on June 8, 1769, by exchange; and that petitioner desires to sell said parcel of land to a free mulatress named Catalina. Wherefore, petitioner begs the Court to grant the necessary permit to perform the intended sale and to decree that any of the Notaries of this City may draw the proper deed of sale.

The record shows that the Court ordered petitioner to prove her ownership of said parcel of land inasmuch as the private deed presented does not constitute enough proof, in compliance of which petitioner presented three witnesses who declared that they knew petitioner to be the legitimate owner of said land.

The record further shows that the Court in consideration of the witnesses' declarations, granted the permit as solicited by Elena St. Martin.

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File #2202. 8 )  
Apr. 27, 1789. )  
Judge: Estevan )  
Miro. )  
Court Clerk: P. )  
Pedesclaux. )  
P. 1 to 3. )  
Spanish and )  
French. )

CASE OF  
JUAN LABATUT  
VERSUS  
HILARIO BOUTTE.

The plaintiff, a resident and merchant of this City, petitioned the Court alleging, that as evidenced by the promissory note duly presented, the defendant is indebted to petitioner in the past due sum of one thousand three hundred fifty pesos; that the defendant has failed to pay said sum on demand; wherefore petitioner begs the Court to order the defendant to acknowledge his signature affixed on said promissory note and to declare under oath whether he owes the sum claimed plus two years interest at the rate of ten per cent as stipulated on said promissory note, and to deliver to petitioner a copy of the defendant's declaration to promote whatever action may be convenient.

The record shows that the Court ordered as petitioned by the plaintiff and that the defendant admitted the plaintiff's allegations.

The record is incomplete and the outcome of the case is not known.

#24  
#10

File #52. )  
 Apr. 28, 1788. )  
 Judge: Antonio )  
 Argote: )  
 Court Clerk: R. )  
 Perdomo. )  
 P. 1 to 11. )  
 Spanish. )

CASE OF  
 FRANCISCO MENA  
 VERSUS  
 ILARIO BOUTTE.

The plaintiff, a resident of this City, petitioned the Court alleging, that as evidenced by the promissory note duly presented, the defendant is indebted to petitioner in the sum of four hundred pesos; that the defendant has already paid the sum of two hundred pesos on account; and that the defendant has failed to pay the balance of said sum on demand. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature affixed on said promissory note presented and to declare under oath whether he owes the sum claimed by the petitioner.

The Court ordered as petitioned by the plaintiff.

The record shows that the defendant denied owing said sum of two hundred pesos to the plaintiff, alleging that he had paid said sum to Agate Semel by instructions of the plaintiff.

The record further shows that the Court disregarded the defendant's allegations: That on plaintiff's petition the court issued a writ of execution against the person and properties of the defendant to satisfy the sum claimed, plus interest and costs of these proceedings, and that said writ of execution was not enforced as the defendant paid the plaintiff his claim.

The costs of these proceedings amounted to 11 pesos and 5 reales, said costs were paid by the defendant.

#24

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File #92.	)	
Apr. 28, 1788.	)	
Judge: Martin	)	PROCEEDINGS INSTITUTED BY JORGE
Navarro.	)	PROFFIT TO OBTAIN THE APPRAISAL
Court Clerk: R.	)	OF THE SCHOONER NAMED "LUIZA",
Perdomo.	)	IN ORDER TO PAY THE ROYAL TAX
P. 1 to 7.	)	ON FOREIGN VESSELS.
Spanish.	)	

The record shows: That Jorge Proffit and David Ross, residents and merchants of New Orleans, applied to the Intendant General of Louisiana for a permit to purchase a certain vessel named "Luisa" at the isle of Jamaica for the purpose of bringing a shipment of negro slaves to New Orleans, on their own account; that said permit was granted with the provision that petitioners must pay a 21% Royal Tax on foreign vessels on the value of said vessel and that its Captain and two thirds of its crew must be subjects of the King, petitioners being also compelled to present the aforesaid permit to the office of the Administration of Revenues so that it be recorded.

The record further shows that petitioner Jorge Proffit, after having purchased said vessel and brought on it the said shipment of negro slaves to New Orleans in partnership with David Ross and in accordance with the provisions set forth in the permit granted, petitioned the Court to have the said vessel appraised so that he may pay the 21% Royal Tax provided in the said permit; that said vessel, due to its bad condition, was appraised in the sum of 1,000 pesos and that petitioner paid the 21% Royal Tax on said sum.

The cost of these proceedings amounted to 12 pesos and six reales, which were paid by petitioners as ordered by the Court.

#22

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File #87.  
May 2, 1788.  
Judge: Antonio  
Argote.  
Court Clerk: R.  
Perdomo.  
P. 1 to 11.  
Spanish.

DOCUMENT NO. 1787.  
BOX 51.

CASE OF  
LUIS GONZALES  
VERSUS  
PEDRO ANCIARTE.

The plaintiff, a resident of this city, brought action against the defendant to recover the sum of 436 pesos, which petitioner loaned to the defendant on a small house and parcel of land situated on Orleans st., as evidenced by the certified copy of the mortgage presented. Petitioner alleges that the defendant did not suffer any damages from the fire that occurred in the City on March 21, 1788, and therefore is not included among the citizens temporarily exempted from being sued, and that the defendant has failed to make payment on demand. Wherefore, petitioner begs the Court to issue a writ of execution against the person and properties of the defendant, and especially against the mortgaged house and parcel of land, to satisfy petitioner's claim.

The record shows that the court issued the writ of execution, as petitioned, which was carried into effect by Felipe Ravina, Lieutenant Chief Constable, who attached the mortgaged house and parcel of land.

The record further shows that upon plaintiff's petition the house and parcel of land aforementioned were advertised for sale without any purchaser having appeared and that said properties, including a rice mill and other business thereon established, were then appraised by Josef Adrian de la Plaza and Vicente Fangui, public appraisers, in the sum of 900 pesos.

The record, however, is incomplete and only shows that the costs of these proceedings up to this stage amounted to 18 pesos and 7 and 1/2 reales.

#22

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File (None) )  
May 2, 1788. )  
Judge: Martin Navarro. )  
Court Clerk: R. Per- )  
domo. )  
P. 1 to 4. )  
Spanish. )

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CASE OF  
SEBASTINA MAS  
VERSUS  
PEDRO VILLAMIL.

The plaintiff, a resident of this City, petitioned the Court alleging that as evidenced by the promissory notes duly presented, the defendant is indebted to petitioner in the sum of four hundred forty seven pesos and five reales; and that the defendant has refused to pay said sum on demand. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signatures affixed on said promissory notes and to declare under oath whether he owes the sum claimed.

The Court ordered as petitioned by the plaintiff.

The record shows that the defendant admitted the plaintiff's allegations, and that on plaintiff's petition and by order of the Court a writ of execution was issued against the person and properties of the defendant to satisfy the sum claimed, plus interest and cost of these proceedings.

The record further shows that Felipe Ravian, Chief Constable, was entrusted to enforce said writ of execution; that he notified the defendant to pay the plaintiff the sum claimed of four hundred forty-seven pesos and five reales, plus interest and cost of these proceeding, and that the defendant informed said Chief Constable, that he had paid the plaintiff the sum of three hundred pesos on account.-This statement was admitted by the plaintiff.

The record further shows that as the defendant failed to pay the full sum claimed by the plaintiff the Chief Constable enforced said writ of execution on a house of the defendant's ownership in order to satisfy the sum

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(Doc. #1788)  
cont'd.

of one hundred forty seven pesos and five reales, which is the balance of the plaintiff's claim.

The record further shows that as the house attached was found to have been previously attached by another creditor of the defendant, the court on plaintiff's petition ordered to execute said writ of execution on one of the negro slaves of the defendant's ownership.

The defendant later presented creditable documents, which proved that he owes the plaintiff only the balance of fifty seven pesos. The Court admitted said documents and ordered the release and return to the defendant his negro slave, upon payment of said sum of fifty seven pesos. The defendant complied with said payment and the negro slave was returned to him as ordered by the Court.

The cost of these proceedings amounted to 12 pesos and 7 reales, said cost were paid by the plaintiff and the defendant.

#24  
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File #83.  
 May 2, 1788.  
 Judge: Gov. Miro.  
 Court Clerk: R.  
 Perdomo.  
 P. 1 to 15.  
 Spanish.

PROCEEDINGS INSTITUTED BY JUAN  
 LACOSTE TO PROVE THE DAMAGES HE  
 SUFFERED FROM THE FIRES WHICH OC-  
 CURRED IN THE CITY ON MARCH 7  
 AND APRIL 8, 1788.

21

Don Juan Lacoste, a resident of this City, petitioned the Court alleging that it is convenient to petitioner to have the Court admit the witnesses that petitioner will present to verify the fact that petitioner suffered the loss of two large houses of his possession caused by the fire which occurred on March 7, 1788, and that petitioner was able to rescue from said fire certain movable property which he stored in the warehouse of Colonel Gilberto Antonio Maxent, and that said effects were destroyed by a second fire occurred on April 8, 1788 leaving petitioner financially embarrassed and not able to meet his obligations. Wherefore, petitioner begs the Court to admit the witnesses that petitioner will present and to forward to petitioner the original sworn declarations of said witnesses for which petitioner is ready to pay the necessary fees.

The record shows that on May 5th Don Juan Lacoste presented Don Luis Toutan Beauregard, Don Carlos de Regio, Don Jose de Evia and Don Alberto Guillermo Ayudan, as his witnesses to prove his allegations.

The record further shows that the witnesses' declarations entirely substantiated petitioner's allegations, in view of which the Court approved said allegations.

#25(A)

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File #94.	)	
May 2, 1788	)	PROCEEDINGS INSTITUTED BY JUAN
Judge: Martin	)	PEDRO BIANCO, MERCHANT AND CAPTAIN
Navarro.	)	OF THE CORVETTE NAMED "LA PETITE
CC: R. Perdomo.	)	JULIA", TO BE EXONERATED OF ALL
P. 1 to 16.	)	THE RESPONSIBILITIES WHICH MAY ARISE
Spanish and	)	FOR NOT HAVING BEEN ABLE TO COM-
<u>French.</u>	)	plete a voyage to BOURDEAUX, FRANCE
		FOR WHICH VOYAGE HE TOOK OUT REGIS-
		TRY PAPERS.

