

- Emancipation of Lesueur de LaFreniere. Also petition  
for family meeting 9-2
- Fuselier de la Claire,vs Ellec known as Colmart 9-2
- Jac. Massicot,Baker vs Sr. Fauche Capt of the vessel  
" La Pallas" Re: consignment of flour received in a  
damaged condition. 9-22
- Sessions of the Superior Council 9-2
- Succession of de La Boullaye between Claude J.V.  
Dubreuil,acting for his wife Jeanne La Boullaye, and  
Guillaume Loquet de La Pommeraye,acting for his wife  
Jeanne Trudeau,widow of de La Boullaye,mother of Dame  
Villars... 9-6
- Letter to Sr. Rondes signed Urania. A family letter  
9-8
- Succession of Sr. Fazende,former Judge of the S.C 9-2  
9-9
- Marriage Contract. Jean Barth & Elizabeth Tomalin,  
widow of Louis Lavigne ( or Lavergne) 9-18
- Act of Sale. Jean Jos. D. de Pontalba,Capt. of Infantry  
commanding for the King at the Post of Pointe Coupee,  
and Dame Marguerite Broutin,his wife, sell & transfer  
to Pierre Francois Roussillon, a plantation 2 1/2  
miles above the city... 10-4
- Certificate on request of Ambroise Heydel & Gaspard  
Taulse, the undersigned Darensbourg certifies that  
both above named resided at L'Ause aux Outardes,until  
the invasion of the Tchactas... 10-4
- Decree in separation of properties.Marie Catherine  
Vinconneau,wife of J.B. Baudreau,vs J.B. Baudreau 10-7
- Executive Session of the Superior Council 10-7

Sr. Chauvin de la Freniere, known as Le Sueur, a minor, desiring to sell a tract of land 4 arpents front by the usual depth 7 1/2 miles above the city on the left bank of the river at the Tchoupitoulas cypress land... 10-7

Bolt of sail cloth was stolen on Nov 22, 1751, from the vessel "Elizabeth" from Martinique, anchored in this city, by a mulatto named Joseph in complicity with a negro from the Jesuits. This is a petition for recovery of cloth or 232 livres value of cloth 10-6

Letter to Chantalou, Attorney for Vacant Estates in La. from Testar in Bordeaux 10-28

Jean Ducoudray, soldier of the Marines, in garrison at Kascaskia, having been court martialed for burglary his case was referred to the S.C of the Province of La... 10-22

Sr. Dubreuil, Capt. of Militia vs De Coue. On the settlement of accts by arbitration between Dubreuil and De Coue, the arbiters, Broutin, engineer & Guedon decided the balance in favor of Coue 10-30

Criminal case of Jean Ducoutray, accused of burglary 10-31 11-2, 3 10

Jos. Gerardy, Colonist at Bayou St. John, vs Chas. Tarascon, married to Marie Louise Gerardy, widow of Langlois. Petition for executory performance 11-6

Girardeau vs Durand. Petition for recovery 11-27

By notarial act, at Martinique, Jac. Malvezin, owner of the vessel "l' Elizabeth" & Clement Roudes, a colonist in La. entered into a partnership for the exportation of Louisiana products to Martinique. 11-1

Succession of Ignace Trepagnier 11-11

~~XXXXXXXXXXXX~~

Succession of Sr. Rivarde. Petition for family meeting 11-11

Executive Session of the Superior Council 11-11  
( interesting material)

Succession of Sr. Gerbe 11-13

Letter written at La Rochelle signed Rasteau, Sr & Jr., to Sr. Chantalou at N.O 11-1

Succession of Pierre Le Roy, known as Ferrand. Petition for accounting & partition 11-29

Capt. Melineau vs Daunois. Petition for execution of Contract 11-29  
12-10

Letter of Testar in La Rochelle, to Chantaloup in N.O. 11-30

Succession of Noel Pellang 12-2

Sr Couturier, surgeon after mortgaging on Nov. 3, a house & lot to Destrehan for 4889 livres 8 sols 7 dr. tried to sell said property. J.B. Garic, in the name of Destrehan, before Sheriff Lenormand declares & enters protest against said sale... 12-23

Succession of Jeanne Trenant, wife of Louis Brazier petition for accounting 12-28

YEAR 1752

SEPTEMBER 2

RE: ESTATE OF MR. LESUEUR DE LAFRENIERE,  
EMANCIPATED. PETITION FOR FAMILY MEETING.

