

1790

Case of Vusino Durel, vs Guillermo Marre 5-4

Case of Juan Ventura Morales, vs Pedro Rousseau 5-4, 5

Proceedings instituted by Patricio Morgan, vs Col. Gilbert  
Antonio de St. Maxent 5-8

Cases for collection of debts. nothing of interest

DOCUMENT NO. 2491  
BOX 58

File #156	)	
May 4, 1790	)	PROCEEDINGS INSTITUTED BY
Judge: Postigo	)	PEDRO MORZU (INDIAN MESTEE)
C. C.: Perdomo	)	IN ORDER TO COMPEL THE HEIRS
Pages 1/9	)	OF THE DECEASED DON FRANCISCO
Spanish	)	CRUZAT TO GIVE HIM HIS FREEDOM.
	)	
	)	

Pedro Morzu (Indian Mestee), slave of the deceased Don Francisco Cruzat, petitioned the Court to order the Clerk to give him testimony of the information submitted at his request and that his brother, Bautista Bourguinon, in order to prove that he is a brother of the Indian Mestee, named Maria Paget, who is enjoying her freedom by virtue of a decree issued by the Court.

(No signature)

The Court granted the above petition.

(Signed) Postigo

Pedro Morzu and his brother, Bautista Bourguinon, further petitioned the Court to accept the information to be submitted by the witnesses in order to prove that they are natural sons of Catalina, natural Indian of the Chi tribe and mother of the mestee named Maria Paget, and requested a copy of this testimony. The petition was granted.

(Signed) Postigo

Therefore, the following witnesses Geronimo Credit, Augusto Teral and Pedro Degarre, under

DOCUMENT NO. 2491  
BOX 58

oath declared: that they know the petitioners to be the natural sons of the Indian woman named Catalina, mother of the mestee named Maria Paget, and they further declared that what they have stated is the truth under oath they have taken; giving their ages, respectively, as 28, 20 and 30, and they did not sign because they did not know how to write.

Pedro Morzu petitioned the Court again, declaring that he still remains a slave of the heirs of Don Francisco Cruzat who bought him from Carlos Charlesville about eight years ago and that he believes to have the laws of the Kingdom in his favor and to have submitted sufficient evidence to prove that he is the natural son of Catalina, Indian woman and brother of the mestee Maria Paget who is at present enjoying her freedom. In this virtue he pleads the Court to grant him his freedom.

(No signature)

The Court decreed that the evidence submitted be forwarded to the Curator of the heirs of Don Francisco Cruzat.

(Signed) Postigo.

Don Francisco Collell, Captain of Infantry of Louisiana and Curator of the heirs of the deceased Don Francisco Cruzat, appears before the Court and declares that in consideration of the information that Pedro Morzu has submitted and the evidence presented by his sister, Maria Paget, proving that she is a pure Indian, he has no objection to give the slave Pedro Morzu his freedom by permit of the Court.

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BOX 58

(Cont'd.)

(Signed) Francisco Collell

The Court granted the petition of Pedro Morzu ordering the issuance of a Letter of Freedom.

(Signed) Postigo.

" Rafael Perdomo  
(Clerk of Court)

The Court costs amounted to 9 pesos and 7 reales.

27(a)/J-

File #1789  
May 4, 1790  
Judge: Joseph  
Ortega  
C. C.: Pedro  
Pedesclaux  
PP. 1 to 8  
Spanish

CASE OF  
VUSINO DUREL  
VS.  
GUILLERMO MARRE

Plaintiff petitioned the Court, alleging that, as evidenced by the promissory note endorsed by Don Luis Touton Beuregard in his favor, Don Guillermo Marre was indebted to him in the sum of 680 pesos, and although he had requested said defendant on various occasions to settle the above debt, he had been unable to secure same.

Wherefore he begged the Court to obtain from the defendant customary oath and declaration stating whether or not he was indebted in the sum claimed by the plaintiff.

(Signed) Vusino Durel.

The Court granted the above petition.

(Signed) Ortega

The Clerk of Court declared that he had called on the defendant, and, after having questioned him about the signature affixed on the promissory note and its contents, he acknowledged his signature, but he denied owing the sum claimed by the plaintiff, because the said Beuregard owed the defendant a larger sum than the one claimed.

DOC. NO. 2492  
BOX 58  
(Cont'd.)

(Signed) G. Marre.

The Court ordered that the defendant must pay the said sum within three days, and, if not, to issue a writ of attachment against the person and properties of the defendant in order to satisfy the plaintiff's claim and the costs of Court.

(Signed) Ortega  
Pedro Pedesciaux

Plaintiff informs the Court that the defendant had paid him in full.

(Signed) Durel.

The Costs of Court amounted to 10 pesos, 6 reales to be paid by the defendant.

24(a)/J-

File #1803	)	PROCEEDINGS INSTITUTED BY
May 4, 1790	)	DON FELIPE DUCLOS LANGE
Judges: Estevan Miro	)	VS.
Baron de Carondelet	)	MR. DELAMORANDIERE
C.C: Pedro Pedesclaux	)	TO COLLECT A DEBT.
pp. 1-21	)	
Spanish	)	

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Exhibit Written in French:

Deed of sale with mortgage of two bush negro slaves, about 24 years old, sold by Sr. Alexandre Phelippe to Sr. de la Morardiere for the sum of 1,400 pesos payable with the monthly salary of purchaser from January to December, 1788, and the balance in February, 1789.

Opelousas, January 25, 1788.

(Signed) Nicolas Forstall  
 De la Morandiere  
 Phelippe  
 Scileau de la  
 Morandiere  
 Louis Veillon  
 Brunet

The plaintiff, a resident of Atakapas, petitions that the Court seize the salary of the defendant in order to pay for the 2 slaves covered by the above mortgage, and that they be seized and sold at auction.

(Signed) Felipe Duclos Lange

DOCUMENT #2493

The Court refuses to grant this petition, because said defendant is protected by a moratorium granted by his creditors.

(Signed) Estevan Miro  
Lic. Postigo  
P. Pedesclaux,  
Clerk of Court.

Plaintiff again petitions that Don Nicolas Forstall, Commander of Atakapas, now in New Orleans, declare if according to the terms of the moratorium, Lamorandier has to pay his creditors as follows: Half at the end of 1790, and the other half at the end of 1791, if these are the conditions specified, then he asks that the Court order the seizure and sale of the defendant's property.

(Signed) Felipe Guinault  
Felipe Duclos Lange

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As Don Nicolas Forstall declares affirmatively to the above questions, the Court sends instructions to Felipe Dedorlogne, provisional Commander of Atakapas, to seize defendant's property.

New Orleans, January 28, 1791.

On February 7, 1792, the plaintiff again petitions the Court to resume action on these proceedings that were suspended due to the moratorium granted

DOCUMENT #2493

to the defendant. As the wife of the defendant has pledged her dowry and paraphernal properties to obtain the moratorium of her husband's debts, the petitioner, a holder of a mortgage on the two slaves he sold to said defendant four years ago, wishes to collect under said guaranty and petitions the Court to order said la Morandiere and wife to appear in person and present accounts to the ~~commander~~ of the nearest post, and pay whatever sum is still due the plaintiff.

The Court grants the petition.

The document is incomplete, and the outcome of the case is unknown.

File #25 )  
May 5, 1790 )  
Judge: Estevan Miro )  
C.C: Rafael Perdomo )  
pp. 1-5 )  
Spanish )

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CASE OF  
DON JUAN VENTURA MORALES  
VS.  
DON PEDRO ROUSSEAU

Don Juan Ventura Morales, attorney and Testametary Executor of the succession of his Excellency Count of Galvez, petitions the Court alleging that as evidenced by the promissory note duly presented, Don Pedro Rousseau, Captain of the Army, was indebted to the said succession for the sum of 200 pesos, delivered to him by Don Estevan Miro, for account of the said succession, and that he has unsuccessfully tried to collect same. Wherefore, he begs the Court to order the defendant to declare under oath whether or not he owes said sum and whether the signature at the foot of the promissory note was his.

(Signed) Juan Ventura Morales

The Court grants the above petition.

(Signed) Miro  
Postigo

On the 6 of May, the Clerk of Court calls at the residence of Don Pedro Rousseau, to take his declaration under oath, and he acknowledges his signature but states that the 200 pesos in question was given to him in order to reward the crew of the ship on which her Excellency the Countess of Galvez went to Havana from New Orleans.

(Signed) P. Rousseau  
Rafael Perdomo

DOCUMENT #2494  
(CONT'D)

Don Juan Ventura Morales, informs the Court, that as the said Rousseau acknowledges having received the 200 pesos, wherefore he begs the Court to issue a writ of attachment against the property of the said Rousseau, until the statement made by him is proven.

(Signed) Juan Ventura Morales

The Court orders that the said Rousseau pay the 200 pesos withing four days, and if not to enforce the attachment against his property.

(Signed) Miro  
Postigo

The case ends here and the outcome is not known.

DOCUMENT NO. 2495  
BOX NO. 58

File No. 205)  
May 5, 1790 )  
Judge: Don )  
Estevan Miro )  
C.C: Rafael )  
Perdomo )  
pp. 1-45 )  
Spanish )

PROCEEDINGS INSTITUTED BY  
JUAN VENTURA MORALES  
VS.  
PEDRO ROUSSEAU  
TO COLLECT A DEBT.

Captain Pedro Rousseau owes Juan Ventura Morales 1,300 pesos and in the presence of Notary Public they both agree to transfer said credit to the Succession of the Count of Galvez because Morales owes 1,300 to said succession acting as agent of same he files suit against said Rousseau to obtain payment of the aforesaid sum, however as the defendant does not own any property against which seizure could be effected, the plaintiff informs the Court that one Josef Capuran of Natchitoches owes the defendant 1,134 pesos, and prays that a prohibitory injunction be issued against said amount.

(Signed) Juan Ventura Morales

Captain Josef Xavier de Pontalba to whom Rousseau also owed 1,134 pesos, presents a letter dated May 22, 1790, in which said Rousseau authorizes Capuran to pay that amount to Pontalba, therefore claiming preference, he makes opposition for said 1,134 pesos, but the plaintiff contends that a letter is a private document lacking legal requisites, it should be made before witnesses or a Notary Public, and for these obvious reasons the Court should

DOCUMENT NO. 2495

BOX 58  
(CONT'D)

reject the opposition.

In the meantime, Captain Pontalba who had received his claim against Rousseau from Messrs. Carlos Vivant & Co. returns said claim to them, the opposition is continued. Captain Francisco Collell appears in this case, endorses Capuran who claims that he had to return to Natchez on business, therefore he withdraws after paying 20 pesos for costs of Court.

(Signed) Josef Capuran  
Josef de Pontalba  
Vivant Duclot & Soulie  
Juan Ventura Morales

The plaintiff who ignores what transactions existed between Captain Pontalba, Vivant and Co., and Rousseau contests the aforesaid transfer of the claim, but Rousseau proves that Vivant & Co. were his original creditors.

Later, the plaintiff learns that Vivant & Co. have received from Rousseau a substantial part of the debt, he then makes a strong protest, alleging that Vivant & Co. by their failure of informing the Court had lost their claims to the opposition.

By order of the Court, Vivant & Co. and Rousseau depose, and admit that the latter had paid the former the sum of 775 pesos, both agree that the plaintiff was entitled to his claim, whereupon the Court ordered Captain Collell, as endorser of Capuran, to settle the sum of 1,134 pesos and Rousseau to pay the costs of these proceedings, which amounted to 30 pesos, 6 reales.

File #1820  
May 5, 1790  
Judge: Estevan  
Miro  
C. C.: Pedro  
Pedesclaux  
PP. 41 to 44  
Spanish

CASE OF  
BEJAMIN FARAR  
VS.  
JUAN BAUTISTA PORCHE.

NOTE.

Pedesclaux: certifies that pages 1 to 40 were detached from this document and forwarded together with the warrant issued to Don Valentin Le Blanc, Commander of False River and Point Coupee District.

Plaintiff, a resident of False River, petitioned the Court alleging that the defendant owed him a certain sum of money, as bondsman of Don Jaime Lecomte who had issued a promissory note in his favor, and that although the said defendant alleged that he did not sign the note as bondsman but only as a witness; plaintiff then presents several witnesses to testify that the defendant's statement was false, then he begged the Court to issue instructions to the Commander of said Post, in order to collect debt.

(Signed) Farar.

The Court granted the above petition and ordered the said Commander of False River to demand payment of same. The case ends here and the outcome is not known. The costs of court amounted to 53 pesos, to be paid by the said Farar.

File #2002 )  
May 5, 1790 )  
Judge: Estevan )  
Miro )  
C.C: Pedro )  
Pedesclaux )  
pp. 1 to 6 )  
Spanish )

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CASE OF  
SANTIAGO FIETCHER  
VS.  
JUAN BAUTISTA JOURDAIN.

Plaintiff, a resident of New Orleans, through his attorney, Felipe Guinault, petitions the Court, alleging that as evidenced by the promissory note he duly presents the defendant, a resident of New Orleans, is indebted to him for the sum of 1,288 pesos and 5 reales, and that although on various occasions he has requested payment, he failed to collect said debt. Therefore, he begs the Court to issue a writ of attachment against the person and properties of the defendant in order to satisfy his claim.

(Signed) Santiago Fletcher  
" Felipe Guinault

The Court granted the above petition.

(Signed) Estevan Miro  
" Postigo

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

File 1867	)	CASE OF
May 6, 1790	)	LUIS LALANDE DAPROMONT
Judges: Estevan	)	VS.
Miro and	)	FRANCISCO DUTELETT
Gov. Baron de	)	
Carondelet	)	
C.C.: Pedro	)	
Pedesclaux	)	
PP. 1 to 6	)	
Spanish	)	

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Plaintiff, a resident of New Orleans, through his Attorney, Felipe Guinault, petitions the Court, alleging that as evidenced by the Public deed he duly presents the defendant is indebted to him for the sum 480 pesos, and that although on various occasions he had requested payment, he failed to collect said debt. Therefore he begs the Court to issue a writ of attachment against his properties of the defendant in order to satisfy his claim.

(Signed) Lalande Dapromont  
" Felipe Guinault

The Court granted the above petition.

(Signed) Estevan Miro  
" Postigo

Plaintiff informs the Court that since the 7th of May, 1790, he had filed a suit against the defendant, for the sum of 480 pesos, he also states that the defendant promised to pay him out of Court, but that one year has elapsed and the defendant has not complied with his debt. Therefore he begs the

DOCUMENT NO. 2498  
BOX 58  
(Cont'd.)

Court to issue a writ of attachment against all the properties of the defendant.

(Signed) Lalande Dapromont.

The Court granted the petitioner's prayer.

(Signed) Carondelet  
Vidal.

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

24(a)/J

File 2010	)	
May 6, 1790	)	PROCEEDINGS INSTITUTED BY
Judge: Don Estevan	)	ESTEVAN DE VAUGINE
Miro	)	VS
C. C: P. Pedesclaux	)	JOSEF MARIA ARMANT
pp 1 - 16	)	
Spanish	)	
	)	
	)	
	)	

Through a petition of the plaintiff the property of the defendant residing in Natchitoches is seized and appraised at 800 pesos by Carlos de Blanc commander of said post.