The record shows that Juan Pedro Blanco, merchant of New Orleans and Captain of the corvette named "La petite Julia", petitioned the Court alleging that he sailed on said vessel from New Orleans to Bourdeaux, France, for which voyage he was issued the proper registry papers by the office of the Administration of Revenues, on March 26, 1787, and that during said voyage petitioner's vessel, through no fault of his own nor of the crew, went aground several times and encountered stormy weather, all of which caused considerable damage to said vessel and forced it to seek refuge in the port of Marseilles, where it was repaired and from whence it has returned to New Orleans. To substantiate his allegations, petitioner presented to the Court the proper documentary evidence from the competent authorities of Marseilles, France, who performed the inspection of the aforesaid vessel and made an inquiry of its accidental arrival to said port. Wherefore, petitioner begs the Court to exonerate him of all the responsibilities which may arise from his failure to complete the voyage to Bourdeaux, France, for which his registry papers called.

The record further shows that the Court in view of the evidence presented by the petitioner, exonerated him of all responsibilities.

The cost of these proceedings amounted to ten pesos and five reales which were paid by petitioner, by order of the Court.

#22  
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File #2416.	)	
May 5, 1788.	)	PROCEEDINGS INSTITUTED BY
Judge: Juan	)	DANIEL CLARK AND FELIPE CHESNE
Argote.	)	TO SELL AT PUBLIC AUCTION A
Court Clerk:	)	CERTAIN NEGRO SLAVE OF SAID
Pedro Pedesclaux.	)	FELIPE CHESNE, IN ORDER TO
P. 1 to 8.	)	SETTLE A CERTAIN DEBT.
Spanish.	)	

The record shows that Daniel Clark and Felipe Chesne, through their attorneys, petitioned the Court alleging that the former sold to the latter a certain negro slave for the sum of 500 pesos, which sum was to be paid on a certain date; that the date for payment is long past due and petitioner Felipe Chesne is still unable to comply with it; in view of which and in order to facilitate payment of said sum petitioners have agreed to have said slave appraised and sold at public auction with the understanding that should the proceeds of the intended sale not suffice to pay in full the 500 pesos claimed, petitioner Daniel Clark agrees to grant petitioner Felipe Chesne an extension of time in which to pay the remainder.

The record further shows that the Court granted the above petition, and that the slave in question was appraised in the sum of 450 pesos and then sold at public auction to the highest bidder, Juan de Sossa, for cash payment of 315 pesos which were delivered to petitioner Daniel Clark, as agreed.

The costs of these proceedings amounted to 20 pesos and four reales, which were paid by petitioner Felipe Chesne, by order of the Court.

#25(A)  
#19

File #28. )  
May 6, 1788. )  
Judge: Antonio )  
Argote. )  
CC: R. Perdomo. )  
P. 1 to 7. )  
Spanish and )  
French. )

CASE OF  
SANTIAGO FERRAND  
VERSUS  
PEDRO DIARD.

The plaintiff, a resident of New Orleans, petitioned the Court alleging that as evidenced by the document duly presented, the defendant is indebted to petitioner in the sum of 519 pesos and six reales which petitioner supplied in cash and merchandise out of his private funds to be used in a business partnership he had with said defendant; and that the defendant in the statement of his debts which he presented to the Court failed to list petitioner's claim. Wherefore petitioner begs the Court to order the defendant to acknowledge the mark affixed to the obligation presented and also the debt claimed by petitioner, and once this has been done to declare petitioner a legitimate creditor of the defendant.

The record shows that the defendant was notified of the plaintiff's petition and declared that the plaintiff's claim is authentic but that the declarer owes only half of the sum claimed inasmuch as he suffered considerable losses in the business partnership he had with the plaintiff which caused him to withdraw from said partnership.

The record further shows that the plaintiff then agreed to accept whatever amount would be assigned to him in the proration of the properties of the defendant which is to be made among his creditors.

The cost of these proceedings amounted to four pesos and five and one-half reales.

#22

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File #2398.	)	PROCEEDINGS INSTITUTED BY ALEJANDRO
May 6, 1788.	)	BAURE TO HAVE THE COURT CLERK ISSUE A
Judge: A.	)	TITLE OF OWNERSHIP ON SEVERAL NEGRO
Argote.	)	SLAVES IN FAVOR OF REV. FATHER FRIAR
CC: Pedesclaux.	)	JOSEPH DE ARAZANA.
P. 1 to 4.	)	
Spanish.	)	

The record shows that Alejandro Baure, a resident of New Orleans, petitioned the Court alleging that his uncle, Juan Laffon, a resident of the Post of Illinois, sent to petitioner from said Post in payment of a certain debt a negress slave named Catalina, aged twenty years, with her two infant children, and that petitioner's uncle failed to send his title of ownership on said slaves, for which reason petitioner has not formalized the sale he has made of said slaves to the Rev. Father Friar Joseph de Arazana, of the Post of Opelousas, for the sum of 1000 pesos. Wherefore, petitioner begs the Court to order the Court Clerk to draw said title in favor of Rev. Father de Arazana.

The record further shows that the Court ordered petitioner to present evidence to substantiate his allegations.

Petitioner then presented the testimonies of three witnesses all of whom substantiated his allegations, in view of which the Court granted petitioner's prayer and ordered him to pay for the costs of these proceedings which amounted to 5 pesos and 6 reales.

File #6.	)	PROCEEDINGS INSTITUTED BY
May 9, 1788.	)	PEDRO BIDOU HERBERT TO SECURE
Judge: M. Navarro.	)	THE INSPECTION OF CERTAIN
CC: R. Perdomo.	)	MERCHANDISE BROUGHT ON THE
P. 1 to 2.	)	BRIGANTINE "SAZON" UNDER THE
Spanish.	)	COMMAND OF CAPTAIN JUAN LAND-
	)	IER AND CONSIGNED TO PETITION-
		ER.

The record shows that Pedro Bidou Herbert, a resident and merchant of New Orleans, petitioned the Court alleging that on the brigantine named "Sazon", owned and commanded by Juan Landier, were brought consigned to petitioner seven bundles of goods numbered from one to seven; that as proven by an inspection made of said bundles in the Royal Customhouse, the bundle marked with number two arrived entirely damaged, and for this reason petitioner has refused to accept it; and that in order that petitioner be exonerated of any responsibility with which he may be charged by the consignors of said goods, petitioner begs the Court to order that two impartial merchants of this city make an inspection of said bundle and then make a report before the Court Clerk stating the condition and the extent of the damages suffered by said bundle, and then to deliver the records of these proceedings to petitioner for his protection.

The Court ordered as petitioned by Pedro Bidou Herbert, appointing two merchants, Christoval de Armas and Pedro Sauve, to make the inspection requested with the assistance of Captain Juan Landier.

The record further shows that the merchants appointed by the Court with the assistance of Juan Landier  
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(Doc. #1793)  
(cont'd)

made the inspection of the bundle in question, deciding that said bundle was not damaged on the brigantine on which it was shipped but that it was already damaged when placed on said brigantine.

The record does not show the costs of these proceedings.

#22  
#10

The record shows that on May 30, 1793, the Court granted the plaintiff's prayer, and ordered a warrant to be issued to the Comptroller of the Post Office, instructing said Comptroller to demand of the defendant the sum claimed and in default thereof to seize the defendant's properties, to sell them at public sale and to forward the proceeds of said sale to the Court.

The record is incomplete and the outcome of this case is not known.

File #2399. )  
May 9, 1788 )  
Judge: Estevan )  
Miro. )  
CC: Pedesclaux. )  
Spanish. )  
P. 1 to 11. )

CASE OF  
ALEXANDER BIDOU  
VERSUS  
DON SANTIAGO GAGNIARD.

The plaintiff brought action against the defendant alleging, that as evidenced by the obligation presented the defendant, a resident of the Post of Avoyelles, is indebted to petitioner in the past due sum of 1250 pesos for the value of two negro slaves sold to the defendant and that as the defendant has failed to pay said obligation on maturity. Wherefore, petitioner begs the Court to issue a warrant to the Commander of Avoyelles, instructin said Commandant to demand of the defendant the sum claimed and upon default of payment thereof, to seize the defendant's properties in order to satisfy the sum claimed.

The record shows that on May 20, 1788, the Court granted the plaintiff's prayer, and ordered a warrant to be issued to the Commander of the Post of Avoyelles, instructing said commander to demand the defendant to pay the sum claimed and in default thereof to seize the defendants properties, to sell them at public auction and to forward the proceeds of said sale to this Court.

The record is incomplete and the outcome of this case is not known.

#25(A)  
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File #27                    )) PROCEEDINGS INSTITUTED BY  
May 14, 1788.           )) JUAN LARMANDIE, CAPTAIN OF  
Judge: Estevan           )) THE BILANDER NAMED "LA FAVOR-  
Miro.                     )) ECIDA", TO PROVE THE FACT  
CC: R. Perdomo.         )) THAT UNAVOIDABLE EVENTS  
P. 1 to 70.              )) CAUSED HIM TO BE CONSIDERABLY  
Spanish and French.     )) DELAYED IN A VOYAGE FROM  
                          )) HAVANA, CUBA, TO NEW ORLEANS.

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The record shows that Juan Larmandie, a resident of New Orleans and Captain of the bilander named "La Favorecida" belonging to Juan Poussou, a merchant of New Orleans, petitioned the Court alleging that he desires to prove to the Court the fact that unavoidable events caused him considerable delay in his voyage from Havana, Cuba, to New Orleans, as evidenced by the clearance which petitioner has delivered to the office of the Administration of Revenues. In order to substantiate his allegation and for the proper legal effects petitioner presents to the Court in legal form the log of said voyage and the records of a verbal inquiry made in connection with same.

The Court acknowledged the receipt of the aforesaid documents, ordered the official translator, Estevan de Quinones, to translate them into Spanish and appointed Francisco de Sales Badillo and Crispulo Sanchez, Captains and Pilots of vessels, to examine said documents and then to render their report on their authenticity.

The record further shows that Estevan de Quinones translated the said documents and that they were then examined by Captains Francisco de Sales Badillo and Crispulo Sanchez who found that the delay suffered

(cont'd)

by the aforementioned bilander was caused by severe storms it encountered during the voyage from Havana, Cuba, to New Orleans, which forced its Captain to take various and longer courses in order to reach safely this port. Said Captains also found that neither on the log of the bilander's voyage nor on the records of the inquiry made in connection with same appears that said bilander made a forced arrival at any port during said voyage.

The Court then ordered the witnesses who testified in the inquiry to appear in Court to render their declarations regarding their knowledge of the happenings as taken down on the records of said inquiry. The witnesses appeared and substantiated the said records in their entirety, in view of which the Court rendered judgment declaring as sufficient the evidence presented by the petitioner; exonerated him of all responsibility in the delay suffered by the vessel under his command, and ordered the Court Clerk to forward a certified copy of the Court's judgment to the office of the Administration of Revenues in order that it be recorded there and the bond posted by petitioner be cancelled.

The Court Clerk complied with the Court order and an itemized statement of the costs of these proceedings was made, amounting to the sum of 44 pesos and 3 reales, which was paid by petitioner by order of the Court.

#22

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File #108. )  
May 14, 1788. )  
Judge: Don A. )  
Argote. )  
CC: R. Perdomo. )  
P. 1 to 5. )  
Spanish. )

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CASE OF  
A FREE NEGRO NAMED COFI  
VERSUS  
PEDRO BOSEO (ALIAS) PEDRO ANCI-  
ATE.

The plaintiff, a resident of this City, through his Attorney petitioned the Court alleging that as evidenced by the simple obligation presented the defendant is indebted to petitioner in the past due sum of 134 pesos, and that the defendant has refused to make payment on demand. Wherefore, petitioner begs the Court to order the defendant to declare under oath whether he owes the sum claimed, and to acknowledge his mark on said obligation presented.

The record shows that on May 14th, 1788, the Court granted the plaintiff's prayer.

On May 16, 1788, the defendant, under oath declared, that it is true that the mark on said obligation presented by the plaintiff is his and that he owes the plaintiff the sum of 1134 pesos, but that he has not been able to satisfy the sum claimed by the plaintiff because of his financial conditions.

The record is incomplete and the outcome of this case is not known, however, the last page of the record shows the cost of these proceedings amounted to 4 pesos and 4 reales.

#23  
#10

File #2413.  
May 15, 1788.  
P. 1 to 9.  
Judge: Don E.  
Miro.  
CC: P. Pedesclaux.  
Spanish.

CRIMINAL PROCEEDINGS INSTITUTED  
IN REGARD TO THE DEATH OF JOSEF  
DE LA CRUZ.

The record shows that on May 15, 1788, Governor Estevan Miro, was informed that on the night of May 14th, one Josef de la Cruz, was murdered on the levee of this City, and that the Governor immediately gave orders to investigate the crime and to question all witnesses thereof, and also ordered the Court Clerk to go to the Royal Hospital of this city, to examine the body of said victim.

On the same day the Court Clerk, in compliance with the Governor's orders went to the Royal Hospital of this City, and there found the body of said Cruz, who apparently suffered death by a wound inflicted with a knife or dagger.

The record further shows that the Governor cited all the witnesses to said crime and that the first witness examined in the presence of the Governor and the Military Counsellor, was Jose Luis Zofe, who declared under oath that the deceased and declarer were co-owners of a certain pirogue, that the deceased and declarer, were protecting themselves from the rain under the shelter of certain shacks along the levee when they saw a man coming toward them carrying with him a duck that belonged to them, which they thought evidently was stolen by said party from their pirogue,

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Doc. #1797.  
cont'd.

that the declarer took the duck away from said party and told him not to steal from others, that then the deceased struck said party on the back with a stick, then said party made a motion to draw an arm from his chest, and the declarer went to look for a stick or rock to defend himself, when he heard said deceased cry out that he was wounded. When the declarer returned to the scene, he found the deceased mortally wounded, whereupon the declarer notified the guards, that said guards, composed of a corporal and three soldiers returned with the declarer to the scene and took the deceased to the Royal Hospital of this City, where he died from said wound received by the murderer, who apparently was a negro, but that the declarer was not able to give an accurate description because of the rain and darkness.

The record further shows the declaration of the Corporal and the soldiers, wherein they declared under oath that they were notified by said Josef Luis Zofa, that his companion was stabbed by a negro, that they went to the scene and there found the deceased suffering from a wound inflicted by the murderer and that they carried said deceased to the Royal Hospital of this City.

The record is incomplete and the outcome of this case is not known.

#23  
#10

File #2620.  
May 19, 1788.  
Judge: Antonio  
Argote.  
Court Clerk: P.  
Pedesclaux.  
P. 1 to 2.  
Spanish.

PROCEEDINGS INSTITUTED BY ESTEVAN  
DE VAUGINE JR., TO SECURE TITLES OF  
OWNERSHIP ON SEVERAL NEGRO SLAVES HE  
PURCHASED AT THE POST OF NATCHITOCHEs.

The record shows that Estevan de Vaugine Jr., of New Orleans, petitioned the Court to receive information from the witnesses that petitioner will present in order to establish petitioner's legitimate title on five negro slaves named Luis, Roza, Mariana, Principe and Faro, all of whom petitioner purchased at the Post of Natchitoches, as follows: Luis, Roza and Mariana, from Santiago Constant; Principe, from Monsieur Mordant; and Faro from Monsieur Rongot. Petitioner alleged that at the time of the purchase he forgot to take out the proper documents to prove his ownership of said negro slaves and that he now desires to settle this affair in order that he may be able to prove to the public that he is the rightful owner of said slaves. Wherefore, petitioner begged the Court to receive information from the witnesses that petitioner will present and who will testify as to petitioner's legitimate title on said slaves, and once this has been done, to deliver the witnesses' original declarations to petitioner to use as petitioner deems convenient.

The record, however, is incomplete and only shows that the Court ordered as petitioned by Estevan De Vaugine Jr., and that the Court Clerk notified him of the Court order.

#22  
#10

File #54.	)	
May 20, 1788.	)	PROCEEDINGS INSTITUTED BY FRANCISCO
Judge: Estevan Miro.	)	CARCASSES TO NULLIFY THE FREEDOM GRANT-
Court Clerk: R. Perdomo.	)	ED TO A CERTAIN NEGRO SLAVE NAMED BAU-
P. 1 to 7.	)	TISTA, OF HIS OWNERSHIP.
Spanish.	)	

The record shows that Francisco Carcasses, a resident of New Orleans, petitioned the Court alleging that he obtained the ownership of a certain negro slave named Bautista at the public auction of the properties of the Capuchin's Mission of the Province of Louisiana, made by Intendant Don Martin Navarro on Aug. 2, 1784; that after two years of possessing said slave, petitioner exchanged said slave for a negress slave of Madame Felipeaux with the condition that the latter would grant said slave his freedom when said slave would pay for it; that after one year of being under the ownership of Madame Felipeaux, said slave ran away and maliciously informed petitioner that he had paid to said Madame Felipeaux the price of his freedom, in view of which petitioner, having at that moment forgotten the sale he had made of said slave, granted him his letter of freedom under false information; that said letter of freedom is therefore null and void as said slave did not pay for his freedom, as originally agreed, and petitioner is not the lawful party to grant said slave his freedom. Wherefore, petitioner begs the Court to order the Court Clerk to write the proper annotation at the margin of the deed by which petitioner acquired the ownership of said slave, so that at all times the nullity of said slave's letter of freedom may be of evidence.

The record shows that in compliance with a Court order, certified copies of the deed and letter of freedom aforementioned were added to the records of these proceedings and that the Court Clerk wrote the annotation as petitioned by Francisco Carcasses.

File #2600.	)	
May 20, 1788.	)	PROCEEDINGS INSTITUTED BY DON
Judge: Argote.	)	FRANCISCO SABIN, FOR THE PURPOSE
CC: Pedeschlax.	)	OF OBTAINING A PERMIT TO SELL A
P. 1 to 5.	)	CERTAIN NEGRO SLAVE OF HIS OWNER-
Spanish and	)	SHIP.
French.	)	

The record shows a sale under private signature dated in French Cape, January 22, 1788. Wherein one Martin sold to Don Francisco Sabin a certain negro slave for the sum of 1600 livres cash. This instrument was presented as evidence by Sabin.

Don Francisco Sabin, a resident of this City, petitioned the Court that as evidenced by the private sale presented petitioner is the owner of a certain negro slave; that petitioner desires to sell said slave and in order to prove his title. Wherefore, petitioner begs the Court to admit the witnesses to prove the allegations et supra.

On May 20, 1788, the Court granted Sabin's petition.

The record shows that in compliance with the Court decree Sabin presented as his witnesses Don Placido Larriex and Don Pedro Lavegne; that said witnesses declared under oath that Sabin, did purchase in a private sale the negro slave he intends to sell.

On May 20, 1788, the Court in view of the evidence presented granted to Sabin the permit petitioned, and ordered said Sabin, to pay for the costs of these proceedings which amounted to 4 pesos and 1 real.

#25(A)  
#10

File #73.	)
May 27, 1788.	)
P. 1 to 25.	)
Judge: Don A.	)
Argote.	)
CC: R. Perdomo.	)
Spanish.	)

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PROCEEDINGS INSTITUTED BY PEDRO ANCIATE, FOR THE PURPOSE OF HAVING ALL HIS PROPERTIES SOLD AT PUBLIC AUCTION.

Don Pedro Anciate, a resident of this City, petitioned the Court alleging that as evidenced by the statement of debts presented, petitioner owes to his creditors the sum of 1,005 pesos, and that petitioner is insolvent and unable to pay his creditors, as petitioner owns only a house. Wherefore, petitioner begs the Court to order the appraisal of said house, in order to sell it at public auction to the highest bidder and from the proceeds thereof to pay his creditors.

On May 27, 1788, the Court ordered Don Pedro Anciate, to present the statement of debts to the Court, and also ordered the Court Clerk, to forward a copy of said Anciate's petition to his creditors.

The record shows that one Don Antonio Mendez, on behalf of the creditors of Pedro Anciate, answered the petition alleging that said creditors have agreed to the public sale of the house of said Anciate, and that said house be sold to the highest bidder with the terms to pay for said house within one year, also giving bond for the security of said payment.

On July 2, 1788, the Court ordered the Court Clerk to bring the record in order to be examined, and after said records were examined the Court granted Don Pedro Anciate's prayer.

The record shows that on July 16, 1788 Don

(cont'd)

(Doc. #1801)  
cont'd.

Antonio Argote, Jr., Judge, accompanied by the Court Clerk, in compliance with the preceding decree, announced at public sale the house of said Pedro Anciate, and after several offers were made, it was sold to one Pedro Bacadar, for the sum of 800 pesos with the conditions that he should pay 436 pesos cash, and the balance within the term of one year.

On July 21, 1788, the Court ordered the Court Clerk, to estimate the costs of these proceedings which amounted to 48 pesos, and to pay said costs from the proceeds of the sale of said house.