Theresa le Gros, wife of the defendant, exercising the preferential rights granted to her by the law, buys her husband's property for 400 pesos, however as the plaintiff feels that his claim is not fully satisfied, he petitions the seizure of a negro slave belonging to the defendant, appraised in the inventory at 400 pesos, and demands that said slave be sold at public auction.

(Signed)

Estevan Vaugine

The Court grants the petition, and decrees that with the sale of the slave, the plaintiff would have no further claim against the defendant, that he must pay the expenses of the proceedings, and that he could appeal to a higher Court, but in so doing he should return the negro or his equivalent price to the defendant, and in order to guaranty for such eventuality he is to post a bond

(Signed) Estevan Miro  
Lic Postigo

DOC. #2499

BOX 58

(Cont'd)

Don Santiago Lemaire gives bond in favor of the plaintiff, and the negro slave is awarded to Santiago Livaudais for 300 pesos which were accepted as final settlement by the plaintiff.

The cost of Court amounting to 42 pesos is to be paid by the plaintiff.

File 232. )  
 May 8, 1790. )  
 Judge: Gov. Miro. )  
 C. C.: Perdomo. )  
 23 pp. )  
 Spanish. )

PROCEEDINGS INSTITUTED BY  
 DON PATRICIO MORGAN  
 VERSUS  
 COLONEL DON GILBERTO ANTONIO  
 DE ST. MAXENT

The plaintiff instituted proceedings to compel the defendant to pay him the sum of twenty five thousand pesos as balance due from a original obligation of fifty three thousand pesos submitting as an evidence a Public Deed with a mortgage, whereby the defendant is obligated to sell some of his properties during the present year in order to take care of the obligation of the month of January 1791.

Therefore, the plaintiff petitions the Court to compel the defendant to sell some of his properties in accordance with the stipulated terms of the agreement.

(Signed) Antonio Mendez

The Court grants the petition of the plaintiff and orders the defendant to begin to sell the property in compliance with the stipulations of the agreement.

(Signed) Miro - Postigo - Serrano

The defendant petitions the Court praying that the request of the plaintiff be disregarded giving as his main reason that there are no buyers at present in the Province, and that to dispose of his properties under the present circumstances would be in great detriment to his interests.

(Signed) Gilberto Antonio de  
 San Maxent

The plaintiff again prays the Court to enforce on the defendant his original request.

(Signed) Antonio Mendez

The plaintiff now prays the Court that since several days have elapsed and he has not received a reply from the defendant, to compel him to deliver such without further delay.

(Signed) Antonio Mendez

The defendant appears before the Court repeating his original declaration to the effect that even though he is willing to sell his properties (particularly those which are under mortgage, consisting chiefly of slaves) there are no buyer at present in this Province. Therefore, the plaintiff accepts the reasons advanced by the defendant under the specific condition that the latter can not dispose of the said slaves and further to renounce all his rights of ownership until he has paid him the twenty five thousand pesos which he owes him.

The plaintiff petitions the Court stating that the defendant has failed to pay him the sum of twenty five thousand pesos, past due since the month of January and requests that a writ of seizure be executed on the mortgaged properties.

(Signed) Antonio Mendez

The defendant petitions the Court for an extension of time, as he is about to leave for the City of Havana to collect the sum of thirty eight thousand pesos, evidence of which he duly

DOCUMENT 2500.  
BOX 58.

submits, and prays the Court to grant him the necessary time to collect said sum in order to pay his debt.

(Signed) Gilberto Antonio de San  
Maxent

The plaintiff prays the Court to disregard the request of the defendant, as the money involved in the City of Havana has no bearing on this case, and therefore, to execute the writ of seizure.

The Court grants the above petition and orders the defendant to pay the Court's costs, that amounts to 23 pesos and 2 reales.

(Signed) Miro - Serrano

File #1876 )  
May 10, 1790 )  
Judge: Estevan )  
Miro )  
C.C: Pedro )  
Pedesclaux )  
pp. 1-3 )  
Spanish and )  
French )

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CASE OF  
SANTIAGO LEMAIRE  
VS.  
SANTIAGO ROUSSEAU.

Plaintiff, a resident of New Orleans, petitioned the Court alleging that as evidenced by the promissory note duly presented, the defendant, a resident of Lafourche was indebted to him in the sum of 300 Mexican pesos and 100 pesos in current coin, wherefore he begged the Court to issue orders to the Commander of said Post, Don Luis Judice, to ask the defendant to appear before him and declare whether he owed the sum claimed by the plaintiff, and to acknowledge his signature, and if so to issue a writ of attachment against his property of the defendant in order to satisfy his claim and costs of Court.

(Signed) Santiago Lemaire

The Court granted the above petition.

(Signed) Miro  
" Postigo

The promissory note shows:

I, Jacques Rousseau, before witnesses, promise to pay next April to the order of Mr. Peytavin, the

DOCUMENT #2501  
(Cont'd)

sum of 300 Mexican pesos and 100 pesos in current coin within one year after July. Value of a negro slave.

Acadians, April, 1787.

(Signed) Jacques Rousseau

Pay to the order of Etienne Pedesclaux.  
New Orleans, Nov. 9, 1789.

Antonio Peytavin

Pay to the order of Jacques Lemaire.  
New Orleans, March 1, 1790.

Estevan  
Pedesclaux

The case ends here and the outcome of it is not known.

24(a)  
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File 2000. )  
 May 10-1790. )  
 Judge: Lic. Josef )  
 de Ortega. )  
 C. C.: P. )  
 Pedesclaux. )  
 42 pp. )  
 Spanish. )

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PROCEEDINGS INSTITUTED BY  
 JOSEF TORT  
 VS.  
 THE SUCCESSION OF ROBERTO SCAIRE

(To collect a debt.)

The plaintiff petitions the Court, requesting that the widow Scaire declares whether it is true that her late husband owes him the sum of 131 pesos for groceries bought on credit.

(Signed) Josef Tort.

The defendant declares that she has knowledge of her husband's debt, but ignores the exact amount.

(Signed) Pedro Pedesclaux.

The Plaintiff upon learning of the death of the widow Scaire, petitions the Court that the Testamentary executor of the Scaire Succession pay his claim.

(Signed) Josef Tort.

Santiago Felipe Guinault, curator of the Scaire minor children recommends payment of the plaintiff's credit.

(Signed) Felipe Guinault.

DOCUMENT 2502  
BOX 58

The Court refuses to approve payment of debt until plaintiff produces concrete evidence of his claim.

(Signed) Licdo. Ortega  
Juan Ventura Morales

The plaintiff requests the Court to accept the declaration of three witnesses.

(Signed) Josef Tort.

Carlos Corisco, Miguel Gandia, and Bonifacio Escoto declare that the plaintiff's claim is legitimate.

(Signed) Bonifacio Escoto  
Pedro Pedesclaux  
Clerk of Court.

The Court declares the evidence satisfactory and orders the Succession to pay immediately the plaintiff's claim.

(Signed) Lic. Josef de Ortega  
Juan Ventura Morales.

The testamentary executor answers that the succession has no funds with which to pay the plaintiff as he has only credits, a house, and one slave who takes care of the minors.

(Signed) Antonio Mendez  
Anthony Bennett.

The plaintiff refuses to accept any credits

due the succession as he considers them doubtful or unsatisfactory, therefore he petitions that he be given a bush negress slave who in the inventory of the succession is appraised at 150 pesos.

(Signed) Josef Tort.

The testamentary executor objects to give the negress slave to the plaintiff because since the inventory was taken she has become more valuable, having been trained for household duties and also for having given birth to a child, in order then to give her the value she has acquired she would have to be appraised again.

(Signed) Antonio Mendez.  
Anthony Bennett.

The negress slave and her child are estimated at 420 pesos, by Antonio Boudousquie, public appraiser, they are advertised for sale, and latter purchased by G. Peyroux for 300 pesos, with which the plaintiff, defendant and 23 pesos of costs of Court are paid.

(Signed) Antonio Boudousquie  
G. Peyroux  
Juan Ventura Morales  
Anthony Bennett  
P. Pedesclaux  
Clerk of Court.

## DOCUMENT 2503.

BOX 58.

File 1866. )  
 May 12, 1790. )  
 Judge: Lic.J. )  
 Ortega. )  
 C.C.: )  
 P. Pedesclaux. )  
 50 pp. )  
 Spanish. )

PEDRO LAMBERT

VS.

JOHN MACKEY

(To collect a debt.)

On June 5, 1789, plaintiff by a deed of sale with mortgage disposes of a house and a lot measuring 45 x 50 feet located on Dauphine St. for the sum of 2000 pesos, payable in four installments.

(Signed) Pedro Pedesclaux  
 Clerk of Court.

As the defendant has met half of said installments, the plaintiff through his attorney Antonio Mendez, is trying to collect the other half, or 1000 pesos, and petitions the Court to issue a writ of execution against the above property.

(Signed) Antonio Mendez

The above petition is granted by the Court.

(Signed) Lic<sup>do</sup> Josef de Ortega

The plaintiff in his second petition, informs the Court that the defendant has moved into another house where he is paying a rent of 35 pesos per month. He suggests that it would be to the advantage of said defendant to keep his former house and pay the balance due on it by delivering to him a negress slave and her three children, as defendant would possibly save fur-

DOCUMENT 2503  
BOX 58

ther judicial proceedings against himself in case the sale of said house fails to cover the whole claim and expenses thereof, inasmuch as real estate property is at a very low price at the present time.

(Signed) Antonio Mendez

In answer to above proposition, defendant states that he prefers to keep his slave and give up his house, he then offers plaintiff reliable notes, should his claim happen to be partially compensated.

(Signed) John Mackey

The plaintiff petitions the Court to fore-close and orders the appraisal of the mortgaged house.

(Signed) Antonio Mendez

By order of the Court two appraisers are appointed. Adrian de la Place, and Vicente Fangui who appraise the house at 1800 pesos.

(Signed) Adrien de la Place  
Vicente Fangui  
Pedro Pedesclaux  
Joseph de Ortega  
Clerk of Court

The Court orders that the house be advertised for sale the cost of Court to be paid by the defendant and as no results follow the plaintiff again petitions the Court for seizure of property.

(Signed) Luis Lioteau  
A. Mendez - Att.  
P. Pedesclaux  
C. Clerk

The plaintiff alleges that the house has been appraised above its value therefore could not be disposed of he prays the Court to appoint more competent appraisers.

(Signed) An. Mendez.

The defendant objects to a revised estimation of the house, on the grounds that if the new appraisers make a lower estimate it will jeopardize his interests because if the proceeds of the sale of said house fail to satisfy the plaintiff he will then petition for further seizure.

(Signed) John Mackey  
" Felipe Guinault

The Court overrules the defendant's objection and orders that other appraisers give an estimate of said house.

(Signed) Lic. Josef de Ortega  
" Juan Ventura Morales  
" Pedro Pedesclaux  
Clerk of Court

Josef Fernandez, Robert Jones, and Josef Dugus appraise said house at 1,200 and 1,000 pesos respectively.

(Signed) Joseph Fernandez  
" Robt. Jones  
" Joseph Dugus  
" Pedro Pedesclaux  
Clerk of Court

The house is finally sold at auction to Andres Fernandez for 825 pesos, and both plaintiff and defendant are satisfied with the results, the cost of Court amounting to 73 pesos, 6 reales payable

by plaintiff.

(Signed) Andres Fernandez  
" Antonio Mendez  
" John Mackey  
" Juan Ventura Morales  
" Lic. Ortega  
" Pedro Pedesclaux  
Clerk of Court.

File #152 )  
May 14, 1790 )  
Judge: Estevan )  
Miro )  
C.C: Rafael )  
Perdomo )  
pp. 1 - 4 )  
Spanish )

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CASE OF  
DON PEDRO AUBRY  
VS.  
A FREE NEGRESS NAMED URSULA

Plaintiff, merchant and resident of New Orleans, petitioned the Court, alleging that as evidenced by the promissory note duly presented, the free Negress named Ursula, a resident of Pensacola, is indebted to him in the past due sum of 134 pesos, and although he had requested its payment to said free Negress, he had failed to do so. Wherefore, he begged the Court to issue instructions to the Governor of said Post of Pensacola, to have the said free negress depose whether she owes said sum and if so, to demand payment of said debt.

(Signed) P. Aubry

The Court granted the above petition and ordered that Don Antonio O'Neill, Governor of Pensacola, ask said Negress, to appear before him and declare whether she owed the sum claimed by the petitioner.

(Signed) Miro  
Postigo

The case ends here and the outcome of it is not known.

The cost of the proceedings amounted to 6 pesos 6 reales.

May 14, 1790 )  
Judge: Estevan )  
Miro )  
C.C: Rafael )  
Perdomo )  
pp. 1 to 5 )  
Spanish )

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CASE OF  
DON PEDRO CARLOS PEYROUX  
VS.  
DON GABRIEL PEYROUX  
(HIS BROTHER)

EXHIBIT:

I declare to owe Mr. Peyroux my father, the sum of 700 livres which I promise to return on demand.

Nantes October 16 - 1773

G. Peyroux Jr.

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I declare that Pierre Peyroux our eldest son has loaned us 722 livres which we will return to him as soon as possible.

Nantes June 2, 1782.

C. Peyroux

Plaintiff, a resident of New Orleans petitioned the Court alleging that as evidenced by the promissory notes duly presented, the defendant his brother was indebted to him in the sum of 140 pesos, and although he had requested said

defendant on various occasions, to settle the above debt, he had been unable to secure same. Wherefore he begged the Court to obtain from the defendant the customary oath and declaration stating whether or not he was indebted in the sum claimed by the plaintiff.

The Court granted the above petition.

The Clerk of Court declared that he had called on the defendant and after having questioned him about the signature affixed on the promissory note and its contents, he acknowledged his signature but he stated that he did not owe the sum in question to his brother, but to the succession of his Father.

(Signed) G. Peyroux  
Juan Joseph Duforest

Wherefore; he begged the Court to issue a writ of attachment against the person and property of the defendant in order to satisfy his claim and the Costs of Court.

(Signed) Pierre Charle Peyroux

The Court granted the above petition.

(Signed) Miro  
Postigo

The case ends here and the outcome of it is not known.

DOCUMENT 2506  
BOX 58

File 1728. )  
May 18, 1790. )  
Judge: )  
Estevan Miro. )  
C. C.: Pedro )  
Pedesclaux )  
14 pp. )  
Spanish )

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CASE OF  
DON ALEXANDRO BAUDIN  
VS.  
DON JUAN BTA. NICOLET

Plaintiff, a resident of New Orleans, through his attorney Don Felipe Guinault, petitioned the Court alleging that as evidenced by the Public Sale duly presented, the defendant, a resident of Punta Cortada, at present in the City, was indebted to him in the sum of 1,401 pesos Mexican coin, for four negro slaves, and although he had requested said defendant on various occasions, to settle the above debt, he had been unable to secure same. Wherefore, he begged the Court to issue a writ of attachment against the person and properties of the defendant in order to satisfy his claim and the costs of Court.

(Signed) Felipe Guinault  
Alexandro.

The Court granted the above petition.