#23  
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File #2610. )  
May 27, 1788. )  
Judge: E. Miro. )  
CC: P. Pedesclaux. )  
P. 1 to 4. )  
Spanish. )

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CASE OF  
DON BERNARDO TRIEMOULET  
VERSUS  
JUAN JOSEPH MARTINEAU AND FRAN-  
CISCO CHABUS..

The plaintiff, a resident of this City, through his Attorney, petitioned the Court alleging that the defendants, residents of the post of Natchitoches, are indebted to petitioner in the past due sum of 1004 pesos and 4 reales, and that the defendants have failed to make payment on demand. Wherefore, petitioner begs the Court to forward a warrant to the Commandant of said Post, instructing said Commandant to demand the defendants to pay the sum claimed, and in default thereof to seize their property in order to satisfy the sum claimed plus the cost of the proceedings.

On May 27, 1788, the Court granted the plaintiff's prayer.

The record is incomplete and the outcome of the case is not known.

#25(A)  
#10

File #2621 )  
May 27, 1788. )  
Judge: Estevan )  
Miro. )  
CC: P. Pedesclaux. )  
P. 1 to 5. )  
Spanish. )

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CASE OF  
SANTIAGO VINCENT  
VERSUS  
JACINTO BERNARD.

The record shows that the plaintiff brought action against the defendant to recover the sum of one thousand pesos in new Mexican silver currency, as the balance due on three negro slaves and one bush negress sold by plaintiff to defendant who promised to pay said balance in the month of March of 1788, as evidenced by the certified copy of a deed of sale and obligation duly presented. The plaintiff begged the Court to issue a writ of execution against the person and properties of the defendant in order to satisfy the sum claimed, plus interest and the costs of these proceedings.

The record, however, is incomplete and only shows that the Court issued the writ of execution against the person and properties of the defendant as petitioned by the plaintiff.

#22  
#10

File #107  
May 26, 1788.  
Judge: Esteban Miro.  
CC: R. Perdomo.  
P. 1 to 6.  
Spanish.

CASE OF  
DON CLAUDION TREME  
VERSUS  
ESTEBAN LALANNE.

Plaintiff, a resident of this City, petitioned the Court alleging that as evidenced by the promissory note presented, the defendant is indebted to petitioner in the sum of 252 pesos and also an unpaid account of 188 pesos, and that the defendant has refused to make payment on demand. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature affixing on said note presented and to declare whether he owes to petitioner the sums claimed.

The record shows that on May 28, 1788, the Court granted plaintiff's prayer.

The record shows that the plaintiff later petitioned the Court alleging that he had compromised with the defendant and therefore he begs the Court to dismiss the case and to order the defendant to pay the costs of these proceedings.

The record further shows that on Feb. 11, 1791, the Court granted the plaintiff's prayer.

The record is incomplete and the outcome of the case is not known.

#25(A)  
#10

File #2604.	)	PROCEEDINGS INSTITUTED
May 27, 1788.	)	BY FRANCISCO TOURNIE TO
Judge: Antonio	)	REGISTER A CERTAIN PRO-
Argote.	)	MISSORY NOTE IN THE OF-
CC: Pedro Pedesclaux	)	FICE OF THE COURT CLERK.
P. 2 to 3.	)	
<u>Spanish.</u>	)	

The record shows that Francisco Tournie, a resident of New Orleans, petitioned the Court alleging that it is convenient to petitioner's interest that the promissory note which he now presents be registered in the office of the Court Clerk, in the book used for that purpose. Wherefore, petitioner begged the Court to order the Court Clerk to register said promissory note as petitioned and then to return it to petitioner, for which he is ready to pay the required legal fees.

The record further shows that the Court granted Francisco Tournie's petition and that the Court Clerk registered the promissory note presented, which he then returned to petitioner.

#22

#10

File #110. )  
May 28, 1788. )  
Judge: Estevan )  
Miro. )  
Court Clerk: R. )  
Perdomo. )  
P. 1 to 10. )  
Spanish and )  
French. )

CASE OF  
CARLOS BUCHEN  
VERSUS  
MARCOS DE ARAGON.

The record shows that the plaintiff, a resident and merchant of New Orleans, instituted action for the purpose of returning to the defendant, a pilot in the packet-boat named "San Francisco de Paula", belonging to the King, a certain negress slave named Maria del Rosario. Plaintiff alleges that the defendant sold him said slave misrepresenting her as being in good health when as a matter of truth and fact said slave was sick, afflicted by a hernia and by regular expectoration or vomiting of blood, which injuries, said slave informed petitioner, she suffered as the result of several blows dealt her by her former mistress in the City of Havana, Cuba. Plaintiff in order to substantiate his allegations presented to the Court a certified copy of the deed by which he acquired the slave in question and a medical certificate from physician Josef Senac, who examined her. Plaintiff therefore begged the Court to order the defendant to take back said slave and to refund him the 300 pesos he paid for her.

The record further shows that after the defendant was notified of the plaintiff's suit and a translation was made of the medical certificate presented, which was written in French, the litigants came to a friendly agreement by which the defendant agreed to take back the slave in question and to return to the plaintiff the sum of 200 pesos in new Mexican silver currency, as the value of said slave, and the costs of these proceedings to be paid by the plaintiff. The defendant then petitioned the Court for a certified copy of the records of these proceedings to use at

(cont'd)

his convenience.

The Court then declared the case closed and ordered that an itemized statement of the costs of these proceedings be made, which amounted to 5 pesos. The Court also ordered the Court Clerk to issue the certified copy petitioned by the defendant.

#22  
#10

File #2379.  
May 28, 1788.  
Judge: Estevan  
Miro.  
CC: R. Pedesclaux.  
P. 1 to 61.  
Spanish.

DOCUMENT NO. 1806.  
BOX 51.

CERTIFIED COPY OF THE RECORDS OF  
THE PROCEEDINGS INSTITUTED BY PED-  
RO ARAGON Y VILLEGAS TO PREVENT  
COURT CLERK PEDRO PEDESCLAUX FROM  
AUTHORIZING ANY TRANSFER OF RAFAEL  
PERDOMO'S NOTARIAL COMMISSION ON  
ANY PERSON OTHER THAN VILLEGAS.

The record shows that Pedro Aragon y Villegas, a resident and merchant of New Orleans, brought action against Rafael Perdomo, a Notary Public of New Orleans, to compel him to comply with the terms of a contract by which Rafael Perdomo agreed to renounce his notarial commission in his favor. Rafael Perdomo answered the plaintiff's suit charging nullity of the contract on the ground that its terms are usurious. However, the record does not show the contract nor what sort of a judgment was rendered in the case by the Court of New Orleans, but it does show that the case was taken to the Superior Court of Appeals at the City of Havana, Cuba, on appeal by one of the litigants.

At this stage of the proceedings Pedro Pedesclaux took charge of the Clerkship of the New Orleans Court in place of Fernando Rodriguez. This fact prompted plaintiff Pedro Aragon y Villegas to file a petition to prevent the new Court Clerk from authorizing any proceedings tending to the transfer of Rafael Perdomo's notarial commission on any person until the Superior Court of Appeals renders a decision on the appeal of the principal suit pending before said Court. Plaintiff Villegas alleged that the new Court Clerk's lack of knowledge on the nature of the case might cause him to authorize said proceedings as defendant Rafael Perdomo had petitioned.

The record further shows that the Court dismissed Villegas' petition on the ground that the Court had no jurisdiction on the matter inasmuch as the case was now under the jurisdiction of the Superior Court of Appeals.

(cont'd)

(Doc. #1806)  
cont'd.

The plaintiff also appealed this decision and the case was sent to the same Superior Court. On this case the Superior Court decided that Rafael Perdomo's notarial Commission be deposited with Notary Public Carlos Jimenez until the decision of the main suit.

#22  
#10

File #2405. )  
May 31, 1788. )  
Judge: Gov. Miro. )  
CC: P. Pedesclaux. )  
P. 1 to 6. )  
Spanish. )

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CASE OF  
PEDRO BUIGAS  
VERSUS  
THE ESTATE OF  
MIGUEL LOPEZ.

The plaintiff brought action against the defendants to recover the value of two casks of liquor sold to the deceased Miguel Lopez.

The record shows that the plaintiff introduced as evidence a promissory note, wherein the deceased promised to pay 66 pesos for the two casks of liquor; said note was signed by two witnesses, Joseph Hernandez and Antonio Ramis; and that on plaintiff's petition said witness testified to the effect that said deceased died owing to plaintiff the sum claimed.

On June 16, 1788, the plaintiff alleging that as evidence by the witnesses testimonies, the deceased died indebted to him in the sum of 66 pesos, wherefore, he begs the Court to issue a warrant to the commander of the Post of Natchez, where the properties of the deceased are located, in order that from the succession of said deceased he be paid the sum claimed, plus interest and the costs of these proceedings.

The record shows that on June 17, 1788, Governor Estevan Miro, granted the plaintiff's prayer, and ordered that a warrant be issued to the Commandant of the Post of Natchez, so that from the funds of the Succession of Miguel Lopez the plaintiff be paid the sum claimed.

The record is incomplete and the outcome of this case is not known.

#25(A)  
#10

File #2591. 1788 }  
 May 31, 1778. }  
 Judge: Don E. }  
 Miro. }  
 Court Clerk: P. }  
 Pedesclaux. }  
 P. 1 to 9. }  
 Spanish. }

CASE OF  
 DON ARTURO ESTROTHER  
 VERSUS  
 THE SUCCESSION OF DON  
 DAVID HOLMS.

The plaintiff, a merchant of this City, through his Attorney, petitioned the court alleging that David Holms a former resident of Pensacola, died indebted to petitioner in the past due sum of 393 pesos for the value of a certain quantity of gun-powder, as evidenced by the simple obligation presented; that said debt has not been paid by the testamentary executor of the succession of said deceased; and that petitioner has been informed that one Don Benjamin Farar, a resident of New Orleans is holding some funds belonging to the succession of said deceased. Wherefore, petitioner begs the Court to order said Don Benjamin Farar, to pay the sum claimed from the funds he is holding belonging to the succession of said deceased.

The record shows that on June 5th, 1788, the Court ordered the plaintiff to present to the Court his evidence in order to justify his claim.

Then the plaintiff again petitioned the Court alleging that said Farar, has given the funds he was holding belonging to the succession of David Holms to one Don David Hoche, a resident of this city, and attorney for Don Josef Barres, testamentary executor of said deceased, and that said Hoche, promised petitioner to satisfy the sum claimed, but has failed to do so; and that said Hoche, intends to remit said funds back to Barres, in which case it will be difficult for petitioner to collect the sum claimed. Wherefore, petitioner begs the Court to order said Don David Hoche, to withhold said funds in his possession for the term of six months, in order to give time

(cont'd)

(Doc. #1808)  
cont'd.

for petitioner to justify his claim.

On Oct. 3, 1788, the court after having examined the document presented by the plaintiff granted the plaintiffs prayer.

Then Don Antonio Mendez, attorney for the plaintiff, petitioned the court alleging that having concluded this proceeding to order the cost of these proceedings to be estimated.

Then Don Luis Liotau, Judicial Appraiser, presented an itemized statement of the cost of these proceedings, which amounted to 8 pesos and 3 reales.

#23  
#10

File #2606 )  
June 2, 1788 )  
Judge: Antonio )  
Argote )  
Court Clerk: P. )  
Pedesclaux )  
Pages 1 to 3 )  
Spanish )

DOCUMENT NO. 1809  
BOX 51

PROCEEDINGS INSTITUTED BY FRANCISCO  
TOURNIER TO OBTAIN CERTIFIED COPIES  
OF THE TITLES THAT HIS BROTHER SANTI-  
AGO HAS ON CERTAIN LANDS.

The record shows that Francisco Tournier, a resident of New Orleans, petitioned the Court for a certified copy of the deed of sale by which his brother Santiago acquired the ownership of certain land from Francisco Devillier, in order that petitioner may fix the boundary lines of said land and fence it. Petitioner to prove his right to petition for said permit, presented to the Court a statement signed by his said brother authorizing petitioner to collect various sums due him.

The Court denied the above petition on the grounds that the statement presented did not empower petitioner to obtain a certified copy of the title to his brother's land.

The record further shows that Tournier petitioned again for the aforementioned certified copy, presenting a private power of attorney issued in his favor by his brother, and alleging that he needed said certified copy in order to prove his right to have the official surveyor measure the said land, to fix its boundary lines and fence it, so as not to cause any difficulties to the owners of the adjoining lands. Petitioner also asked to be returned the power of attorney presented.

The Court granted Francisco Tournier's petition in full.

#22  
#10

File #196. )

June 9, 1788. )

Judge: Juan )

del Postigo )

y Balderrama. )

CC: R. Perdomo. )

P. 1 to 22. )

Spanish. )

DOCUMENT NO. 1810.

BOX 51.

PROCEEDINGS INSTITUTED BY MAGDALENA  
BRACILIER FOR THE PURPOSE OF ANNULLING  
CLAUSES SEVEN, EIGHT NINE AND ELEVEN  
OF THE LAST WILL AND TESTAMENT OF  
HER DECEASED HUSBAND HENRIQUE DEPRES.

The record shows that Magdalena Bracilier, petitioned the Court to annul clauses seven, eight, nine and eleven of the last will and testament of her deceased husband Henrique Depres, alleging, that her separate and paraphernal funds consisting of inheritances, donations and payments that she has received, as evidenced by creditable documents amounted to thirty-nine thousand six hundred fifty two pesos and one real; and that at the present time her separate and paraphernal funds, plus the profits she made with the aid of her said deceased husband amounts to forty four thousand eight hundred ten pesos and five reales, said funds included the profit of five thousand one hundred eight pesos and and four reales, that said profits with the sum of one thousand one hundred pesos which is the value of a certain house that was not included in the inventory; constitute the community property; that the deceased in said clauses of his will bequeathed to certain heirs the sum of 22 thousand two hundred pesos, without her consent; the deceased stipulated in said clauses as his properties that he purchased with her separate and paraphernal funds. Wherefore, she begs the Court to consider the above facts and to order said clauses of said will to be annulled.

The record shows that the Court, after closely examining the records of these proceedings, with the approval of the testamentary executor and of the attorney for the absent heirs of said deceased, declared as null and void the clauses seven eight nine and eleven of said last will and testament and ordered the widow to deposit half of the community property in the hands of the general receiver which is the share corresponding to the heirs of said de-

(cont'd)

(Doc. #1810)  
cont'd.

ceased. The record shows that the widow failed to deposit said half of the community property as she contested the decision of the Court, alleging that the heirs of said deceased are not entitled to their share of said community property until after her death; the court upheld her contention.

The costs of these proceedings amounted to 33 pesos and 4 reales.

#24  
#10

File #2388. )  
June 9, 1788. )  
Judge: Don E. )  
Miro. )  
Court Clerk: )  
P. Pedesclaux. )  
Spanish. )  
P. 1 to 5. )

CASE OF  
DON PEDRO ARAGON Y VILLEGAS  
VERSUS  
DON F. RODRIGUEZ.

The plaintiff, petitioned the Court alleging, that the defendant is indebted to petitioner in the past due sum of 1546 pesos, as evidenced by the promissory note presented, and that the defendant has failed to make payment on demand. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature affixed on said note presented and to declare whether he owes the sum claimed.

On June 9, 1788, the Court granted the plaintiff's petition.

The record shows that the defendant under oath admitted the plaintiff's allegation.

Then the plaintiff petitioned the Court to issue a writ of execution against the properties of the defendant in order to satisfy the sum claimed plus interest and the cost of these proceedings.

On June 20, 1788, the Court after having examined the documents presented by the plaintiff granted the plaintiff's prayer.

The record is incomplete and the outcome of this case is not known.

#23  
#10

File #136.	)	
June 14, 1788.	)	
Judge: Estevan	)	SUCCESSION OF DON PEDRO CHABERT AND
Miro.	)	INVENTORY OF HIS PROPERTIES.
CC: R. Perdomo.	)	
P. 1 to 36.	)	
Spanish.	)	

The record shows that on June 13, 1788, the Honorary Judge of the Superior Court declared that he had been informed that Don Pedro Chabert, Captain of the Militia of the Royal Army has died, and after having consulted with the Governor of this Province he ordered the Court Clerk to go to the house of the deceased in order to proceed with the inventory of properties left by the deceased and to perform the necessary proceedings in accordance with the law for which task the Governor appointed said Honorary Judge.

The Court Clerk in compliance with the preceding decree went to the house of the widow of said deceased to solicit the keys of the safe of the deceased that said widow answered that she did not have any keys in the City as they were in the plantation.

The record further shows that Dona Carlota Lalande Dapremont, widow of said deceased, petitioned the Court alleging that as evidenced by the testimony presented before Don Rafael Perdomo, dated Apr. 16, 1786, wherein it shows that she is the sole heir of her said deceased husband and that there are several unpaid debts which the deceased neglected to list in his will, for which reason petitioner begs the Court to order an inventory and sale of the properties left by the deceased so that from the proceeds of said sale said debts be paid.

On June 7, the Court granted Dona Carlota Lalande Da-  
(cont'd)

premont's petition.

The record shows that the inventory was made and that the widow was placed in possession of the properties and that she bound herself to keep said properties at the disposition of the Court.

The record is incomplete and the outcome of this case is not known.

#25(A)  
#10

File #2404.	)	PROCEEDINGS INSTITUTED BY JUAN
June 18, 1788.	)	BAUTISTA BACA, TESTAMENTARY EX-
Judges: Josef	)	ECUTOR AND TRUSTEE APPOINTED BY
Foucher and	)	THE DECEASED BARTHOLOME MAGNON,
Rodulfo Josef	)	TO ANNUL ALL THE PROCEEDINGS PER-
Ducros.	)	FORMED IN THE SUCCESSION OF SAID
CC: P. Pedesclaux.	)	DECEASED.
P. 1 to 73.	)	
Spanish.	)	

The record shows that Juan Bautista Baca, a resident of New Orleans, instituted this action to annul all the proceedings performed in the succession of the deceased Bartholome Magnon, alleging that although petitioner was appointed by said deceased as the testamentary executor and trustee of his estate, Rafael Perdomo, former Court Clerk, illegally refused to give petitioner any information of the proceedings which were being performed in the succession of said deceased, disregarding petitioner's verbal requests to that effect. Petitioner further charged that several decrees appearing in those proceedings and which seem to have been issued with the advice of the Counsellor of War, are not authentic, and that from this irregularity it may be rightfully assumed that the proceedings in said succession were maliciously conducted by Court Clerk Rafael Perdomo. The record shows that the former charge was proved by a personal declaration of the Counsellor of War.

The record further shows that former Court Clerk Rafael Perdomo was made a party in these proceedings, and that before he answered Juan Bautista Baca's charges, he challenged one of the Judges, Antonio Argote, who was to hear this case with Judge Josef Foucher, at the request of Baca, on the grounds of no jurisdiction; this challenge was upheld and Judge Josef Foucher and Judge Rodulfo Josef Ducros jointly took jurisdiction on this case. However, former Court Clerk Rafael Perdomo, also challenged Judge Rodulfo Josef Ducros and Court Clerk Pedro Pedesclaux,

(cont'd)

the Court dismissing this challenge. Said Perdomo then filed an appeal to the Superior Court of the City of Havana, Cuba, but before the case was taken to said Superior Court, petitioner Juan Bautista Baca withdrew his charges alleging that the case was taking too long a course to the detriment of the heirs of the deceased Bartholome Magnon, and that his intention in filing said charges was not to cause any detriment to Perdomo's good reputation but only to exact from him the properties of said deceased in order to comply with his last will and testament.

The record shows that Rafael Perdomo accepted Juan Bautista Baca's withdrawal of his charges without making the countercharges which he had the right to file, stating that all he wished was to vindicate his honor and good reputation, and explaining that he withheld the funds of the Succession from Juan Bautista Baca in compliance with orders issued by Judge Pedro Chabert, deceased, before whom Bartholome Magnon's last will and testament was filed for probation and who declared that there were just reasons to prevent Baca from handling said funds.

The Court then, in consideration of the litigants' agreement, dismissed the case and ordered that the records thereof be kept in the secret files of the Court, not to be released without the proper and legal formalities, this measure being taken in order to avoid any misinterpretation of the case which may cause detriment to Rafael Perdomo's honor and good reputation.

The costs of these proceedings were paid by both litigants, each paying for the costs they had individually caused; the general costs being paid by both litigants in equal parts.

File #80. )  
June 26, 1788. )  
Judge: Estevan )  
Miro. )  
CC: R. Perdomo. )  
P. 1 to 7, )  
Spanish. )

CASE OF  
MANUEL DE LANZOS  
VERSUS  
PEDRO GONZALES DE LA GALEA Y VILLAMIL.