(Signed) Miro  
Postigo

On May 20, 1790, the deputy sheriff, Joseph Valle, informed the Court that he had called on the

DOCUMENT 2506  
BOX 58

defendant in order to collect the sum of 1,401 pesos Mexican coin, and was informed by said defendant, that he has sufficient money to pay said claim, which money is in the care of Don Pablo Segond, but regardless of the above fact the deputy sheriff seized the defendant's property.

(Signed) Joseph Valler  
Pedro Pedesclaux

Don Pablo Segond, informed the Court, that he had at the deposition of the Court the said 1,401 pesos.

(Signed) Roul Segond Jr.  
Pedro Pedesclaux

The Court ordered that said Pablo Segond return the sum he has mortgage against the defendant.

(Signed) Miro  
Postigo

The Clerk of Court informs the Court that the defendant has already settled his indebtedness outside of Court, and begged the Court to authorize Don Louis Liotau to appraise the costs of Court.

(Signed) Pedro Pedesclaux

The cost of the proceedings amounted to 14 pesos 3 reales to be paid by the defendant.

DOCUMENT 2507.

BOX 58.

File 1847.	)	
May 20, 1790.	)	SANTIAGO FELIPE GUINAULT
Judge: Josef Ortega.	)	VS.
C. C.: P. Pedesclaux.	)	JOSEF TAUZIN
16 pp.	)	
Spanish	)	
	)	(To collect a debt)

---

The defendant petitions the Court to seize a certain credit the defendant has in deposit in the Treasury, to cover the past due sum of 164 pesos as evidenced by a promissory note signed by said defendant which signature he is asked to identify.

Signed - Felipe Guinault.

The defendant admits that the signature appended at the foot of the aforesaid note is his, and that he owes the amount therein stated.

Signed - Tauzin.

The Court orders the defendant to settle plaintiff's claim within three days, failure to comply this decree will cause the seizure of his credit amounting to 115 pesos deposited in the Treasury for delivery of tobacco to the Government.

Signed - Lic. Ortega.

The defendant having failed to pay within

DOCUMENT 2507

BOX 58

the limit prescribed by the Court, the plaintiff petitions that the Court orders the Treasury to release the credit of 115 pesos belonging to said defendant.

Signed - Felipe Guinault.

The Court in compliance with the proceeding petition requests the depository General to give the plaintiff 115 pesos held in the Treasury, and orders that from said amount he deducts 24 pesos 5 reales amount for the cost of Court.

Signed - Lic. Josef Ortega.

DOCUMENT 2508.  
BOX 58.

File 1858. )  
May 21, 1790.)  
Judge: Joseph )  
Ortega. )  
C. C.: Pedro )  
Pedesclaux. )  
9 pp. )  
Spanish and )  
French. )

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PROCEEDINGS INSTITUTED BY  
DON SANTIAGO HOLLIER  
IN ORDER TO OBTAIN A  
PERMIT TO SELL FIVE NEGROES

Translation of the 5 promissory notes written in French.

Received from Mr. Olier the sum of 2,500 livres  
for a slave named Remy that I sold to him.

St. Pierre, Martinique, January 12, 1790.

(Signed) Pupier.

I certify to have sold and delivered to Mr.  
Jacques Hollier, a slave called Jacques, from  
Guadeloupe, for the price of 21 moedes, that he has  
paid cash.

St. Pierre, Martinique, January 22, 1797.

(Signed) Benoit.

St. Pierre, Martinique, March 3, 1790.

I certify to have received from Mr. Jacques  
Hollier, 36 silver pounds in currency of Connecticut,  
value of a 12 year old negro called York.

(Signed) Williams Stirto

DOCUMENT 2508.

BOX 58.

I certify to have sold my negress named Francoise, to Mr. Jacques Hollier, for the sum of 1,300 livres cash.

St. Pierre, Martinique, Jan. 22, 1790.

(Signed) M. Corne.

I certify to have sold and delivered to Mr. Haully my mulatto named Seraphin for the price of 38 moedes cash.

St. Pierre, January 15, 1790.

(Signed) Le Baron de l'Estang.  
Captain of the Army, at Martinique.

Plaintiff, resident of New Orleans, petitions the Court, alleging that as evidenced by the five promissory notes he duly presents, he had purchased at Martunica (Martinique) five slaves which he brought to New Orleans on board the Brigantines named El Guipuzcuano and La Amable Feliciana, the Masters of which were Don Estevan Pedes Jaux and Don N. Milot, respectively, both residents of said Post. Wherefore in order to sell the said slave and prove his rightful ownership, he offered to submit depositions of witnesses who were to testify to that effect.

(Signed) Jacques Hollier

The Court granted petitioner's prayer and ordered him to present his Witnesses, in compliance with which order Don Joseph Songy, age 21, years, and Don Manuel Francisco Gallando age 19, appeared and under oath declared that the said negro slaves belonged to the petitioner.

(Signed) Songy  
Manuel Francisco Gallando  
Pedro Pedesclaux.

DOCUMENT 2508.  
BOX 58.

The Court, after having examined the records of the proceedings granted the petitioner's prayer and decreed that he was permitted to sell his slaves.

(Signed) Attorney Joseph de Ortega

The Court ordered Don Louis Liotau to appraise the costs of Court and that same be paid by the petitioner.

(Signed) Luis Liotau  
Pedro Pedesclaux.

The costs of Court amounted to 4 pesos, 6 reales.

File 1990. )  
May 22, 1790. )  
Judge: Estevan )  
Miro. )  
C. C.: Pedro )  
Pedesclaux. )  
3 pp. )  
Spanish and )  
French. )

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CASE OF  
DON PEDRO SAURE  
VS.  
ST. MARTIN

Pedro Saure, as executor of the Estate of Pedro Bidou Herbert, petitioned the Court alleging that as evidenced by the promissory note duly presented, St. Martin was indebted to the succession of Bidou in the sum of 1228 pesos, and although he had requested said St. Martin on various occasions, to settle the above debt, he had been unable to secure same.

Wherefore, he begged the Court to obtain from the defendant the customary oath and declaration stating whether or not he was indebted in the sum claimed by the executor of the succession, he also stated that said declaration be released to the executor of the succession, for further proceedings.

(Signed) Vicente Gonzales.

The Court granted the above petition.

(Signed) Miro  
Postigo

The Clerk of Court declared that he had called on the said St. Martin, but that he could not be found in New Orleans.

(Signed) Pedro Pedesclaux

The case ends here and the costs of Court, paid by the plaintiff, amounted to 2 peso, 1 real.

DOCUMENT 2510

File 1761, previously dated May 26, 1790  
should be dated July 5, 1790.

Proceedings instituted by Juan Caraballo to establish  
the ownership of two slaves.

DOCUMENT 2510.  
BOX 58.

The Court orders that the Commander of Fort Appalache question the Indian Inlitkie, and Alzar about the sale and ownership of the negress and her child, and ordered that said slaves be placed under the care of the Depository General.

(Signed) Estevan Miro  
Ldo. Postigo  
Pedro Pedesclaux

In the meantime Juan Bta. Cors introduces in Court letters and certificates from Alzar, Josef Monroy, Commander of fort Apalache and from Panzacola, to prove that he is the rightful owner of the negress slave and her son, and petitions the Court to return him said slaves and allow him to sell them.

(Signed) Rafael Cors  
Antonio Mendez.

The Court releases the two slaves to Cors but orders him not to dispose of them until the documents from fort Apalache arrive.

(Signed) Estevan Miro  
Ldo. Serrano.

Caraballo through his attorney presents to the Court several depositions including one from the Indian Inlitke by which he declares that he ignores what arrangements existed between the petitioner and Alzar, he declares that he was paid by Caraballo who still owed him a small balance on the two slaves he sold him, and that Alzar had tried to convince the deponent to kill said petitioner, therefore with such proofs Caraballo asks the Court to declare him owner of the slaves in question.

(Signed) Pedro Olivier

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Alzar then gives a questionnaire to the Court and requests that several witnesses located in different localities answer it accordingly.

Five witnesses acknowledged knowing both litigants, and declare that they never knew Caraballo to own property, that Alzar used to help said Caraballo but were not business partners, that Alzar had delivered to Caraballo a negress and her child to sell them among the Indians, but that Caraballo had taken them to Mobile to dispose of them as his own but was prevented by Cors who in the meantime had purchased them from Alzar for 350 pesos. Finally that one Bertucat who succeeded the Commander at fort Apalache at the time of all the above developments was the enemy of Alzar and on friendly terms with Caraballo.

(Signed) Josef Vidal  
Josef Barriales  
Manuel de Gayoso de Lemos  
Juan Girault  
Ramon Aras.

In presenting the evidence, Alzar explains that the two slaves belong rightfully to him, that Caraballo is trying to appropriate them and only the opportune arrival of Cors at Mobile had prevented his disposing of them, as the witnesses had testified.

Finally if Caraballo had been the true owner of said slaves why did he go to Mobile to sell them when he could have easily disposed of them at fort Apalache?

Alzar closes asking the Court to appoint experts to pass upon the authenticity of the marks made by the Indian Inlitke.

(Signed) Alzar  
Fco. de Sales Badillo.

DOCUMENT 2510.  
BOX 58.

In the meantime Alzar arrives in New Orleans and informs the Court that in order to free Cors of this litigation, he is willing to reimburse him the value of the two slaves in order that he, Alzar may proceed with the case as rightful owner of said slaves, and asks the Court to accept evidence.

(Signed) Rafael Cors  
Fernando Alzar

The Court grants the petition and allows a certain period in which both litigants should present whatever evidence they may deem necessary.

(Signed) Carondelet  
Vidal  
Pedro Pedesolaux  
Clerk of Court

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Caraballo through his attorney petitions the Court to order that a deposition be taken from several witnesses in fort Apalache including the Indian Inlitke.

(Signed) Manuel de Justis  
Calvo.

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On receiving the order from the Court the Commander of Fort Apalache declares that the majority of the witnesses who were in said fort when Caraballo and Alzar began to have difficulties, were no longer there, the Commander declares that there was no one who could identify the signatures on some documents that Caraballo wanted as evidence.

(Signed) Diego de Vega.

DOCUMENT 2510.  
BOX 58

By appointment of the Court, Pedro Pedesclaux, and Carlos Ximenez compare the two original marks made by the Indian Inlitke and declare that they belong to two different persons.

(Signed) Carlos Ximenez  
Pedro Pedesclaux

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On February 13, 1798, after eight years of litigation which went through the jurisdiction of three different governors, the Court pronounced Alzar rightful owner of the negress slave and her child, and ordered that Caraballo pay 128 pesos of Court costs, Alzar 118 pesos, and besides that both litigants equally share the expenses of 88 pesos.

(Signed) Manuel Gayoso de Lemos  
Manuel Serrano  
Pedro Pedesclaux  
Clerk of Court.

---

Caraballo appeals the case because he objects to the payment of the costs of Court.

The Court grants the appeal, warning Caraballo that if after four months beginning with the sailing of the first ship to Havana the Court there fails to accept the case, the sentence shall become effective.

(Signed) Manuel Gayoso de Lemos  
Manuel Serrano  
Pedro Pedesclaux  
Clerk of Court.

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DOCUMENT 2511  
BOX 58

File 220. )  
Judge: Estevan )  
Miro. )  
C. C.: Rafael )  
Perdomo. )  
10 pages. )  
Spanish )

CASE OF  
JAIIME BORRELL  
VS  
BALDIRO TOMAS

Plaintiff, a resident of New Orleans, petitioned the Court alleging that as evidenced by the promissory note, the defendant Custodian of the Royal Revenues of this City, was indebted to him in the sum of 200 pesos, and although he had requested said defendant on various occasions, to settle the above debt, he had been unable to secure same. Wherefore he begged the court to obtain from the defendant the customary oath and declaration stating whether or not he was indebted in the sum claimed by the plaintiff.

(Signed) Santiago Borrell

The Court granted the above petition.

(Signed) Miro  
Postigo

On May 7th, 1790, before the present Court Clerk, the defendant deposed that he was 32 years old and identified the signature in question as his own, he also acknowledged owing the said debt.

(Signed) Baldirio Tomas.

DOCUMENT 2511  
BOX 58

Plaintiff therefore begged the Court to issue a writ of attachment against the person and property of the defendant in order to satisfy his claim and the cost of court.

(Signed) Santiago Borrell

The Court granted the above petition.

(Signed) Miro  
Postigo

On June 2, 1792, the deputy sheriff, Joseph Valle, informed the Court that he had called on the defendant in order to collect the sum of 200 pesos, but as the defendant did not settle his obligation, he seized his property.

(Signed) Joseph Valler

Plaintiff, informed the Court that the defendant had settled his indebtedness out of Court, and begged to appraise the costs of Court.

(Signed) Santiago Borrell

The Court granted the above petition.

(Signed) Miro  
Postigo

The cost of the proceedings amounted to 19 pesos 1 real, to be paid by the defendant.

## DOCUMENT 2512.

BOX 58.

File 223.	)	
May 26, 1790.	)	
Judge: Gov. Miro.	)	OFFICIAL CRIMINAL PROCEEDINGS
C. C.: R. Perdomo.	)	INSTITUTED AGAINST SEVERAL
151 pp.	)	NEGRO BANDITS AS WELL AS
Spanish.	)	FRANCISCO VIDARTE.

On May 26, 1790 Gov. Miro is informed of a formal complaint of robbery committed in the house of Juan Zerrada on the night of the 18th of the current month. Gov. Miro immediately orders an investigation made with the assistance of Don Juan del Postigo Auditor of War.

(Signed) Estevan Miro (Signed) Postigo, Attorney

Juan Zerrada appears before the Court and declares under oath that on the night of the 18th he was robbed of several articles mostly wearing apparel from his residence and he furnishes a list of them, consequently he is asked if he has suspicions on anybody, and he answers that he has reasons to believe that the thief is a negro slave belonging to Don Gabriel Peyroux, named Pedro, because he has seen him wear some of the stolen articles.

Gov. Miro issues an order to the effect that the negro slave of Don Gabriel Peyroux named Pedro appear before the Court and declare under oath to the charges made against him by Juan Zerrada concerning the aforesaid robbery, therefore Pedro appears and declares that he is a native and resident of this City, twenty seven years old, single, wagon driver by trade, and slave of Don Gabriel Peyroux; his declaration continues as follows: That he was arrested by Juan Zerrada,

DOCUMENT 2512.

BOX 58.

that he ignores by whose orders, but that he believes that the cause is for the robbery which he admits to have committed in the residence of Juan Zerrada, he further declares that his accomplices in the said robbery are Manuel Vidarte, Tavern Keeper by trade, living in the lower floor of the main house of Don Juan Mercier; and another man whose name he ignores but that he came to this City from Natchitoches as an oarsman on a boat.

Consequently Juan Bautista Curiat is brought before the Court as the suspected third party in the robbery, and having made his declaration under oath, several witnesses are summoned to testify in behalf of the accused in order to establish his innocence in the robbery. The Court having heard these declarations grants Juan Bautista Curiat his freedom.

(Signed) Miro

(Signed) Postigo

The Court orders the seizure of the property of Manuel Vidarte which later is sold at public auction producing the sum of 32 pesos and 5 reales, which sum is set aside in order to defray the Court's expenses.