The plaintiff petitioned the Court alleging that as evidenced by the obligation duly presented, the defendant is indebted to petitioner in the sum of five hundred five pesos for a negro slave that petitioner sold to the defendant on Nov. 14, of the last year; that the defendant promised to pay said sum on the month of Apr. of the current year, and that the defendant has failed to make payment on demand. Wherefore, petitioner begs the Court to issue a writ of execution against the properties of the defendant in order to satisfy the sum claimed, plus interest and cost of these proceedings.

The record shows that the Court ordered as petitioned by the plaintiff and that said writ of execution was not enforced as the defendant paid the plaintiff his claim.

The cost of these proceedings amounted to 7 pesos and 3 reales, said costs were paid by the defendant.

File #88.  
June 28, 1788.  
Judge: Estevan  
Miro.  
Court Clerk: R.  
Perdomo.  
P. 1 to 8.  
Spanish.

CASE OF  
SANTIAGO MATHER  
AND ARTURO STROTHER, CO-  
PARTNERS,  
VERSUS  
MONSIEUR FILHIOL.

The record shows that the plaintiffs, co-partners with residence in New Orleans, brought action against the defendant, Captain of Militia and Commander of the District of Avoyelles, to recover the sum of 1544 pesos, balance due on a promissory note executed in petitioners' favor for the sum of 2545 pesos and five reales, which note petitioners presented as evidence of their claim.

The record further shows that in compliance with a Court order the defendant acknowledged the debt claimed by petitioners, and that the case was then settled out of Court, plaintiff Arturo Strother agreeing to pay for the costs of the proceedings, the amount of which the record fails to show.

#22

#10

File #41.	)	
July 8, 1788.	)	CASE OF
Judge: A. Argote.	)	ANTONIO MORALES, AS AGENT
Court Clerk: R.	)	OF HIS BROTHER, JUAN,
Perdomo.	)	VERSUS
P. 1 to 6.	)	LUIS ANTONIO BLANC AND HIS
Spanish.	)	WIFE, LUISA GAUVAIN BLANC.

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The plaintiff, a resident of New Orleans, as agent of his absent brother, Juan Bentura Morales, brought action against the defendants, also residents of New Orleans, to recover the sum of 2,200 pesos due on a mortgage of a certain parcel of land. Petitioner alleges that the defendants are not included among those exempted from being sued because of damages suffered in the fire which occurred in the City on March 21, 1788, and presents to the Court a certified copy of the deed of mortgage, as evidence of his claim. Petitioner then begs the Court to take cognizance of the certified copy presented and issue a writ of execution against the persons and properties of the defendants to satisfy the sum claimed, plus interest and the costs of these proceedings until the final payment of said sum.

The record, however, is incomplete and only shows that the Court took cognizance of the certified copy of the mortgage presented by the plaintiff and requested the records of the case in order to study them, and that the Court Clerk notified the plaintiff of the Court decree.

File #18.	)	
July 8, 1788.	)	
Judge: A. Argote.	)	
Court Clerk: R.	)	CASE OF
Perdomo.	)	BENITO ALONZO
P. 1 to 14.	)	VERSUS
Spanish.	)	PEDRO GONZALES DE LA GALEA Y
	)	VILLAMIL.

The record shows that the plaintiff, a resident of New Orleans, brought action against the defendant, also a resident of New Orleans, to recover the sum of seventy-five pesos and four reales on three promissory notes, which petitioner presented as evidence of his claim. The defendant, in compliance with a court order, appeared before the Court Clerk and under oath acknowledged the debt as claimed by the plaintiff.

The Court then, in view of the defendant's acknowledgement of the aforesaid debt and upon plaintiff's petition, issued a writ of execution against the properties of the defendant in order to satisfy the sum claimed, plus interest and the costs of these proceedings, said writ of execution having been levied on a house of the defendant.

The record further shows that said writ of execution was lifted on plaintiff's petition, because the attached house, the plaintiff alleged, was already under attachment in another suit filed against the defendant by Antonio Morales, and that it would cause the defendant undue expenses to add another attachment on said house for such a small claim as petitioner's; wherefore, petitioner asked the Court to place said attachment on a negro slave of the defendant.

The Court granted the above petition, but, before an attachment was made, the record shows that the defendant paid to the plaintiff fifty pesos on account, and that the Court denied a petition of the plaintiff to pay him the remainder of his claim, which amount-

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(Doc. #1817)  
cont'd.

ed to twenty five pesos and four reales, from the proceeds left from the sale of a negress of the defendant performed to satisfy the claim of Santiago Mas, another creditor of the defendant.

#22  
#10

File #78. )  
July 8, 1788. )  
Judge: Juan )  
Argote. )  
CC: R. Perdomo. )  
P. 1 to 15. )  
Spanish. )

CASE OF  
DON ANTONIO MORALES  
VERSUS  
DON PEDRO GONZALES DE LA Y VILLAMIL.

The plaintiff, a resident of this City, petitioned the Court alleging that as evidenced by the promissory note presented, the defendant is indebted to the petitioner in the past due sum of 100 pesos, and that the defendant has failed to make payment on demand. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature affixed on said promissory note presented and to declare under oath whether he owes the sum claimed.

On July 8th, the Court granted the plaintiff's prayer.

On Aug. 1st, the defendant admitted under oath the plaintiff's allegation.

Then the plaintiff petitioned the Court to issue a writ of execution against all the personal properties of the defendant in order to satisfy the sum claimed, plus interest and cost of the proceedings.

On Aug. 6th, the Court granted the plaintiff's prayer.

On Aug. 11, 1788, before the Court Clerk appeared Don Felipe Ravina, Lieutenant Chief Constable, and stated that in compliance with the proceeding decree he request-

(cont'd)

ed the defendant to pay the sum claimed to the plaintiff and that defendants refused to make payment, whereupon he seized the home belonging to the defendant Villamil.

The plaintiff then petitioned the Court to have the home of the defendant Villamil appraised, in order that it may be sold to satisfy the sum claimed.

Then the plaintiff further petitioned the Court alleging that he has been informed that the defendant had disposed of said property. Wherefore, petitioner begs the Court to order the defendant to satisfy the sum claimed, plus the interest and costs of these proceedings.

On Apr. 20, 1789, the Court granted the plaintiff's petition and condemned the defendant to pay for the cost of these proceedings which amounted to 20 pesos and 3 and 1/2 reales.

The record does not show whether the defendant did pay the plaintiff's claim.

#25(A)

#10

File #79. )  
July 8<sup>o</sup>, 1788. )  
Judge: A. )  
Argote. )  
CC: R. Perdomo. )  
P. 1 to 39. )  
Spanish. )

CASE OF  
ANTONIO MORALES, AS AGENT  
OF HIS ABSENT BROTHER,  
VERSUS  
PEDRO GONZALES DE LA GALEA Y VILLA-  
MIL.

The record shows that the plaintiff, a resident of New Orleans, as agent of his absent brother, Juan Ventura Morales, brought action against the defendant to recover the sum of 2,600 pesos, part of said sum as the value of three slaves and part as a loan made to the defendant to enable him to complete payment on a certain house of his ownership, which house the defendant mortgaged in favor of petitioner's principal to guarantee said loan and the value of the aforesaid slaves. Petitioner alleged that payment is due on said mortgage and that the defendant has failed to make payment. In order to substantiate his allegations, petitioner presented to the Court a certified copy of said mortgage. Wherefore, petitioner begged the Court to issue a writ of execution against the properties of the defendant in order to satisfy the sum claimed, plus interest and the costs of these proceedings until the final payment of said sum.

The record further shows that the Court issued the writ of execution petitioned by the plaintiff which was levied on the mortgaged house, and that said house was twice appraised by different appraisers in order that it be sold at public auction to satisfy the plaintiff's claim; said house was appraised the first time in the sum of 13000 pesos and then it was advertised for sale at public auction without any bidders having appeared; this fact prompted the plaintiff to petition for a second appraisal, alleging that the exorbitant  
(cont'd)

( Doc. #1819)

Box 51.

sum fixed as the value of said house prevented the people who were interested in purchasing it, from making any bids on it; this petition, although opposed by the defendant, was granted and the house was again appraised in the sum of 8500 pesos.

The record, however, shows that at this state of the proceedings petitioner's brother and principal, Juan Ventura Morales, arrived in the city and reached a satisfactory agreement with the defendant the terms of which were recorded in a public deed passed before the Court Clerk, but the record fails to show said deed.

The case was then closed and an itemized statement of the costs of these proceedings was made, amounting to the sum of 130 pesos and seven and one-half reales which was paid by the defendant as agreed.

#22

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DOCUMENT NO. 1820.  
BOX 51.

File #2385.	} PROCEEDINGS INSTITUTED BY DON PEDRO ARAGON TO OBTAIN CERTIFIED COPIES OF CERTAIN DOCUMENTS.
July 8, 1788.	
Judge: Estevan	
Miro.	
CC: Pedesclaux.	
P. 1 to 8.	
Spanish.	

Don Pedro Aragon Villegas, a resident of this City, petitioned the Court alleging that having loaned considerable sums of money to His Majesty for the upkeep of hospitals established in this city and warehouses as well as provisory tents for the expedition against Mobile and Pensacola from Sept. 1779 until July of the year 1781. The sum was paid to him in certificates of credit with a considerable loss of interest. Wherefore, petitioner begs the Court to order the General Accountancy of the Army to deliver him legal certified copies of said loans.

On July 11, 1788, the Court ordered to forward a copy of Don Pedro Aragon of Villegas certificate to the Auditor Assessor of the City.

The record shows that on Jan. 23, 1790, the Court examined the documents and then ordered the Court Clerk to deliver to Don Pedro Aragon y Villegas the certified legal copies that he had requested.

The record is incomplete and the outcome of the case is not known.

#25(A)  
#10

File #46.	)	
July 11, 1788.	)	
Judge: Estevan Miro.	)	PROCEEDINGS INSTITUTED BY FRANCISCO
CC: R. Perdomo.	)	MAYRONNE, OWNER OF THE BRIGANTINE
P. 1 to 20.	)	NAMED "LA JOVEN FELICIANA", FOR THE
Spanish and	)	PURPOSE OF PROVING THE FACT THAT
French.	)	BAD WEATHER FORCED SAID BRIGANTINE
	)	TO ARRIVE TO THE PORT OF MATANZAS
	)	AND THUS DELAY ITS TRIP TO THE PORT
	)	OF MARTINIQUE.