After a lengthy hearing the Court orders the appraisal of costs to be paid on a pro-rata basis, if the sum produced by the auction of the property of Francisco Vidarte proves to be insufficient.

(Signed) Carondelet

(Signed) Vidal

File 1891. )  
May 26, 1790.)  
Judge: )  
J. Ortega )  
C. C.: Pedro )  
Pedesclaux. )  
French. )  
Spanish. )  
5 pp. )  
\_\_\_\_\_ )

PETITION OF  
JOSEPH PLACIDE LARRIEUX  
TO OBTAIN PERMISSION  
TO SELL A NEGRO SLAVE

Joseph Placide Larrioux, resident and merchant of this City, having received a written request from widow Deffosses Archeveque Thibault, of Guarico (Santo Domingo), to sell a negro slave of her ownership, at best possible price, petitions the court to receive the testimony of the witnesses he will present and when this matter is settled to allow him to sell said slave as per request above mentioned.

(Signed) J<sup>n</sup> Placide Larrioux

The Court grants above petition and orders the witnesses to appear in court, to make the declaration demanded by petitioner.

(Signed) Ortega

In New Orleans, May 27, 1790, Joseph Placide Larrioux presents:

James Castaing  
Don Pedro Rousseau  
Francisco Luis Morin

who declared under oath that the signature affixed on enclosed note is of the Widow Thibault.

## DOCUMENT 2513.

(Signed) Pierre Rousseau  
 Castaing  
 Frsco. L. Morin

In view of the declaration of said witnesses the Court permits the petitioner to sell said slave.

Petitioner is to pay the Court Cost which amounted to - 6 pesos 4 reales.

(Signed) Pedro Pedesclaux  
 Josef Ortega.

File 2005. )  
 May 26, 1790. )  
 Judge: Estevan )  
 Miro. )  
 C. C.: Pedro )  
 Pedesclaux. )  
 5 pp. )  
 Spanish. )

CASE OF  
 LOUIS VERRET  
 VS.  
 JUAN GRETIEN

Louis Verret, a resident of Lafourch Chelimochoas, at present in New Orleans, through his attorney, Felipe Guinault, petitioned the Court alleging that as evidenced by the Public deed, duly presented, Don Juan Gretien, a resident of the Post of Atacapas, was indebted to him in the sum of 600 pesos, and that notwithstanding the fact that his properties have been attached and placed at public auction they could not be sold because of the shortage of cash prevailing in that Post. Wherefore the petitioner begged the Court to issue a warrant instructing the Commandant of the Post of Atacapas, Don Juan De la Villebeuve, to forward to this Court enough property of the defendant in order that they may be sold at public auction and with the proceeds thereof payment be made of my claim and the costs of these proceedings.

(Signed) Louis Verret  
 Felipe Guinault

The Court granted the above petition and ordered the said Commander to place the defendant's properties at public auction, and its proceeds be forwarded to this Court.

(Signed) Miro  
 Postigo

The Case is incomplete and the outcome is not known.

File 1736. )  
May 27, 1790. )  
Judge: Ortega. )  
C. C.: Pedro )  
Pedesclaux. )  
13 pp. )  
Spanish. )

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CASE OF  
PEDRO BONNE  
VS.  
FRANCISCO MELIZET.

The plaintiff, a resident of the opposite side of the river, through his Attorney Felipe Guinault, petitions the Court, alleging that as evidenced by the promissory note that he presents, the defendant is indebted to him in the sum of 445 pesos, and that although on various occasions he has requested payment, of said sum the defendant has failed to pay the debt, wherefore he begs the Court to ask the defendant to appear and declare whether he owes the sum and to identify his signature.

(Signed) Felipe Guinault

The Court granted the above petition.

(Signed) Attorney Ortega

On May 28, 1790, the defendant appears before the Court and declares that the signature on the promissory note was his and that he was indebted to the plaintiff for above amount.

(Signed) Pedro Pedesclaux  
" F. Melizet.

As the defendant has acknowledged said debt, the plaintiff petitions the Court to issue a writ

DOCUMENT 2515  
BOX 58

of attachment against the properties of the defendant in order to satisfy his claim and the costs of Court.

(Signed) Felipe Guinault

The Court grants the above petitions.

(Signed) Attorney Ortega  
" Pedro Pedesclaux

Don Henrique Mentzinger, made opposition for 445 pesos alleging that Bonne had no right to collect from Melizet the sum he claimed because Bonne had ceded him said sum in payment of a debt, wherefore he begs the Court to order that Melizet pay him the sum claimed.

(Signed) Enriq. Mentzinger

The plaintiff agreed to let Mentzinger have this claim, and asked the Court to notify the defendant to pay the said sum to Henrique Mentzinger, as he requested in his opposition.

(Signed) Felipe Guinault

The cost of the proceedings amounted to 11 pesos 7 reales to be paid by the plaintiff.

DOCUMENT 2516.

BOX 58.

File 2516. )  
May 28, 1790. )  
Judge: E. Miro. )  
C. C.: Pedro )  
Pedesclaux. )  
12 pp. )  
Spanish. )

PEDRO SAUVE  
VS.  
PEDRO NITARD.

(To collect a debt)

The plaintiff petitions the Court to issue a writ of seizure against the property of the defendant, a resident of the post of Arcanzas, who is indebted to said plaintiff in the sum of 656 pesos, as evidenced by the document he presents.\*

(Signed) P. Sauve.

The Court orders that Ignacio Deligno Chalmet, commander at the post of Arcanzas receive instructions to ask said defendant to settle plaintiff's claim.

(Signed) Estevan Miro  
Pedro Pedesclaux  
Clerk of Court.

The plaintiff again petitions the Court to issue a writ of execution against the defendant who is in New Orleans.

(Signed) Pedro Sauve  
Felipe Guinault.

The Court grants the petition but the record ends here and the outcome of the case is unknown.

\*original is missing, as the Court returned it to the plaintiff.

File 222. )  
May 31, 1790. )  
Judge: Estevan )  
Miro. )  
C. C.: Rafael )  
Perdomo. )  
6 pp. )  
Spanish. )

INFORMATION GIVEN BY  
DON JUAN DAVIS, RESIDENT OF KENTUCKY  
REGARDING A POWER OF ATTORNEY GIVEN  
HIM BY DON ISHAM FALBOT FROM SAID  
STATE, FOR THE PURPOSE OF  
SELLING TWO SLAVES.

NOTE

Power of Attorney

I do hereby certify that I have delivered unto  
Mr. John Davis, two Negroes, one a man named Abraham,  
the other a girl named Dorkes and I give the said Davis  
full power to dispose of as he shall think proper.  
Given under my hand this tenth day of March 1790 ---

To whom it may concern

Test

(Signed) Edmund Falbot  
Jsham Falbot Sr.

Don Juan Davis, a resident of Kentucky, at present  
in New Orleans, petitioned the Court, alleging that as  
evidenced by the above power of attorney he has been  
empowered to sell the two slaves therein mentioned, and  
that in order to prove that he has the right to sell  
the said slaves, he offers to present the son of Falbot  
as witness, who at present is in New Orleans.

(Signed) Jhom. Davis.

DOCUMENT 2517.  
BOX 58.

The Court granted the above petition.

(Signed) Miro  
Postigo

On the 1st of June 1790, the Court Clerk administered to the son of Falbot the customary oath and obtained his deposition regarding the authority of his father's signature and his own which he acknowledged. He also obtained similar depositions from Don Juan Josef Duforest, and Wugh Megary.

(Signed) Edmund Falbot  
Juan Josef Duforest  
Wugh Megary  
Rafael Perdomo

In view of the witnesses deposition the Court authorizes the petitioner to sell said slave.

(Signed) Miro  
Postigo

Petitioner is to pay the Court costs which amounted to 10 pesos 6 reales.

DOCUMENT 2518.  
BOX 59.

File 1902.	)	
June 1, 1790.	)	PROCEEDINGS INSTITUTED BY
Judge: Almonester.	)	DONA MARIA MASSIOU AND
C. C.: P. Pedesclaux.	)	DONA SUSANA CLAIRTEAU
140 pp.	)	VERSUS
Spanish.	)	THE TESTAMENTARY OF DONA
	)	MARIANA LETOURNEUR

For the Settlement of an Inheritance

The plaintiff, Dona Maria Massiou, widow of Pedro Clairteau representing her minor children, and Susana Clairteau, widow of Bartholome Massiou, who represents her own children, both parties being residents of Saintes in France, appear before the Court in the testamentary proceedings of Dona Mariana Letourneur, widow by first marriage of Don Juan Bautista Guesdon, and by second marriage of Don Pedro Santilly, and petitioning the Court to order the translation, from the French into the Spanish language, of nine documents which she submits to Court, in order to establish her claims on behalf of the parties which she represents, as legitimate heirs of the aforesaid deceased Guesdon; and once they are executed, that she be given certified copies of said documents, as well as of the records of the testamentary proceedings of the said Guesdon, and of his deceased wife Mariana Letourneur.

(Signed) Mari Massiou.

The Court grants the petition of the plaintiff and orders the translation of the documents by Don

DOCUMENT 2518.  
BOX 59.

Estevan de Quinones, and once this is executed, to deliver same to petitioner together with the certified copies of the records of the testamentary proceedings of Guesdon and Letourneur which she requests.

(Signed) Almonaster. (Signed) Postigo.

The plaintiff acknowledges receipt of the translations as well as of the certified copies of the records of the testamentary proceedings of Guesdon Letourneur and Santilly, and presents an inventory of all the assets left by the deceased Guesdon, who she claims to be her uncle. These assets amount to the sum of 30,680 livres and 9 sols, without including four city lots, furniture, and various other articles.

The Court forwards certified copies of the records of these proceedings to Don Pedro Favrot, Captain of the permanent Regiment of this Post, testamentary executor and universal heir of the properties left by the death of Dona Mariana Letourneur, widow of Don Pedro Santilly. Captain Favrot prays the Court to dismiss this case on the grounds that the petitioners have not submitted sufficient evidence to prove that they are the only living relatives of the deceased Guesdon.

(Signed) Pedro Favrot.

After a lengthy litigation the Court orders the cancellation of a mortgage note given by the plaintiff as bond, as well as that furnished by Don Valentin Roberto Avart for the Lieutenant Colonel Don Pedro Favrot, who will pay the Court costs of the last proceedings; further decreeing that the case is officially

DOCUMENT 2518.  
BOX 59.

closed in what concerns the partition of the property, but is to be merely suspended in what concerns the distribution of same, until the time in which the heirs of the deceased Guesdon may be definitely established.

(Signed) G. Fomvergne. (Signed) Manuel Serrano.  
Att.

The Court costs amounted to 91 pesos and 5 reales.

File 60. )  
June 2, 1790. )  
Judge: )  
Estevan Miro. )  
C. C.: Rafael )  
Perdomo. )  
2 pp. )  
Spanish. )

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CHARLES WHITE  
APPLYING FOR A PASSPORT  
IN ORDER TO LEAVE THE  
COLONY.

Charles White, a resident of New Orleans, wishing to obtain a passport to leave this Province, petitions the Court to issue said passport, regardless of the efforts made to the contrary, by Don Claudio Francisco Giraud, merchant of New Orleans, who prevents him from securing same on the grounds that petitioner is responsible for the debts of his father whereas, petitioner informs the Court that he is free from any debts and not responsible for his father's obligation. Petitioner then begs the Court that said passport be issued to him, so that he may be able to proceed with his trip.

(Signed) Charles White

The Court granted the above petition and ordered that the passport requested by petitioner be issued.

(Signed) Miro  
Postigo

File 1802. )  
June 4, 1790. )  
Judges: Josef de )  
Ortega. Juan )  
Morales. )  
C. C.: Pedro )  
Pedesclaux. )  
Spanish. )  
317 pp. )

---

PROCEEDINGS FOR THE SETTLEMENT  
OF THE ESTATE OF JUAN BAUTISTA  
DUREL

---

Succession of Juan Bautista Durel

In the City of New Orleans, on June 4, 1790, Don Josef de Ortega, Senior Judge and counsellor of the royal court, upon notification received of the death of Don Juan Bautista Durel, on the same day, orders the clerk of the court to proceed to the premises of the deceased, and verify the death of the said Durel; the court also instructs the clerk to seal the property, and to collect the keys thereto, as a measure of protection, in the interest of an absent heir.

(Signed) Josef de Ortega  
Pedro Pedesclaux,  
notary public

The court clerk testifies to the death of Juan Bautista Durel, and complies with the preceding court order.

(Signed) Pedro Pedesclaux

On June 5, 1790, the court orders the court clerk to incorporate in the records of this process the last will and testament of Juan Bautista Durel.

DOCUMENT 2544.

BOX 59.

(cont'd.)

(Signed) Liz.<sup>do</sup> Ortega  
Pedro Pedesclaux

The court clerk complies with the preceding court order with a copy drawn from the original document; the original was executed by the same clerk in the city of New Orleans, on May 30, 1790, and reveals the following:

That Juan Bautista Durel was married to Doña Cicilla Lebreun (deceased) and from that marriage they had the following children: Doña Maria Roza Durel (deceased), wife of Miguel Fortier; Don Francisco Durel; Doña Maria Feliciana, wife of Don Elias Toutan Beauregard; Juan Bautista Durel; Visino Durel; Doña Victoria Durel, wife of Florencio Bazille; Doña Emaie Durel, wife of Don Santiago Fortier.

That Miguel Fortier, is designated testamentary executor.

That the proceeds from the auction sale of all his properties - household goods, real estate, slaves; and the collection of all outstanding debts be divided into seven equal parts, and each one of his six children is to receive one seventh of the entire proceeds of his estate, the remaining portion is bequeathed to the five children of Don Miguel Fortier and Doña Maria Rozalia Durel (deceased), named Juan, Julia Feliciana, Miguel, Victoria and Edmon Fortier.

Executed in the city of New Orleans, May 30, 1790. Signed by Juan Bautista Durel before the following witnesses: Francisco Braguier, Guillermo Marte and Pedro Dupain. Also present and signing: Jean Batiste Durel, F. Braguier, G. Harre, Pierre Dupain.

DOCUMENT 2544.

BOX 59.

(cont'd.)

(Signed) Pedro Pedesclaux

On June 7, 1790. The court appoints Felipe Guinault, as attorney and legal advisor in behalf of an absent heir named Doña Victoria Durel.

(Signed) Liz.<sup>do</sup> Josef de Ortega

Felipe Guinault, attorney, accepts the appointment, and swears to execute faithfully the duties conferred upon him, and names Miguel Gomez as his guarantor.

(Signed) Miguel de Juan Gomez (Signed) Felipe Guinault

(Signed) Pedro Pedesclaux

The court re-affirms the appointment, and orders that the record of the process be delivered to Felipe Guinault, to act as he may deem best in his capacity of legal advisor.

(Signed) Liz.<sup>do</sup> Josef de Ortega

Mr. and Mrs. Santiago Fortier appoint Juan Soulie, as their representative in the settlement of the estate of the said Juan Bautista Durel.

Santiago Felipe Guinault, attorney, representing the absent heiress, petitions the court to order that the inventory of the property be made and the appraisal to be done by public appraisers appointed by the court.

The court orders that the heirs be notified of the preceding petition, and that their reply be submitted to the court for examination.