Francisco Mayronne, a resident and merchant of this City, and owner of the brigantine named "La Joven Feliciana", under the command of Captain Felipe Millot, petitioned the Court alleging, that as evidenced by the clearance duly presented, said brigantine sailed from this Port on Jan. 23, 1787, bounded for the port of Martinique, that said brigantine due to bad weather encountered on the high seas, on the night of February 16, of the same year, suffered considerable damages thus being necessary for said brigantine to make a force arrival in the Port of Matanzas to be repaired, that it is convenient for petitioner that said Captain and the crew of said brigantine declare under oath all of what happened on said night of Feb. 16, and to give the reason for the force arrival of said brigantine, how long she remained in said Port of Matanzas, and to specify all the repairs made to said brigantine. Wherefore, petitioner begs the Court to order as petitioned and to deliver to petitioner the original copy of the Captain's and crew's declarations given under oath so that petitioner may promote whatever action may be convenient.

The Court granted Don Francisco Mayronne's petition.

The record shows that the Captain and crew of said brigantine gave their testimonies under oath, stating that the reason why they made the force arrival in the Port of Matanzas was because of a storm, which damaged

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(Doc. #1821)  
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said brigantine, and that they remained in said port 36 days, which was the necessary time to repair said brigantine.

The Captain in compliance with the Court's order submitted an account of the repairs made on said brigantine, and said account was approved by the Insurance Company and the Court. The Court accepted as just the reason which compelled the Captain and crew of said brigantine to make a forced arrival in the Port of Matanzas.

The record further shows that said Francisco Mayronne, owner of said brigantine was ordered by the Court to pay the costs of these proceedings, giving him the privileges to sue the Insurance Company for said costs and for all damages suffered by said brigantine.

The costs of these proceedings amounted to 23 pesos and 4 reales.

#24  
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File #20. )  
July 12, 1788. )  
Judge: Estevan Miro. )  
Court Clerk: R. )  
Perdomo. )  
P. 1 to 2. )  
Spanish. )

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CASE OF  
BELTRAN GRAVIER  
VERSUS  
PEDRO CAMUS.

The record shows that the plaintiff, a resident of New Orleans, through his attorney, Antonio Mendez, brought action against the defendant, a resident of the Post of Natchez, to recover the sum of 848 pesos due on a promissory note which petitioner presented as evidence. Petitioner alleged that the defendant has failed to pay said note on maturity and has failed to inform petitioner of his intentions. Wherefore, petitioner begged the Court to forward a warrant to the Commandant of the Post of Natchez, instructing said Commandant to summon the defendant in order to establish the legitimacy of the plaintiff's claim and, once this has been done, to attach properties of the defendant in order to satisfy said claim and the costs of these proceedings, until the final payment of said claim. Petitioner further begged the Court to order the Commandant of the Post of Natchez to conduct all the necessary proceedings to obtain the payment of petitioner's claim with the person whom petitioner will appoint to represent him in said post.

The record further shows that the Court took cognizance of the promissory note presented and forwarded the warrant as petitioned by the plaintiff.

#22  
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File #99. )  
July 12, 1788. )  
P. 1 to 10. )  
Judge: Don E. )  
Miro. )  
CC: R. Perdomo. )  
Spanish. )

CASE OF  
DON ESTEVAN BAUDIN  
VERSUS  
DON NICOLAS CRISPIN.

The plaintiff, representing Don Alexandro Boudin, petitioned the Court alleging that as evidenced by the simple obligation presented, the defendant is indebted to petitioner for the past due sum of 109 pesos and 5 reales and that the defendant has refused to make payment on demand. Wherefore, petitioner begs the Court to order the defendant to acknowledge under oath his signature affixed on said obligation presented and to declare under oath whether he owes the sum claimed.

The record shows that on July 12, 1788, the Court granted the plaintiff's petition.

On July 9, 1788, the Court Clerk in compliance with the preceding decree went to the house of the defendant to receive his declaration. The defendant under oath admitted the plaintiff's claim.

Then the plaintiff petitioned the Court to issue a writ of execution against all the properties of the defendant <sup>order</sup> in order to satisfy the sum claimed.

On July 23, 1788, the Court after having examined the documents ordered as petitioned by the plaintiff.

On Aug. 5, 1788, Don Felipe Ranina, Lieutenant Chief Constable, appeared and stated: That in compliance with the preceding decree he requested the defendant to pay the plaintiff the sum claimed and as the

defendant failed to pay, he then seized the silver shoe buckles of the defendant's ownership.

The record shows that the defendant finally paid the plaintiff the sum claimed.

#23  
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The plaintiff, a resident of this city, brought an action against the defendant alleging that as evidenced by the promissory note presented, the defendant is indebted to the plaintiff in the sum of \$4 years and 100 cents, and that the defendant has refused to make payment thereon. Therefore, petitioner begs the Court to order the defendant to acknowledge under oath his indebtedness on said promissory note presented and to make thereon the sum claimed.

The record shows that on June 10th, the Court granted the plaintiff's prayer.

On July 10, 1788, the Court Clerk in compliance with the preceding decree, received the declaration of the defendant, who after having been sworn according to law, acknowledged his signature and admitted the plaintiff's claim.

The plaintiff then petitioned the Court to issue a writ of execution against the properties of the defendant in order to satisfy said debt, plus interest and the costs of these proceedings.

The record further shows that said writ of execution was not executed as the defendant paid the plaintiff's claim.

DOCUMENT NO. 1824.  
BOX 51.

File #22. )  
July 16, 1788. )  
Judge: Estevan )  
Miro. )  
CC: R. Perdomo. )  
P. 1 to 10. )  
Spanish. )

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CASE OF  
BENITO ALON  
VERSUS  
PEDRO MONTANO.

The plaintiff, a resident of this City, brought action against the defendant alleging that as evidenced by the promissory note presented, the defendant is indebted to petitioner in the past due sum of 54 pesos and four reales, and that the defendant has refused to make payment on demand. Wherefore, petitioner begs the Court to order the defendant to acknowledge under oath his signature affixed on said promissory note presented and to declare whether he owes the sum claimed.

The record shows that on June 10th, the Court granted the plaintiff's prayer.

On July 10, 1788, the Court Clerk in compliance with the preceding decree, received the declaration of the defendant, who after having been sworn according to law, acknowledged his signature and admitted the plaintiff's claim.

The plaintiff then petitioned the Court to issue a writ of execution against the properties of the defendant, in order to satisfy said claim, plus interest and the costs of these proceedings.

The record further shows that said writ of execution was not enforced as the defendant paid the plaintiff's claim.

#25(A)  
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File #23. )  
 July 16, 1788. )  
 Judge: Estevan )  
 Miro. )  
 CC: R. Perdomo. )  
 P. 1 to 13. )  
 Spanish and )  
 Catalanian. )

CASE OF  
 SEBASTIAN MAS  
 VERSUS  
 PEDRO MONTANE.

The record shows that the plaintiff, a resident of New Orleans, brought action against the defendant, a resident of St. Bernard Parish, to recover the sum of 314 pesos, value of certain merchandise sold to said defendant, as evidenced by the five notes duly presented. Plaintiff alleges that payment on said notes is past due, and that the defendant has failed to make payment on demand. Wherefore, the plaintiff begged the Court to order the defendant to declare under oath whether the signatures affixed to the five notes presented are his and whether he owes the sum claimed.

The Court summoned the defendant, who appeared before the Court Clerk and under oath acknowledged the debt as claimed by the plaintiff, but petitioned the Court to order the plaintiff to grant him a one-year extension of time in which to satisfy said debt so as to enable him to collect certain debts owed him by several persons and amounting to 500 pesos. The defendant also stated to the Court that in due time he will make certain declarations regarding the merchandise he received from the plaintiff.

The record shows that on plaintiff's petition, and disregarding the defendant's request for a one-year extension of time, the Court issued a writ of execution against the person and properties of the defendant in order to satisfy the sum claimed, plus interest and the costs of these proceedings. However, said writ of execution was not enforced since the defendant informed the

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Lieutenant Chief Constable that he had come to an agreement with the plaintiff.

The record further shows that there was a lapse of more than a year, after which the plaintiff filed a petition to have the Court dismiss the case on the ground that the defendant had paid in full, and to order an itemized statement of the costs of these proceedings.

The Court ordered as petitioned by the plaintiff, but the record does not show the costs of these proceedings.

#22  
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File #68. ) PROCEEDINGS INSTITUTED BY DON  
 July 16, 1788. ) FRANCISCO BOULIGNY, TO OBTAIN  
 Judge: E. Miro. ) AUTHORIZATION FROM THE COURT TO  
 CC: P. Perdomo. ) SELL A CERTAIN TRACT OF LAND OF  
 P. 1 to 3. ) HIS OWNERSHIP TO DON DANIEL CLARK.  
 Spanish. )

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Don Francisco Bouligny, Lieutenant Colonel of the Regiment of Infantry of Louisiana, brought this action alleging that he is the owner of 16 arpents of land acquired by a grant from Don Luis Unzaga on August 24, 1771 and also ten other arpents of land that he bought from Joseph Pauly; that he has sold said 26 arpents of land to Don Daniel Clark, and that the titles to said land were destroyed by the fire of March 21, of 1787. Wherefore, he begs the Court to authorize the Court Clerk to pass the act of sale of said land without producing the titles, as they were destroyed by said fire.

On July 16, 1788, the Court granted Don Francisco Bouligny's prayer.

#88

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File #2598.	)	
July 16, 1788.	)	
Judge: Don A.	)	PROCEEDINGS INSTITUTED BY JOSEPH
Argote.	)	SAUVAGE, FOR THE PURPOSE OF OBTAIN-
CCF Pedesclaux.	)	ING A PERMIT TO SELL A CERTAIN NEGRO
P. 1 to 3.	)	SLAVE OF HIS OWNERSHIP.
Spanish.	)	

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Don Josef Sauvage, a resident of this City, petitioned the Court for the purpose of obtaining a permit to sell a certain negro slave named Luis, that petitioner bought at the Post of Natchitoches, from Don Bartholome Campanela, and that petitioner did not obtain any receipt when he bought said slave and that petitioner desires to sell said slave. Wherefore, petitioner begs the Court to receive the declaration from said Don Bartholome Campanela, who will declare whether it is true that he sold said slave to petitioner, without given a written title.

On July 16, 1788, the Court ordered petitioner to prove his ownership of said slave.