DOCUMENT 2544.  
BOX 59.  
(cont'd.)

Don Miguel Fortier, testamentary executor, and all the heirs, unanimously concurred with the petition.

On June 10, 1790. The court orders that the inventory and appraisement be made without delay, and appoints Vizente Fangui and Adrian de la Place as appraisers.

On June 10, 1790. Don Josef de Ortego, Senior Judge, proceeded to the premises of the deceased, and in the presence of the heirs, and with the assistance of the court clerk and the public appraisers, begins to take inventory and to appraise the property, which consists of the entire stock of a dry goods store, furniture, and furnishings, real estate, slaves, promissory notes, and other negotiable papers; the inventory and appraisement was completed on June 16, 1790. The record does not show the total value at which the property was estimated.

Felipe Guinault, attorney for the absent heir, petitions the court to approve the inventory, and to decree the sale of all of the property, on terms maturing not later than ten months from the date of sale.

On June 17, 1790, the court orders that all the heirs to the said succession be notified of the preceding petition; the petition was unanimously approved by the heirs.

On June 19, 1790. The court approves the inventory, and orders the town crier to announce the sale of the property as previously stipulated. The town crier reports that on June 19, 22, and 26 he has complied with the preceding decree.

DOCUMENT 2544.  
 BOX 59.  
 (cont'd.)

On June 28, 1790, the court sets June 30, 1790, as the day to begin the sale of the said property, which is to be continued until completed.

(Signed) Liz.<sup>do</sup> Ortega

On June 30, 1790, Don Josef de Ortega, Senior Judge, proceeded to the premises of the deceased to begin the sale of the property and all effects, as provided by the last will and testament of said deceased, with the assistance of the court clerk, who recorded each sale; the total sale was completed on July 9, 1790. The record does not show the total amount derived from the said sale.

Felipe Guinault, attorney for Doña Victoria Durel, absent heir to the said succession, petitions the court for the appraisement of the court cost of the proceedings, stating that it will be paid by Don Miguel Fortier, testamentary executor of the said succession.

(Signed) Felipe Guinault

On Sept. 6, 1790, the court grants petitioner's prayer. The total cost of the proceedings amount to 284 pesos and 5 reales.

On May 7, 1791, the heirs to the succession of Juan Bautista Durel, petition the court to order the court clerk to deliver to them the record of the proceedings, for whatever purpose they may deem necessary.

(Signed) M. Fortier                      Antonio Mendez  
 Jn. Soulie                              Vrsin Durel (sic)  
 francois (sic) Durel                  B. Durel.

DOCUMENT 2544.  
BOX 59.  
(cont'd.)

On May 7, 1791, the court grants petitioner's prayer.

(Signed) J. Morales

File #266  
June 5, 1790  
Judge: Estevan  
Miro  
C.C: Rafael  
Perdomo  
Pages 1 to 63  
Spanish

PROCEEDINGS INSTITUTED IN  
CONSEQUENCE OF THE DEATH OF  
DONA ROSA DUREL  
INVENTORY AND APPRAISAL OF HER ESTATE.

Don Miguel Fortier, merchant and Captain of Militia and Artillery of the City, informed the Court that in the month of February, 1788, he sailed to the Kingdoms of Spain and France and while he was traveling there his wife, Madame Rosa Durel, died intestate in the month of September of the same year, adding that during his absence (he returned in December, 1789) no inventory of the estate of his late wife was made, therefore, he begged the Court that an inventory be taken in order that he be appointed Testamentary Executor and Custodian of his minor children.

(Signed) Michel Fortier

On January 5, 1790, Don Estevan Miro granted the above petition and requested that Don Juan Dorotheo del Postigo, auditor of War, Judge of the Royal Audience of Guadalajara be present when taking said inventory.

(Signed) Estevan Miro  
Postigo  
Rafael Perdomo

File 1781. )  
 June 5, 1790.)  
 Judge: )  
 Estevan Miro.)  
 C.C.: Pedro )  
 Pedesclaux. )  
 16 pp. )  
 Spanish. )

PROCEEDINGS INSTITUTED BY  
 DON LORENZO CALICK  
 VS.  
 DON PEDRO LEDOUX.

Concerning the payment of two lost promissory notes.

Lorenzo Calick alias Beauchamp, a resident of New Orleans, petitions the Court alleging that in the Court of Don Josep de Ortega, there is a record which shows that he had lost certain promissory notes, one of which is for the sum of 400 pesos, current silver, executed by Don Pedro Ledoux in his favor carrying the purchase of two slaves sold by petition through Antonio Taraboche, of Opelousas, and that although he had requested the defendant on various occasions to settle the above debt, he had been unable to secure same. Wherefore he begged the Court to issue instructions to the Commander of Opelousas, Don Nicolas Forstall to order payment in accordance with the statement made by the witness Don Santiago Bavent and Joseph Ballestrines, and to obtain from the defendant the customary oath and declaration stating whether or not he was indebted in the sum claimed by the plaintiff.

(Signed) Aruego de Calich  
 Felipe Guinault

The Court granted petitioner's prayer and ordered him to present his witnesses, in compliance with which order Don Antonio Benabel, Don Juan Bautista Pechoux and Don Santiago Lemaire, appeared and declared that it is true that the plaintiff had lost the notes in question.

(Signed) Joseph Petestiene  
 Pedro Pedesclaux.

DOCUMENT 2520.  
BOX 59.

The Court, after having examined the records of the proceedings granted the petitioner's prayer, and ordered the Commander of that Post, to collect from the defendant the sum of 400 pesos.

(Signed) Miro  
Postigo.

The outcome of the case is not known, and the costs of Court amounted to 21 pesos  $2\frac{1}{2}$  reales.

DOCUMENT 2521.  
BOX 59.

File 1829.	)	
June 7, 1790.	)	
Judge: Estevan	)	CASE OF FRANCISCO ESTEVAN
Miro.	)	(FREE MULATTO)
C. C.: Pedro	)	VS.
Pedesclaux.	)	THE MULATTO CALLED MARIO.
4 pp.	)	
Spanish.	)	

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Francisco Estevan (a free Mulatto) a resident of New Orleans petitioned the Court alleging that as evidenced by the promissory note duly presented the (Mulatto called Mario) a resident of the Post of Opelusas, was indebted to him in the sum of 92 pesos, 6 reales; wherefore, he begged the Court to issue instructions to the Commander of Opelusas, to order the defendant to appear and declare under oath if said signature was his and if he is indebted for the said sum.

(Signed) Etiene

The Court granted the above petition and ordered that the Commander of said Post, ask said defendant to appear before him and declare whether he owed the sum claimed by the petitioner.

(Signed) Miro  
Postigo

The case ends here and the outcome of it is not known.

File 1868. )  
June 7, 1790. )  
Judge: Joseph )  
de Ortega. )  
C.C.: Pedro )  
Pedesclaux. )  
Spanish and )  
French. )  
4 pp. )

PETITION BY PABLO (SIC) LAFRANCE

To Validate an Act of Sale

Exhibit: An Act of Sale-

I, Francisco La France, declare to have sold to Jean La France, my brother, a plantation of ten arpents located at 14 leagues from the city (New Orleans), for the sum of 800 livres, cash.

December 5, 1777.

(Signed) X Francisco La France  
" Dauseville  
" De Fontenelle  
" Roland de Fontenelle

Plaintiff, Don Jean La France, petitions the court, alleging that as evidenced by the private bill of sale duly presented, his brother, Don Francisco La France, sold him a plantation of ten arpents, and as his brother died before giving him a legal act of sale, he, therefore, begs the court to call on the wife of his deceased brother in order to prove said private bill of sale.

The court grants petitioner's prayer.

(Signed) Ortega, attorney

DOCUMENT 2522.

BOX 59.

(cont'd.)

On the same day, the court clerk calls at the residence of Dona Maria Fonollecu, widow of Francisco La France, to take her declaration under oath, and she states that in 1777 her deceased husband had sold the said plantation to the petitioner.

(Signed) Pedro Pedesclaux,  
court clerk

The court, after having accepted the information from said widow, grants the petitioner's prayer and decrees that a title be issued in order to obtain the authorization of the house and land.

(Signed) Ortega, attorney

Court clerk certifies the decree.

(Signed) Pedesclaux,  
court clerk

DOCUMENT 2523.  
BOX 59.

File 1782.	)	
June 8, 1790.	)	
Judge: Almonester (sic)	)	LUIS ANTONIO DECALLONGNE
C. C.: Pedro	)	VS.
Pedesclaux.	)	JUAN PAILLET
Spanish & French.	)	
87 pp.	)	

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Settlement of a Succession

The plaintiff, tutor of the minor children of deceased Antonio Chouriac, through his attorney, Santiago Felipe Guinault, petitions the court to collect the sum of 6,613 pesos held by the defendant, Juan Paillet, for said minor children.

(Signed) Felipe Guinault

The court, on June 8, 1790, orders the translation from the French to the Spanish language, of eleven receipts presented as evidence by the plaintiff; said translation to be made by Don Esteban Quinones, official translator; and, after this is done, the defendant is to be notified of the proceedings instituted against him.

(Signed) Almonaster  
Postigo

The defendant states that it is true that he has 6,613 pesos belonging to the minor children of Antonio Chouriac, and that he has invested the said amount in mortgages on plantations at the usual rate of 10% interest, which notes will mature at the end

DOCUMENT 2523.  
 BOX 59.  
 (cont'd.)

of the present year. The defendant further states that the petition of the plaintiff is unjust and in bad faith, as the said sum was entrusted to his care in legal form, in the presence of the court clerk; and he begs the court to dismiss the plaintiff's demand.

(Signed) Jean Paillet

On July 2, 1790, the court orders the notification of the above statement to the parties interested in this suit.

(Signed) Almonaster  
 Postigo  
 Pedesclaux

Santiago Felipe Guinault, attorney for Luis Antonio Decallongne, tutor of the minor children of Antonio Chouriac and Genoveva Decallongne, in the proceedings instituted against the defendant to recover 6,613 pesos belonging to said minor children, in order to give Mr. Pedro St. Martin the part that belongs to his minor children of the second marriage to the deceased Genoveva Decallongne, begs the court to order the defendant to pay said amount without delay.

(Signed) Felipe Guinault

On July 6, 1790, the court orders the notification of the above statement to the interested parties.

(Signed) Almonaster  
 Pedesclaux  
 Postigo

DOCUMENT 2523.

BOX 59.

(cont'd.)

Don Pedro St. Martin, in the proceedings instituted by the plaintiff against the defendant, to recover 6,613 pesos belonging to the minor children of Antonio Chouriac, and his own minor children, in answer to the notification submitted to him, begs the court to order the defendant to pay him the part belonging to his minor children, which according to the law of "hijuela" and partition, would be the sum of 3,573 pesos.

(Signed) Pedro St. Martin

On July 9, 1790, the court orders the notification of the above statement to be submitted to the defendant.

(Signed) Almonester (sic) Postigo

Pedesclaux

The defendant, in answer to the petition submitted by Pedro St. Martin, seeking to divide the amount of the said legacy in accordance with the existing laws, and to protect his own responsibility, begs the court for a copy of the decree relative to said legacy.

(Signed) Juan Paillet

On July 17, 1790, the court complies with the above request.

(Signed) Almonester (sic)

Pedesclaux

Postigo

DOCUMENT 2523.  
BOX 59.  
(cont'd.)

The defendant acknowledges receipt of a copy of the decree relative to the legacy in the said succession, and calls the attention of the court to the fact that according to the said document, 3,573 pesos belong to the children of Pedro St. Martin, a second husband of the deceased Genoveva Decallongne, and 3,433 pesos to the minor children of Antonio Chouriac, first husband of the said Genoveva Decallongne, and that as he only has received 6,613 pesos, there are 395 pesos missing. The defendant, therefore, begs the court to order the plaintiff to pay to said Pedro St. Martin the missing 395 pesos. The defendant further states that, as he has invested this amount at 10% interest, it is to the benefit of the said minor children that this remain in his custody.

(Signed) Jean Paillet

On July 27, 1790, the court takes the case under advisement, and orders that the interested parties be notified to that effect.

(Signed) Almonester (sic) Postigo  
Pedesclaux

On August 7, 1790, the court orders that defendant submit for examination all the documents in his possession pertaining to this case.

(Signed) Almonaster Postigo  
Pedesclaux

On August 16, 1790, Don Andres Almonaster y Roxas, Judge and Mayor of this City of New Orleans, after the examination of the documents presented to

## DOCUMENT 2523.

BOX 59.

(cont'd.)

the court by the defendant, decrees that, in view of the facts derived from the said documents, all the money belonging to the succession of Antonio Chouriac and Genoveva Decallongne shall remain in the custody of the defendant, with the exception of 105 pesos, owed by Antonio Mendes to the said succession, and that he shall deliver this amount to Antonio Decallongne, tutor of the said minor children; the court further decrees that the said Antonio Decallongne must procure a guarantor for this amount, and for any other amount that may come into his possession, belonging to the said minors.

(Signed) Almonaster Postigo  
Pedesclaux

Antonio Mendez, curator ad litem of the minor children of the said Antonio Chouriac, petitions the court for a copy of the proceedings instituted by Luis Antonio Decallongne against defendant, in order to learn the facts of these proceedings, in virtue of his position as above stated.

(Signed) Antonio Mendes

On Aug. 20, 1790, the court grants the above petition.

Antonio Mendes, curator ad litem of the minor children of Antonio Chouriac and Genoveva Decallongne in virtue of his position, and in behalf of the said minor children, begs the court to dismiss the demand of the plaintiff, on the grounds that the plaintiff is not in a position to administer the legacy, due to his extreme old age and to other reasons well known by the public. Antonio Mendez also mentions the fact

DOCUMENT 2523.

BOX 59.

(cont'd.)

that due to these reasons the plaintiff is unable to find a guarantor, even for the small amount of 105 pesos, previously decreed by the court.

(Signed) Antonio Mendes

On Aug. 23, 1790, the court takes the case under advisement, and orders that the interested parties be notified to that effect.

(Signed) Almonester (sic)

On Aug. 26, 1790, the court decrees that, without a guarantor, no money will be entrusted to the plaintiff.

(Signed) Almonester (sic)  
Postigo Pedesclaux

Antonio Mendes, curator ad litem of the minor children of the succession of Antonio Chouriac, begs the court, in behalf of the said minor children, to reject the demands of the plaintiff.

(Signed) Antonio Mendez

On Sept. 3, 1790, the court instructs the plaintiff to produce a guarantor for the amount of 105 pesos, which he has received from the defendant, and as previously decreed by the court.

(Signed) Almonaster Postigo  
Pedesclaux

On Sept. 10, 1790, the court rejects the guarantor presented by the plaintiff.

(Signed) Almonaster Postigo  
Pedesclaux

## DOCUMENT 2523.

BOX 59.

(cont'd.)

The defendant begs the court to instruct the plaintiff to return to him the 105 pesos belonging to the minor children of the succession of Antonio Chouriac, and calls the attention of the court to the fact that, for a period of six days, plaintiff has been unable to find a guarantor for the amount of 105 pesos.

(Signed) Jean Paillet

On Sept. 22, 1790, the court orders that, within the term of four days, the plaintiff must produce a guarantor.

(Signed) Almonaster. Postigo  
Pedesclaux

Defendant again begs the court to instruct the plaintiff to return the 105 pesos, previously paid by the defendant, and reminds the court that plaintiff has been unable to find a guarantor, as ordered by the court.

(Signed) Jean Paillet

On Oct. 18, 1790, the courts appoints Don Manuel Serrano as consulting attorney and assistant to Judge Don Andres Almonester.

On November 10, 1790, the court decrees as follows:

In view of the fact that the money belonging to the minor children of the succession of Antonio Chouriac and Genoveva Decallongne, is protected by first mortgage and is in the custody of a reliable individual, and this is in accordance with the law,

DOCUMENT 2523.

BOX 59.

(cont'd.)

the court hereby decrees, without the right of appeal, that the demand of the plaintiff is unjust, and without reason, and condemns the said plaintiff to pay the costs of these proceedings; the court also decrees that the plaintiff return to the defendant the 105 pesos previously paid to him by the defendant. The court hereby appoints Don Luis Liotau, assessor of the court, to estimate the costs of these proceedings.

(Signed) Almonaster Postigo  
Pedesclaux

On Dec. 28, 1790, the court issues a warrant for the arrest of Antonio Decallongne, as he refused to pay the costs of these proceedings which amounted to 381 pesos.

File 1798. )  
 June 8, 1790. )  
 Judge: Estevan Miro. )  
 C. C.: Pedro )  
 Pedesclaux. )  
 Spanish. )  
 10 pp. )

PETITION OF  
 VALENTIN TOMAS (SIC) DALTON

To Return a Negress Slave to her Owner

Exhibit. I, Antonio Gamelin, Clerk and Notary for the District of the St. Vincies, have recorded a negress, as the property of Ann Wattson, who was purchased for the aforesaid Ana Wattson, and for her use and benefit; the said orphan being raised by Valentin Thomas Dalton, since she was eight days old, born at Fort Pitt in the year 1779. I acknowledged myself to be accountable to the said Ann Wattson for the said negress (named Sarah). Given under my hand at Post Vincees (sic) February 28, 1789.

(Signed) Antonio Gamelin  
 Valentin Thomas Dalton

Valentin Thomas Dalton, a resident of New Orleans, petitions the court, alleging that as evidenced by the public deed he duly presents, he has a negress named Sarah, age 13, the property of Anna Wattson, which negress he has had in his possession since the year 1779, and whom he wishes to return to Ana Wattson in case anything should happen to him, and in order to prove this he offers to submit depositions of witnesses to testify to that effect.

(Signed) Valentine (sic) Thomas Dalton

## DOCUMENT 2524.

BOX 59.

(cont'd.)

The court grants petitioner's prayer and orders him to present his witnesses; in compliance with which Don Thomas Paterson, age 35 years, Don Eduardo Paterjon, age 26, Don Jarius Willcox, age 38, Tomas Claudio Beiquet, age 34, and Don Joseph Janes, age 29, appear and under oath declare that the said negress belonged to the said orphan, Ana Wattson.

(Signed) Thomas Paterson  
Eduardo Paterjon  
Jarius Willcox  
Tomas Claudio Beiquet  
Joseph Janes  
Juan Josef Duforest

The court, after examining the records of the proceedings, agrees that the said negress belongs to the said Ana Wattson.

(Signed) Miro  
Postigo

The court orders Don Luis Liotau to appraise the costs of court and that same be paid by the petitioner.

The costs of court amounted to 15 pesos, 2 reales.

File 218. )  
June 10, 1790. )  
Judge: Andres )  
Almonester. )  
C.C.; Rafael )  
Perdomo. )  
Spanish & )  
English. )  
10 pp. )

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JAIRUS (SIC) WILLCOX  
VS.  
JOHN GARREER

---

For the Collection of a Sum of Money

The plaintiff, Don Jarius Willcox, institutes proceedings to compel the defendant, John Garreer, to pay him 32 pesos, 2 reales for board and other similar matters, as shown by the accompanying account,\* stating that he has made numerous but futile requests for payment. The plaintiff, further, asks for a sworn statement from the defendant as to whether or not he owes him this sum; and that the bill of account be translated from English into Spanish by the public translator, Don Juan Joseph Duforest.

(Signed) Jarius Willcox

The court grants the petition and orders the translation.

(Signed) Almonester

Postigo

On June 10, 1790, Judge Andres Almonester y Roxas signs the decree.

(Signed) Rafael Perdomo

\* (Account in English is not transcribed).

DOCUMENT 2525.

BOX 59.

(cont'd.)

On the same day, in person, Don Jarius Willcox is notified.

(Signed) Rafael Perdomo

On the said day, the decree is made known to Don Juan Joseph Duforest, public interpreter, who takes the oath of faithful performance of duty.

(Signed) Juan Joseph Duforest

(Signed) Rafael Perdomo,  
Notary Public

File 1765. )

June 12, 1790. )

Judge: Estevan Miro. )

C.C.: Pedesclaux. )

Spanish. )

18 pp. )

DANIEL CLARK

VS.

SANTIAGO BLAIR (AGENT)

To Regain Possession of a Bill of Exchange

In order to effect a settlement of accounts between Don Pedro Whiteside, of London, England, and Don Daniel Clark, of New Orleans, in the Province of Louisiana, plenipotentiary powers of attorney are granted by Don Pedro Whiteside to Don **Samuel** Chollet of Santo Domingo, with Don Santiago Blair of New Orleans as his alternate; while Don Daniel Clark appoints as his attorney, with equal powers, Don Andres Lopes Armesto, with Don Daniel Clark, his nephew as alternate.

The delegation of powers by Don Daniel Clark is accomplished by means of a notarial act drawn by notary Rafael Perdomo, and signed in the presence of witnesses Antonio Rodriguez and Francisco de Sales Badillo who, with the notary.

(Signed) Daniel Clark      Rafael Perdomo, notary public

Antonio Rodriguez      )

Francisco de Sales Badillo) witnesses

Don Daniel Clark, through his attorney, petitions the court, stating that in the final settlement of accounts he has paid over to Don Santiago Blair, attorney for Don Pedro Whiteside, the sum

DOCUMENT 2526.

BOX 59.

(cont'd.)

of twenty thousand pesos, plus a note for twelve thousand and ten pesos; and that for the same payment he had caused to be executed a bill of exchange for twenty-four thousand and sixty-three pesos, which bill of exchange has not been returned to him and can be negotiated against him.

Therefore he petitions the court that Don Santiago Blair be required to declare under oath as to the truth of these allegations, and that his declaration be forwarded to him.

(Signed) Andres Armesto

Daniel Clark

It is ordered as prayed.

(Rubric) M. (Signed) Postigo

The decree is certified by,

(Signed) Pedro Pedesclaux

The court clerk on the same day notifies all interested parties.

(Signed) Pedesclaux

In response to the decree, the notary, with the assistance of Juan Josef Duforest, public interpreter, places under oath Don Santiago Blair, who states that he has not completed all of the accounts between the plaintiff and Don Pedro Whiteside. That he has given said Clark a final receipt, and that the accounts are as stated by the plaintiff, that the transactions are recorded in the notarial and judicial registers.

DOCUMENT 2526.  
BOX 59.  
(cont'd.)

In regard to the bill of exchange, he has nothing to say.

(Signed) James (sic) Blair

(Signed) Juan Josef Duforest

(Signed) Pedro Pedesclaux, notary public

Don Daniel Clark, through his attorney, in court, replies to the declaration of the defense attorney, and states that since the latter has refused to answer in reference to the bill of exchange, which has not been returned to Don Clark, and which can be negotiated against him; therefore, he begs that Blair be made to appear before this court, and with the assistance of the public interpreter, be compelled to do as requested by the petitioner.

(Signed) Andres Lopes Armesto  
Daniel Clark

"Request all documents of the proceedings for examination."

(Rubricated) M. (Signed) Postigo

The above decree is certified on June 21, 1790.

On this day Don Daniel Clark is notified.

On this date Don Andres Armesto is notified.

Pedro Pedesclaux, notary public

"Notify Don Santiago Blair to appear tomorrow before the Auditor to make the requested declara-

DOCUMENT 2526.

BOX 59.

(cont'd.)

tion, with the assistance of the interpreter, Don Juan Josef Duforest, who also shall be notified."

(Signed) Miro (Signed) Postigo

July 8, 1790.

The court clerk certifies the above decree.

The court clerk notifies Don Daniel Clark, Don Andres Armesto, Don Santiago Blair, and Don Juan Josef Duforest.

(Signed) Pedesclaux

On July 9, 1790, before Don Juan del Postigo, War Auditor, appears Santiago Blair with Don Juan Josef Duforest, public interpreter, and taking his oath before the undersigned notary he says: That he has no knowledge of the whereabouts of the bill of exchange mentioned, except that it is included in the accounts that he has transacted with Daniel Clark, and that, by virtue of the payment made by Clark, the bill has been annulled under the seal of the Chief Justice of London.

(Signed) Postigo (Signed) J. (sic) Blair

(Signed) Juan Josef Duforest

Pedro Pedesclaux, notary public

Don Daniel Clark now petitions that the court order his bill of exchange returned to him.

(Signed) Andres Armesto

(Signed) Daniel Clark

DOCUMENT 2526.

BOX 59.

(cont'd.)

"As requested."

(Rubricated) M.

(Signed) Postigo

The above decree is certified by the court clerk on July 10, 1790.

(Signed) Pedro Pedesclaux, notary public

On the same day, the court clerk notifies Don Andres Armesto and Don Daniel Clark.

(Signed) Pedesclaux

Don Daniel Clark petitions the court that, in view of the declarations made in these proceedings by Don Santiago Blair, the court declare void and without value the bill of exchange which is the cause of this suit, and to then conclude these proceedings.

(Signed) Andres Lopes Armesto

Daniel Clark

"Deliver to the other party."

(Rubricated) M.

(Signed) Postigo

Above decree is certified by the court clerk.

(Signed) Pedro Pedesclaux

On the same day the court clerk notifies Don Andres Armesto, Don Daniel Clark, and Don Santiago Blair.

(Signed) Pedesclaux

DOCUMENT 2526.

BOX 59.

(cont'd.)

In reply to the above petition by Don Daniel Clark, Don Santiago Blair replies that he has no objection to its being granted, although, as he has stated, he believes it to be useless, since the bill of exchange is no longer negotiable. Therefore he agrees to Don Clark's request for nullification by this court, and that the proceedings be closed with the costs assessed to Don Clark.

(Signed) J (sic) Blair

"Bring documents of the proceedings."

(Rubricated) M (Signed) Postigo

On the same day, July 23, 1790, the court clerk certifies the above decree and notifies Don Santiago Blair, Don Daniel Clark, and Don Andres Armesto.

(Signed) Pedesclaux

DECREE: Be it declared without value the bill of exchange for the sum of twenty-four thousand and sixty-three pesos made by this party in favor of Don Santiago Blair, and, in consequence, these proceedings are terminated. The court costs to be appraised and the payment thereof to be made by Don Daniel Clark, including twenty reales for counsellor's fee.

(Signed) Estevan Miro (Signed) Postigo

On this day, the court clerk certifies the above decree, and notifies Don Santiago Blair, Don Daniel Clark, Don Andres Armesto and Don Luis Liotau who assesses the court costs at 192 reales, or 24 pesos.

DOCUMENT 2526.

BOX 59.

(cont'd.)

The list of court costs is signed, New Orleans,  
July 27, 1790.

(Signed) Luis Liotau

File 1848. )  
June 15, 1790. )  
Judge: Joseph )  
de Ortega. )  
C.C.; P. )  
Pedesclaux. )  
Spanish & )  
English. )  
12 pp. )

---

SANTIAGO FELIPE GUINAULT  
VS.  
HENRIQUE GIAR

---

For the Collection of a Debt

The plaintiff, Don Santiago Felipe Guinault, institutes proceedings to collect from the defendant, Don Henrique Giar, the sum of one hundred pesos, balance due from a larger sum, value received in cash as evidenced by the promissory note duly presented by the plaintiff who requests that the defendant appear before the court and under legal oath recognize the debt, and, once executed, give him the certified copy of the declaration.

(Signed) Felipe Guinault

The court grants the above petition and orders the defendant to appear and declare as prayed for.

(Signed) Ortega, attorney

The plaintiff again petitions the court to the effect that since the defendant has failed to appear before the court, a deputy sheriff be sent in order to compel him to appear.

(Signed) Felipe Guinault

DOCUMENT 2527.

BOX 59.

(cont'd.)

The court grants the above petition and orders a deputy sheriff to compel the defendant to appear before the office of the clerk to make the aforesaid declaration.

(Signed) Ortega, attorney

The Deputy Sheriff, Joseph Valler, declares before the court clerk that he had called at the residence of the defendant and having discharged his duty was told that he would present himself immediately.

(Signed) Joseph Valler

Court clerk certifies to the above.

(Signed) Pedro Pedesclaux,  
court clerk

Defendant appears before the court clerk but, since he cannot speak either Spanish or French, the declaration is suspended.

(Signed) Pedesclaux,  
court clerk

The plaintiff petitions the court to the effect that defendant be summoned again and through the interpreter, Don Juan Josef Duforest, make his declaration.

(Signed) Felipe Guinault

The court grants the above petition.

(Signed) Ortega, attorney

DOCUMENT 2527.

BOX 59.

(cont'd.)

The defendant appears before the court and declares under oath that he does not know how to read or write and consequently he cannot identify the signatures on the note. He further declares that he owes the sum of ninety-three pesos and five reales as the balance on the note, that he has told the truth under his oath, and that he is 28 years old.

(Signed) Juan Joseph Duforest

Court clerk certifies to the above.

(Signed) Pedro Pedesclaux,  
court clerk

The plaintiff prays the court for a writ of seizure which is granted.

The Deputy Sheriff, Juan Bautista Combelle, appears before the court clerk and declares that Enrique Guiar (sic) has told him that he has paid the plaintiff.

(Signed) J. B. Combelle

Court clerk certifies to the above.

(Signed) Pedro Pedesclaux,  
court clerk

The plaintiff declares that defendant has paid him and consequently requests that an appraisal of the court costs be made.

(Signed) Felipe Guinault

The court costs amount to 13 pesos, 6 l-2 reales.

DOCUMENT 2528.

BOX 59.

File 1833.	)	
June 16, 1790.	)	
Judge: Estevan Miro.	)	SANTIAGO FONDE (SIC)
C. C.: Pedro Pedesciaux.	)	VS.
Spanish and French.	)	MADAM GAREL EL BOUS
3 $\frac{1}{2}$ pp.	)	

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For a Court Order of Declaration

Exhibit A. One Draft, valued at 54 piastres for value received that I have promised to pay to Jak. Blond, or to his order in one month from this date. March 17, 1786.

(Seal)

Gare Mary (sic), Widow of  
Mr. Bardly

Have received on account 25 piastres. Balance due 29 piastres in value.

(part of signature  
not deciphered) Blond (?)

Exhibit B. One promissory note. I, Jean Baptiste Dofour, promise to pay, under my usual signature, the sum of 20 piastres and 7 reales, and I promise to pay said amount in 3 months from the date hereof, for value received from said Sieur, for merchandise.