On the same day Don Josef Sauvage presented Don Bartolome Campanel, who declared under oath, that it is true that he sold said negro slave named Luis to Don Josef Sauvage, without having issued him any document to prove the sale of said slave.

The record shows that on July 16, 1788, the Court granted to Josef Sauvage the permit to sell his slave, and ordered the Court Clerk, to estimate the costs of these proceedings, which amounted to 3 pesos and 3 reales. Said costs were paid by Sauvage.

#23  
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File #2387.  
July 21, 1788.  
Judge: Antonio  
Argote.  
CC: P. Pedesclaux.  
P. 1 to 3.  
Spanish.

PROCEEDINGS INSTITUTED BY  
) NARCISO ALVA, AS GENERAL AGENT  
) OF MARTIN NAVARRO, INTENDANT  
) OF THE ARMY, TO SECURE A PERMIT  
) TO SELL A NEGRO SLAVE OF THE  
) OWNERSHIP OF SAID NAVARRO.

The record shows that Narciso Alva, a resident and merchant of New Orleans, petitioned the Court alleging that he is the general agent of Martin Navarro, Intendant of the Army, who left in his possession a certain negro slave named Josef, 26 years old; that said Navarro acquired said slave from Olivero Pollock through a private sale, as it was the custom at that time; that petitioner now desires to sell said slave, wherefore, he begged the Court to admit him information to establish Navarro's title on said slave, and once this has been done, to grant petitioner the necessary permit to perform said sale.

The record further shows that Navarro's title on the slave in question was fully established through the information furnished by two witnesses, and that in view thereof the Court granted the permit petitioned by Narciso Alva.

The record does not show the costs of these proceedings.

#22  
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File #2609. )  
July 21, 1783. )  
Judge: Juan )  
Argote. )  
CC: Pedesclaux. )  
P. 1 to 5. )  
Spanish. )

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CASE OF  
JOSE CONSTANZO TASADIF  
VERSUS  
JUAN CASTELAIN AND JOSEF  
SUARER.

The plaintiff, a resident of this City, petitioned the Court alleging that as evidenced by the private contract presented, the defendants rented petitioner's schooner for the purpose of making a trip to the other side of the lake to buy a cargo of lime, agreeing to pay the rental of 2.50 pesos per day from the time of sailing until said schooner is returned to New Orleans; that the defendant also promised to deliver said boat in good condition; that the defendant anchored said schooner at the entrance of the Bayou two or three days where the waves pounding on its hull causing great damages to said schooner, and that the defendants refused to pay for the rent and damages done to said schooner. Wherefore petitioner begs the Court to compel the defendants to acknowledge their signature on the contract presented and to declare under oath whether they contracted said schooner as alleged.

On July 24, the Court granted the plaintiff's petition.

The record shows that on July 30th the defendants in compliance with the preceding decree, admitted the plaintiff's allegations, under oath.

The record is incomplete and the outcome of the case is not known.

#25(A)  
#10

File #45. )

July 24, 1788. )

Judge: E. Miro. )

CC: R. Perdomo. )

Spanish. )

P. 1 to 2. )

PROCEEDINGS INSTITUTED BY ESPIRITU LIOTAU AND JOSEPH ANGELIN FOR THE PURPOSE OF OBTAINING A PERMIT TO SELL THEIR BRIGANTINE NAMED "AMABLE CELESTE"

Espiritu Liotau and Joseph Angelin, residents of this City, instituted these proceedings alleging that they desire to sell their brigantine named "Amable Celeste" to Don Francisco de Alba for the sum of 4000 pesos in Mexican coin; that one Augustion Fabre, who is absent from this city, owns 1/3 interest on said brigantine; and that they are willing to be responsible for the sale of said brigantine. Wherefore, they begged the Court to order the Court Clerk to draw the act of sale of said brigantine.

The Court ordered as prayed for by Espiritu Liotau and Joseph Angelin.

#25(A)

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File #76. )  
 July 28, 1788. )  
 Judge: Estevan )  
 Miro. )  
 CC: R. Perdomo. )  
 P. 1 to 10. )  
 Spanish-French. )

PROCEEDINGS INSTITUTED BY PROSPERO PRIEUR, AS AGENT OF JUANA REINES, A RESIDENT OF MONTPELIER, WIDOW OF PEDRO FIDES, TO OBTAIN HER SHARE OF INHERITANCE OF THE ESTATE LEFT BY HER DECEASED SON, JOSEPH FIDES.

The record shows that Prospero Prieur, through his attorney, Antonio Mendez, as agent of Juana Reines, a resident of Montpelier, widow of Pedro Fides, instituted these proceedings for the purpose of obtaining for his principal her share of inheritance of the estate left by her deceased son, Josef Fides, a graduated Lieutenant Colonel of Dragoons, who died in New Orleans. To establish his capacity as agent of said Juana Reines, petitioner presented to the Court a power-of-attorney drawn at Montpelier in French, which was translated into Spanish by Estevan de Quinones on petitioner's request.

The petitioner then filed two petitions: One to obtain possession of the records of the inventories made of the estate of the deceased in order to examine them, and the other to have the Court again order Luis Liotau, Judicial Accountant, to make the partition of said estate between the deceased's wife, Elizabeth Duvenger, and his mother, petitioner's principal. Both petitions were granted, but the record does not show the partition and only shows an itemized statement of the costs of these proceedings which amounted to five pesos and seven reales.

#22

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File #2631. )  
July 29, 1788. )  
Judge: Estevan )  
Miro. )  
CC: P. Pedesclaux. )  
P. 1 to 179. )  
Spanish. )

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CASE OF  
JOSEPH ZAMORA, AS AGENT OF  
HIS BROTHER, PEDRO ANTONIO  
ZAMORA, A RESIDENT OF HAVANA,  
CUBA,  
VERSUS  
FRANCISCO DE SALES BADILLO.

The record shows that the plaintiff brought action against the defendant to recover the sum of 800 pesos in newly minted Mexican money which plaintiff's principal loaned to the defendant without interest and which loan the latter agreed to pay by shipping to the plaintiff's principal 800 cypress boards cut especially to make boxes to contain sugar; said shipment was to be made on April, 1788, the defendant having failed to comply with said agreement; the plaintiff then begged the Court to order the defendant to pay the sum of 800 pesos, representing said loan, plus the market value of said boards, as also the transportation risks and the expenses caused until the final payment of said claim.

On plaintiff's petition a writ of execution against the properties of the defendant was issued by the Court, and a negress slave and her son were attached, which properties were considered insufficient by the plaintiff who petitioned the Court to attach the sum of 2,000 pesos belonging to the defendant which was in the possession of Pedro Visoso, as a settlement of a certain litigation between the said Visoso and the defendant.

The record further shows that said sum was attached in spite of the fact that the defendant objected on the grounds that in accordance with a certain Royal Ordinance, suits filed against persons  
(cont'd)

(Doc. #1832)

cont'd.

involved in bankruptcy proceedings, as in the defendant's case, should be summarily heard and decided by the Intendants or their delegates, and not carried in the ordinary form which the plaintiff is now following. A long litigation ensued and the Court finally rendered judgment against the defendant, ordering that the plaintiff's claim of 800 pesos, plus the costs of these proceedings be paid from the 2000 pesos attached.

The defendant then appealed this decision and the case was sent to the Superior Court of Appeals of Havana, Cuba.

The record shows that the Superior Court of Appeals of Havana affirmed the judgment of the lower Court of New Orleans.

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File #2384.	)	PROCEEDINGS INSTITUTED BY PEDRO
July 30, 1788.	)	ARAGON Y VILLEGAS TO BE INFORMED
Judges: Estevan	)	OF THE PROCEEDINGS BEING CARRIED
Miro,	)	OUT IN A CERTAIN SUIT AND SIX
Joseph Foucher.	)	OTHER INCIDENTAL PROCEEDINGS IN-
CC: P. Pedesclaux.	)	STITUTED IN CONNECTION WITH THE
P. 1 to 10.	)	SUCCESSION OF BARTOLOME MAGNON,
Spanish.	)	TO BE GIVEN CERTIFIED COPIES THERE-
	)	OF, ETC.

The record shows that Pedro Aragon y Villegas, a resident and merchant of New Orleans, brought action in the Court of Governor Estevan Miro alleging that he has been informed that in the Court of Senior Judge Joseph Foucher, a certain suit and six incidental proceedings have been filed in connection with the succession of Bartolome Magnon of whose estate Juan Bautista Baca is testamentary executor, petitioner having previously filed criminal charges against Court Clerk Rafael Perdomo for the irregularities he committed in said succession; that it is convenient to petitioner's interest to be kept informed of all the proceedings that are being carried out in said suit and six incidental proceedings, to be given certified copies of the records thereof and to have the Court Clerk Pedro Pedesclaux place said records before Governor Miro's Court, previous appearance of petitioner to explain to the Court verbally the reasons for this petition. The record does not show whether the petitioner appeared to state his reasons, but from subsequent petitions he filed it may be understood that he desired to be made a party in said suit because of the pending charges he had filed against Court Clerk Rafael Perdomo. However, Governor Miro's Court denied his petition on the ground of no jurisdiction.

The petitioner then filed a similar petition in the Court of Senior Judge Joseph Foucher, who also denied it

File #11. ) PROCEEDINGS INSTITUTED BY ISAAC  
July 31, 1788. ) BUDD DUNN, AS AGENT OF JAMES WILKIN-  
Judge: Estevan ) SON, OF KENTUCKY, TO SELL A CERTAIN  
Miro. ) NEGRO SLAVE NAMED JESSE, OF AMERICAN  
CC: R. Perdomo. ) NATIONALITY, OWNED BY SAID WILKINSON.  
P. 1 to 5. )  
Spanish, English. )

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The record shows that Isaac Budd Dunn, a resident of New Orleans, petitioned the Court alleging that as evidenced by the document duly presented he has been appointed by Santiago Wilkinson, of Kentucky, as the latter's agent in this City to sell a certain negro slave named Jesse, of American nationality, owned by said Wilkinson as evidenced also by said document, and that inasmuch as said document does not authorize petitioner to sell said slave to Daniel Clark as petitioner has agreed to do, petitioner begged the Court to grant him the necessary permit to perform said sale and to order the Court Clerk to draw the proper deed of sale.

The Court ordered the translation into Spanish of the document presented by petitioner which was written in English. Said translation was made by Juan Josef Duforest, official translator, and in view thereof the Court issued the permit petitioned by Isaac Budd Dunn, who when the Court Clerk attempted to notify him of the Court's decision was found to have left the city.

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