Made in New Orleans this May 2nd, 1767.

Mark of Jean Baptiste X Dufour

Witness: J. M. Henry

DOCUMENT 2528.

BOX 59.

(cont'd.)

I will pay one dollar. Mr. Goscque Londie

Mark of Jean X Baptiste Dufour

Santiago Seonde, a resident of New Orleans, petitions the court, alleging that, as evidenced by the two promissory notes he duly presents, the widow Garel (sic), a resident of the lower coast has been owing him the sum of 50 pesos, since the year of 1786 and '87, and, although on various occasions he has requested payment, he has failed to obtain it. Wherefore, he begs his Lordship to obtain from the widow the customary oath and declaration, stating whether or not she is indebted in the sum claimed by said Santiago Seonde. Wherefore, he begs his Lordship issue instructions to said widow to appear and make her declaration.

(part of signature  
not deciphered) Blond?

Decree is issued as prayed for, by Don Estevan Miro, Brigadier of the Army, Governor-General of the Province, who signs it on June 16, 1790.

Pedro Pedesclaux

On the same day the petitions in question are delivered.

Pedesclaux

File 1881.	)	
June 16, 1790.)	)	
Judge: Estevan)	)	
Miro.	)	JUAN BAUTISTA DELASSERRE (SIC)
C. C.: Pedro )	)	VS.
Pedesclaux. )	)	NOEL SOILEAU
Spanish. )	)	
$2\frac{1}{2}$ pp. )	)	

---

For Reimbursement for Expenses and Damages

The plaintiff, Juan Bautista Delasserre, a resident of New Orleans, alleges that, about two years ago, Don Noel Soileau, Commandant of Avoyelles, forced him to come from said post to New Orleans in chains, as a result of a dispute in reference to several head of cattle that plaintiff had purchased from the estate of Luis Pattus, and which the commandant refused to deliver to him, although plaintiff had made two written requests for their delivery. By decree, the Governor has condemned the commandant to pay the expenses incurred by the plaintiff in getting possession of the cattle, and all other expenses involved in the proceedings, and a copy of the decree has been furnished to the commandant, therefore, the plaintiff petitions his honor to issue a formal warrant ordering the commandant to remit at once to this court a copy of the decree, or to deliver it to plaintiff's attorney for whatever purpose he may see fit to use it.

(Signed) Delassere

The court grants the above petition and orders the commandant to remit a copy of the decree to this

DOCUMENT 2530.

BOX 59.  
(cont'd.)

court.

(Signed) Miro  
Postigo

On June 16, 1790, the above decree signed by Sr. Don Estevan Miro, Brigadier of the Royal Army, Governor and General Intendant of this Province, is attested by the court clerk.

(Signed) Pedro Pedesclaux,  
notary public.

The court clerk certifies having notified Juan Bautista Lassere (sic) in person on the same date.

(Signed) Pedesclaux, court clerk.

The court clerk certifies that the said warrant was executed in two pages and delivered to the interested party. New Orleans, June 16, 1790.

(Signed) Pedesclaux

DOCUMENT 2529.  
BOX 59.

File 1864. )  
June 16, 1790. )  
Judge: Estevan )  
Miro. )  
C. C.: Pedro )  
Pedesclaux. )  
Spanish. )  
4 pp. )  
\_\_\_\_\_ )

DON JUAN BAUTISTA JOURDAIN  
VS.  
DON LOUIS LOYSEL

\_\_\_\_\_  
To Collect on a Note

The plaintiff petitions the court to issue a writ of seizure against the properties of defendant, who resides in the Attakapas district and who is indebted to said plaintiff in the sum of 1,506 pesos 6 reales, as evidenced by the promissory note herewith presented.\*

(Signed) Jourdain

The court orders that Don Juan de la Villebeure, commander of the Attakapas district be sent instructions to compel said defendant to settle plaintiff's claim.

(Signed) Estevan Miro  
Juan Del Postigo  
Pedro Pedesclaux,  
court clerk

The record ends here.

\*Original note has been detached and forwarded to the said commander together with the warrant.

DOCUMENT 2531.  
BOX 59.  
Changed to 2555 A.

File 1879.	)	
June 19, 1790.	)	PEDRO LYONNET
Judge: Estevan Miro.	)	VS.
C.C.: Pedro Pedesclaux.	)	THE SUCCESSION OF
English and Spanish.	)	CHARLES ALEXANDER
6 pp.	)	

---

Plaintiff. Don Pedro Lyonnet, a resident of New Orleans, alleges that as evidenced by a letter and a promissory note, herewith presented, that the late Don Charles Alexander is indebted to him in the sum of 40 pesos. Wherefore petitioner begs the court to order Don Daniel Clark, testamentary executor of decedent, to identify the signature at the foot of said note and to acknowledge the debt.

(Signed) Pedro Lyonnet

The court orders Don Josef Duforest, official translator, to translate the said letter and promissory note from English into Spanish.

(Signed) Miro  
Postigo

As per preceding decree, Don Duforest reports and submits his translation to the courts.

(Signed) Juan Josef Duforest

DOCUMENT 2531

BOX 59.

Changed to 2555A.

(cont'd.)

Don Daniel Clark, through his agent Don Antonio Mendez, verified the signature on said note and acknowledges the debt, but pleaded that said claim be directed against the estate of Don Henry Alexander, deceased father of Don Charles Alexander, because the late Charles left no other assets than a small negro and the proceeds to be derived from the sale of said negro would barely cover his funeral expenses and medical care.

(Signed) Daniel Clark  
Antonio Mendez

The court orders that plaintiff be notified.

(Signed) Estevan Miro  
Serrano, attorney

The court clerk, reported his inability to serve notice, as plaintiff was absent from New Orleans.

(Signed) Pedesclaux, court clerk

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

File 1794. )  
 June 21, 1790. )  
 Judge: Andres )  
 Almonester. )  
 C.C.; Pedro )  
 Pedesclaux. )  
 French and )  
 Spanish. )  
 5 pp. )

VALENTIN (SIC) THOMAS DALTON  
 VS.  
 JEAN GRAVIER

To Collect a Debt

Plaintiff, Don Valentine Thomas Dalton, a resident of New Orleans, alleges that defendant, Don Jean Gravier, is indebted to him in the sum of 50 pesos, as evidenced by promissory note herewith presented. Wherefore he begs the court to order defendant to verify his signature at the foot of said note and acknowledge the debt.

(Signed) Valentine Thomas Dalton

The court orders defendant to comply with petitioner's plea in its entirety.

(Signed) Almonester

Postigo

Before the present court clerk appears Don Jean Gravier who deposes that the signature is his own and acknowledges the said debt.

(Signed) Jean Gravier

Court clerk certifies to the above.

(Signed) Pedro Pedesclaux,  
 court clerk

DOCUMENT 2532.

BOX 59.

(cont'd.)

Plaintiff acknowledges having received copy of the deposition made by defendant, and, in view of his declaration, begs the court to order a writ of seizure against defendant's person and properties to satisfy said debt.

(Signed) Valentine Thomas Dalton

File 1753. )

June 23, 1790. )

Judge: Estevan Miro. )

C.C.: Pedro Pedesclaux. )

Spanish. )

3 1-4 pp. )

PROCEEDINGS INSTITUTED  
BY ROSALIA CORLOTA BORE

---

To Obtain a Certified Copy of a Letter

NOTE. As ordered by a decree of this date, New Orleans, June 23, 1790, I deliver a letter to the interested party. The contents of page one are detached.

(Signed) Pedesclaux

PETITION: Dona Rosalia Corlota Boré, widow of Captain Don Luis Dutisné, appears in court and states that, it is to her interest to obtain, from the clerk of the court, a certified copy of the letter which she presents, and asks that it be returned to her after copy is made.

(Signed) Veuve (widow) Dutisné

ORDER: This is granted as prayed and the letter is to be translated by Don Josef Duforest.

(Signed) Miro

Postigo

Decree by Don Estevan Miro, Brigadier of the Royal Army, Governor General of the Province, who

DOCUMENT 2533.

BOX 59.

(cont'd.)

signs it on June 23, 1790.

(Signed) Pedesclaux

On the same day the clerk notifies Rosalia Carlota Boré, widow of Dutisné.

(Signed) Pedesclaux, clerk

On said day the clerk makes known the decree to Juan Josef Duforest, who takes the oath to faithfully perform his duty.

(Signed) Juan Josef Duforest

Pedro Pedesclaux

TRANSLATION: "Dear Sir: The fact that I was not certain of the place where you resided prompted me to write to you a letter, to New Orleans, informing you that, at her death in the year 1759, Mrs. Depuvret left you the sum of eight thousand pounds in rentals derived from two houses of the Beaubien heirs. Since I have not received any news from you, I take the opportunity offered by Mr. Babiny to inform you of this, and to ask you to send a power of attorney, in the event you have not been paid the said sum."

(Signed) Juchereau Duchesnay

Dutisné Escudero

New Orleans, August 4, 1789.

I have faithfully made the above translation.

(Signed) Juan Josef Duforest

No further proceedings are recorded.

DOCUMENT 2534.

BOX 59.

File 1790.	)	
June 23, 1790.	)	
Judge: Andres Almonester.	)	ROSA CHOUTAU (FREE NEGRESS)
C.C.: Pedro Pedesclaux.	)	VS.
Spanish.	)	SANTIAGO MATHER
8 3-4 pp.	)	

---

For the Collection of a Past Due Sum

In consequence of proceedings in court taken by Rosa Choutat, a free negress, to recover from Don Santiago Mather and Don Gabriel Tixserrand, appearing in person, while Don Bernardo Molina appears for the plaintiff, a sum representing the value of goods stolen from the plaintiff by a negro man and a negress belonging to the defendants.

And, whereas, after evidence is presented, an amicable agreement is reached and recognized by the court, whereby each defendant binds himself to pay to the plaintiff two hundred pesos, the parties to the agreement petition the court to issue a judicial decree, giving it the force and effect of a court ruling. Signing the agreement.

Santiago Mather  
Gabriel Tixserrand  
Bernardo Molina

It is decreed by Don Andres Almonester that proceedings be continued, and the agreement be made official.  
(Rubric) Almonester

Postigo

DOCUMENT 2534.

BOX 59.

(cont'd.)

DECREE by Don Andres Almonester y Roxas, judge of the lower courts of this city, and rubricated on May 26, 1790.

(Signed) Pedro Pedesclaux, notary public

On above date the notary notifies Don Satiago Mather, in person and attests.

(Signed) Pedesclaux, notary

On same date the notary notifies Don Gabriel Tixserand in person.

(Signed) Pedesclaux, notary

On the same date the notary notifies Rosa Choutau, in person, and attests.

(Signed) Pedesclaux, notary

JUDICIAL DECREE: In view of the fact that these parties have arrived at an agreement, I order that each party shall bind himself to said agreement, and, to validate same, I give ~~my~~ authoritative and judicial decree, and order the appraisal of the court-costs, which are to be paid by Don Santiago Mather and Don Gabriel Tixserrand.

Assessment 2 pesos.

(Signed) Almonester  
Postigo, attorney

DOCUMENT 2534.

BOX 59.

(Cont'd.)

This decree is issued by Don Andres Almonester, Judge of this City, for His Majesty, and is signed on May 7, 1790.

(Signed) Pedro Pedesclaux, notary

On the above date the notary notifies Don Santiago Mather, in person, and attests.

(Signed) Pedesclaud, notary

On the same date, the notary notifies Don Gabriel Trixserrand, in person, and attests.

(Signed) Pedesclaux, notary

On the same date the notary notifies Don Bernardo Molina, agent for Rosa Choutau, and attests.

(Signed) Pedesclaux, notary

The above is a true copy of the proceedings and of a decree issued by the Governor and Intendant General of this Province, at New Orleans, on June 17, 1790.

(Signed) Pedro Pedesclaux, notary public

Before His Lordship, in court, there appears Rosa Choutau who represents that she has made repeated demands on Don Satiago Mather for payment of his part of the above agreement, but has obtained nothing but delays and inconvenience. Therefore, she begs His Lordship to issue a writ of seizure against the person and properties of the said Mather in order to secure satis-

DOCUMENT 2534.

BOX 59.

(cont'd.)

faction of the debt, plus interest and costs. His Lordship acknowledges the evidence as presented and orders proceedings to continue.

(Rubric) Almonester

(Signed) Postigo

The above decree is issued by Don Andres Almonester y Roxas, Judge of this City, and is rubricated on June 21, 1790.

(Signed) Pedro Pedesclaux, notary

On the above date the notary notifies Rosa Choutau, and attests.

(Signed) Pedesclaux, notary

DECREE: Issue writ of seizure against the person and property of Don Santiago Mather in favor of Rosa Choutau, free negress, for the sum of two hundred pesos, with interest and costs in regular form.

(Signed) Almonester

Postigo, attorney

Decree by Don Andres Almonester y Roxas, Judge of the Lower Courts of this city and signed on June 23, 1790.

(Signed) Pedro Pedesclaux, notary public

On the above date Rosa Choutau, free negress, in person is notified. I attest.

(Signed) Pedesclaux, notary

DOCUMENT 2534.  
 BOX 59.  
 (cont'd.)

On the same date the notary issues a writ of seizure and delivers same to the proper authority, to which he attests.

(Signed) Pedesclaux, notary

To the chief constable of this city, or his deputy: To order Don Santiago Mather to pay to Rosa Choutau, free negress, the sum of two hundred pesos which the evidence proves that he is indebted to her for, and if he should fail to pay, to execute the said seizure against his person and his property, sufficient to cover the payment of said sum, its interest and the costs, in regular form, in compliance with my previous decree.

New Orleans, June 23, 1790.

(Signed) Almonester

By order of his Lordship.

(Signed) Pedro Pedesclaux, notary  
 Public

At the office of the undersigned notary, at New Orleans, appears Don Joseph Valler, acting chief constable, and states that, in compliance with the preceding order, he has requested Don Santiago Mather to pay to Rosa Choutau, free negress, the sum of two hundred pesos, which he has paid to the said Rosa Choutau and which he requests me to register, and signs. Joseph Valler

Pedro Pedesclaux, notary public.

File 209. )  
 June 25, 1790. )  
 Judges: Governor Estevan )  
 Miro and Governor Baron )  
 de Carondelet. )  
 C.C.: Rafael Perdomo, )  
 Fernando Rodriguez, and )  
 Carlos Jimenez. )  
 Spanish. )  
 67 pp. )

PROCEEDINGS INSTITUTED  
 BY JOSEPH CLARET

Asking an Extension of Time for Liquidation

Petitioner, Don Joseph Claret, a resident of New Orleans, requests the court to grant him a two year debt moratorium, and presents a list showing the names of all his creditors and the sums for which he is indebted to them. Wherefore he prays the court to order each creditor to declare if he is willing to grant petitioner's request.

(Signed) Joseph Claret

On June 25, 1790, the court grants petitioner's plea.

(Signed) Miro Postigo

Copy of list presented:

Sworn statement of debts which petitioner owes the following persons:

To Santiago Ferrand-----	300 pesos
To André, Senior.-----	280 "
To Miguel Coradini-----	94 "
To Mariane Brion-----	118 "
To Zenon Talladas (the Catalonian)-----	64 "
To Jean Alexandre Durousseau-----	80 "
To Marie Hognon-----	49 "
To Mr. de Longuais-----	15 "
	<u>1,000 pesos</u>

DOCUMENT 2535.  
 BOX 59.  
 (cont'd.)

Petitioner swears that the above statement is true. June 25, 1790.

(Signed) J<sup>h</sup>. Claret

In compliance with the preceding decree, the court clerk receives the declarations of the said creditors, who agree to grant the petitioner's plea.

---

Petitioner informs the court that the extension of time allowed him by his creditors is nearly at an end and that he will be unable to satisfy their claims. Wherefore he prays the court to order said creditors to appear and declare if they are willing to grant him an additional grace of one year to satisfy their claims; and, inasmuch as two of the original creditors have since died, that the court order their testamentary executors to answer for them.

(Signed) Joseph Claret

On May 5, 1792, the court grants petitioner's plea.\*

(Signed) Baron De Carondelet

Nicolas M. Vidal

The said creditors, including Don Benito Alons testamentary executor of Don Zenon Talladas, agree to grant petitioner's request, excepting Dona Marie Hognon and Don Antonio Mendez, attorney for the heirs of Don Miguel Coradiny, who oppose granting the said request.

DOCUMENT 2535.  
BOX 59.  
(cont'd.)

The court orders service on all interested parties.

(Signed) Baron de Carondelet

Nicolas Maria Vidal

Petitioner states that only two creditors have denied his request and that their claims amount only to 143 pesos, whereas the other six creditors' claims amount to 850 pesos. Wherefore he prays the court to order the dissenters to accede to his request.

(Signed) Joseph Claret

The court orders service on all the interested parties.

(Signed) Baron de Carondelet

(Signed) Nicolas Maria Vidal

Don Antonio Mendez, Public Proctor and attorney for the heirs of Don Miguel Coradiny, in reply to the preceding petition of Don Joseph Claret debtor of the said succession, alleges that the said Claret has made no effort to be in a position to settle his debts during the period allowed him by his creditors; on the contrary, he has lived lavishly and has kept a mulatress in fine style, and has also participated in card games and other amusements. Wherefore he prays the court to order the said Claret to abide by the legal mandate as prescribed in volume 7, tome 5, page 19 of the Recompilations of the Laws of Castille. If he were incarcerated, as he should be, then he would be compelled to surrender his financial records, which would show his debits and credits. Furthermore,

DOCUMENT 2535.  
BOX 59.  
(cont'd.)

the statement presented by him and found on page one is not a certified account of his financial affairs.

(Signed) Antonio Mendez

Dona Marie Hognon, in reply to the petition of Don Joseph Claret, states that she opposes granting him any further extension of time, alleging that said Claret has acted in bad faith by singling her out and offering to settle her account separately and in advance of the other creditors, it she would accede to his request. Wherefore she prays the court to order confiscation of all his financial records, together with his properties, and the arrest of his person, until the conclusion of these proceedings.

(Signed) Marie Hognon

Petitioner requests the court to admit the declarations of his witnesses to disprove the allegations made in the two preceding petitions of the dissenters. The court grants Don Claret's request, and Don Pierre Commager, Jr. and Don Charles Laurent Beaupre, under oath, are interrogated in the following manner: first, if they know Don Claret to be a man of good conduct and not addicted to gambling, dancing, or diversions; second, if they know the free mulattress called Catalina, and if they know that she is employed by Don Claret in the capacity of candy maker's helper, and that his relationship with her has been only that of an employer; third, if they are cognizant that the said Catalina attends dances and dresses lavishly. To the above set of questions witnesses answer as follows: to the first and third, in the affirmative; to the first part of the second, that they knew her; but to the rest of the question, that they could not answer either way.

(Signed) Charles Laurent Beaupre  
Pierre Commager, Jr.

DOCUMENT 2535.  
BOX 59.  
(cont'd.)

The two dissenting parties after a lengthy litigation and desiring to end these proceedings indicate to the court the fact that on June 25, 1790, a term of two-year debt moratorium was granted to the said Claret, contrary to the legal procedure which prescribes that a debt moratorium is to be granted by law only when it is based on the ability of the debtor to be able to pay in full at a future date and that said ability be determined by an amount of substantial security (which was not done in this case). Therefore they request the court to order the properties of the said Claret seized and sold at auction, to satisfy his creditors.

(Signed) Antonio Mendez  
  
Marie Hognon

On May 2, 1793, the court decrees that the pleas of Don Josef Claret to be allowed an extra extension of time in which to settle his past due debts are not meritorious and that the original extension was granted without complying with the necessary requisites; that since these proceedings have been in litigation the said Claret has made no effort to satisfy even the claims of the two opposing factors, and this he will not be able to accomplish in the remaining period of time. By virtue of which this court orders that the said Claret be notified immediately to pay to the attorney of the heirs of the deceased Don Miguel Coradiny the sum of 94 pesos for which he is indebted to said succession, as well as the 49 pesos owed to Dona Marie Hognon; payments to be made without delay; the court further orders him to pay all costs of these proceedings, including 3 pesos for assessments.

(Signed) El Baron de Carondelet  
  
Nicolas M<sup>re</sup> Vidal

DOCUMENT 2535.

BOX 59.

(cont'd.)

The cost of these proceedings amount to 9 pesos, 2 reales, appraised at New Orleans, May 13, 1793.

(Signed) Louis Liotau,  
official appraiser

\* Baron de Carondelet and Nicolas M<sup>a</sup> Vidal succeeded Estevan Miro and Juan Del Postigo y Balderrama, as Governor and Lieutenant-Governor of Louisiana.

File 1884.	)	
June 26, 1790.	)	
Judge: Estevan Miro.	)	PEDRO (sic) LARTIGUE
C.C.: Pedro Pedesclaux.	)	VS.
Spanish and French.	)	PEDRO ROUSSEAU
22 pp.	)	

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To Collect a Debt

The plaintiff, Don Pierre Lartigue, a resident of New Orleans, presents in court a promissory note, now past due, drawn in his favor by Don Pedro Rousseau the defendant in this case who has failed to meet demands for its paymeny. Therefore plaintiff begs the court to declare under oath as to the genuineness of his signature and the validity of the obligation, and to deliver a copy of the declaration to the plaintiff.

(Signed) Pierre Lartigue

Present the note, recognize, swear and declare as requested, then deliver declaration to the court.

(Signed) Miro (Signed) Postigo

The court clerk certified that the above decree was signed on June 26, 1790. (Signed) Pedro Pedesclaux, cout clerk

The court clerk notifies Don Pedro (sic) Lartigue in person. (Signed) Pedro Pedesclaux

The court clerk is unable to notify Don Pedro Rousseau because he is not in the city.

(Signed) Pedro Pedesclaux

DOCUMENT 2536.

BOX 59.  
(cont'd.)

The plaintiff petitions the court to summon Don Rousseau to appear in the clerk's office to make declaration as ordered by the court.

(Signed) Pierre Lartigue

As he requested.

(Rubricated) M (Signed) Postigo

The court clerk certifies that the above decree was issued and rubricated by Judge Miro on June 30, 1790.

(Signed) Pedro Pedesclaux

The court clerk on the same day notifies Don Pedro (sic) Lartigue in person.

(Signed) Pedro Pedesclaux

On this day the court clerk issues the summons ordered by the court.

(Signed) Pedro Pedesclaux

The court clerk certifies that the decree orders any constable or capable person to produce Don Pedro Rousseau in the clerk's office.

(Signed) Pedro Pedesclaux

In the City of New Orleans, on July 28, 1790, Don Pedro Rousseau under oath in the clerk's office declares that the signature on the promissory note is his own and that he owes the debt.

(Signed) Pedro Rousseau

The clerk attests. Pedro Pedesclaux

DOCUMENT 2536.

BOX 59.

(cont'd.)

Don Pedro (sic) Lartigue appears in court and acknowledges the receipt of the defendants declaration, in consequence of which the plaintiff asks for a writ of attachment against defendants properties in an amount to cover the debt, with ten per cent interest and all costs of suit.

(Signed) Pierre Partigue

Bring records of these proceedings.

(Rubricated) M

(Signed) Postigo

Court clerk certifies that above decree was issued by Don Estevan Miro and rubricated on 13 inst., 1790

(Signed) Pedro Pedesclaux

On the same day the court clerk notifies Don Pedro (sic) Lartigue, in person.

(Signed) Pedro Pedesclaux

The court issues the decree as prayed for by the plaintiff -- approved--

(Signed) Estevan Miro (Signed) Postigo

The court clerk certifies that the above decree was issued by Don Estevan Miro who signed it on August 17th 1790. (Signed) Pedro Pedesclaux

On the same day the court clerk notifies Don Pedro (sic) Lartigue in person. (Signed) Pedesclaux

The Chief Constable of this city or his deputy will request Don Pedro Rousseau to pay to Don Pedro (sic) Lartigue the sum of 800 pesos which he owes, and if he

DOCUMENT 2536  
 BOX 59.  
 (Cont'd.)

fails to do so the said constable is hereby instructed to seize said Rousseau's property in sufficient amount to satisfy said amount plus interest and costs until payment is made. I have thus ordered by decree issued to-day in the above matter.

New Orleans, August 17, 1790.

(Signed) Estevan Miro

By order of his Lordship,

Pedro Pedesclaux

In the City of New Orleans, Sept. 2, 1790, Don Juan Bauresta Combele (sic), deputy sheriff of this city, appeared before the court clerk and stated that he had called upon Don Pedro Rousseau at his plantation one league above the city and requested him to pay the sum of 800 pesos to Don Pedro (sic) Lartigue, but he stated that he did not have any property or money and that Don Pedro Lartigue could do whatever he pleased; he asked me to have these things stated in the proceedings.

(Signed) J. B. Combelle. (Signed) Pedro Pedesclaux

Don Pedro (sic) Lartigue, through his attorney, now submits to the court a letter purporting to prove that Don Pedro Rousseau does own two slaves which he offers for hire, and therefore plaintiff petitions for a writ of execution against said slaves. (Signed) Felipe  
 Grimault

Examined and decreed:

Issue a writ of attachment against the two negroes belonging to Don Pedro Rousseau, and instruct Juan Josef Duforest to translate the letter presented.

(Signed) Estevan Miro

Postigo

DOCUMENT 2536.

BOX 59.

(cont'd.)

On the same day the court clerk notifies Don Pedro (sic) Lartigue. (Signed) Pedesclaux

On the same day the court notifies Don Juan Josef Duforest who swears to faithful performance and signs.

Juan Josef Duforest  
(Signed) Pedro Pedesclaux

The translation of the letter indicates that Don Rousseau had been trying to secure some money to pay on the debt but without success. He proposes to sell a negro couple but has not been able to do this. He states that his successive and frequent losses have prevented him from paying the debt.

(Signed) Rousseau

Before the court clerk there appears Don Juan Bautista Combelle (sic), deputy sheriff and states that he has seized and turned over to Don Matias de Alpuente, agent of the General Depository, two negroes Maria Francisco and her son.

(Signed) J. B. Combelle

The clerk attests. Pedro Pedesclaux

Don Pedro (sic) Lartigue appears in court and states that Don Pedro Rousseau has satisfied his claim and petitions the court to deliver to Don Rousseau the promissory note and that Don Rousseau has agreed to pay court costs.

(Signed) Pierre Lartigue

DOCUMENT 2536.  
BOX 59.  
(cont'd.)

Deliver the promissory note presented in this process; appraise the costs to be paid by Don Pedro Rousseau.

(Rubricated) M. (Signed) Postigo

Court clerk certifies decree was issued by Don Estevan Miro who rubricated it Sept. 11, 1790.

(Signed) Pedro Pedesclaux

Court clerk notifies Don Pedro (sic) Lartigue, on the same day. (Signed) Pedesclaux

Court clerk notifies Don Pedro Rousseau, on the same day. Signed Pedesclaux.

Court clerk on the same day notifies Don Luis Liotau who accepts and swears to faithfully appraise the costs of these proceedings.

(Signed) Luis Liotau

Court clerk attests, Pedro Pedesclaux

The court costs amount to 16 pesos, 4 reales.

New Orleans, November 20, 1790.

(Signed) Luis Liotau

DOCUMENT 2537.  
BOX 59.

File 164. )  
June 28, 1790. )  
Judge: Governor (Este- )  
van Miro). )  
C. C.: Rafael Perdomo. )  
Spanish. )  
18 pp. )

PROCEEDINGS INSTITUTED  
BY  
LUIS CHAMARD

A Petition to Make an Assignment in Favor of His Creditors

The petitioner, Don Luis Chamard, a resident of the post of Natchitoches, petitions the court in the City of New Orleans to the effect that he wishes to make a cession of his properties in behalf of his creditors. For this purpose he submits a sworn inventory of all his properties and other assets, which, however, are not sufficient to pay his indebtedness; consequently he asks the court that they be divided among his creditors according to their respective merits. He represents to the court that his inability to pay his creditors is due to various misfortunes which he has experienced.

(Signed) L. Chamard

The court grants his petition and orders the creditors to be notified by means of public edicts and personal summonses, through the authorities of their respective communities, and to appear before the court clerk within 3 days and submit the necessary documents in order to prove their claims.

(Signed) Miro

(Signed) Postigo

## DOCUMENT 2537.

BOX 59.

(Cont'd.)

The petitioner also petitions the court to order the commander of the post of Natchitoches to proceed immediately with the sale of his properties in order to pay the creditors, and in this manner avoid further costs. He believes that the proceeds of the sale of said properties will barely cover the amount of the mortgages and the dowry of his wife.

The court orders the proceedings to be forwarded, and on the same day Don Luis Chemard (sic) is notified.

The court decrees that, since the Auditor of War by reason of his promotion can not render his legal advice in this case, the proceedings be forwarded to Don Manuel Serrano in order that he may consult with the judge.

The outcome of the case is unknown.

File 44. )  
 June 30, 1790. )  
 Judge: Gov. Miro. )  
 C.C.: R. Perdomo. )  
 Spanish. )  
 4 pp. )

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ENOCH WELCH  
 VS.  
 ROBERT ROBIN DELONGNY

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For the Collection of a Debt

The plaintiff, Don Enoch Welch, institutes proceedings to collect from the defendant, Don Robert Robin Delongny, inhabitant of the coast of Allemands, the sum of one hundred and twenty-eight pesos, Mexican currency, balance due for certain masonry work performed at his plantation, submitting to the court as evidence a certification from Don Santiago Massicot, commander of the post of Allemands. He prays the court to send an order to the commander of said post in order to compel the defendant to pay the above amount.

(Signed) Enoch Welch

The court grants the above petition and orders the said commander to summon the defendant to his presence and once he has recognized the said debt to compel him to pay it with the full force of the law.

(Signed) Miro

(Signed) Postigo, attorney

DOCUMENT 2538.

BOX 59.

(Cont'd.)

The plaintiff appears before the court clerk in the City of New Orleans and declares that he has received his payment, and that he signed a formal receipt to that effect, witnessed by Don Francisco Carcases and Don Antonio Rodriguez.

The court costs amount to 5 pesos, 4 reales; appraised by Don Luis Liotau.

The court clerk certifies to the above.

(Signed) Perdomo, court clerk