Mr. Lesueur de Lafreniere, judicially emancipated, herein authorized by his guardian, Mr. LeBretton, through undersigned Attorney, represents that, in addition to the land which he received as his share of his father's succession, he also inherited four acres are only a burden and an expense to him and that he was able to sell them to an advantage to himself but the purchaser refuses to make payment alleging that petitioner can not furnish him proper title. Wherefore, petitioner prays for order decreeing that a Family meeting be held for the purpose of deliberating on the matter of said sale. Petitioner also prays that a Judge be appointed to preside at said meeting and that the conclusions reached at said meeting shall be duly reported.

(Signed) Garic, Attorney.

LeBretton.

September 2, 1752.

ORDER

Petition for family meeting granted. Said meeting is to be held before Mr. Raguet, Judge, before the Attorney General.

Given at the Council Chamber at New Orleans.

(Sgd) Michel.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

SEPTEMBER 2nd

SIEUR FUSELIER DE LA CLAIRE  
VERSUS  
SR ELLEC KNOWN AS COLMART.

DECREE

Considering the petition of Sieur Fuselier de la Claire to recover from one Colmart the sum of 468 livres 3 sols 7 deniers, the Council orders a decree by default against defendant, said Colmart to be re-summoned to appear at the next session of the Council.

By the Council.  
Chantalou.

Received five livres.

SUMMONS

Pursuant to the foregoing order issued on petition of Sieur Fuselier de la Claire sheriff LeNormand issues and delivers to Sieur Colmart copy of the aforesaid decree and summon to appear at the next session of the Council to answer said petition and to hear the final decree in the case.

LeNormand.

YEAR 1752

SEPTEMBER 2

SUCCESSION OF ETIENNE LANGLOIS AND  
DAME GERVAIS.

SIEUR VINCENT GUILLAUME, SENECHAL DAUBERVILLE.  
VERSUS  
SIEUR PIERRE BOUCHER DE MONLIERUN, ESQUIRE SIEUR  
DE LA SOUDRAYE AND DAME PETIT DE COULANGE, HIS  
WIFE.

Mr. Dauberville, Intendant Commissary, second Judge of the Superior Council, creditor of defendant for the the sum of 3000 livres in piastres at five livres and 200 livres, evidenced by notes dated June 18, 1788 and August 9, 1749, hearing that Dame de Coulange was a coheir in the succession of Sieur Etienne Langlois and Dame Gervais, his wife, took a judgment and a writ of seizure against said succession, but in the meantime said succession being settled Mr. Dauberville petitions the Superior Council for a writ of seizure to be issued against any assets up to 3200 livres that Sieur Fortie curator of the succession may recover.

Garic for plaintiff.

Notice received.

Fortie.

YEAR 1752

SEPTEMBER 2

SUCCESSION OF SIEUR FAZENDE,  
FORMER JUDGE OF THE SUPERIOR COUNCIL.

Petition for emancipation.

All minors of the late Sieur Fazende, except Jacques Fazende, having been emancipated by decree of the Superior Council, the said Jacques Fazende now about eighteen years of age, claiming to be absent in France at the time of said decree, petitions the Superior Council for an order to call a family meeting to authorize his emancipation, said meeting to be held before Hon. Raguét; its decree to be returned to the Superior Council for homologation and final order.

(Signed) Jacques Fazende

Petition granted.

(Signed) Michel

Sept. 20, Pursuant to the foregoing order issued on petition of Jacques Fazende, Sheriff Lenormand issues and delivers summons to the following relatives and friends of the Fazende family to be present at the meeting to discuss and decree on the emancipation of Jacques Fazende:

Alexandre Viel, Surgeon  
Mr. de Monbereault, Captain of Infantry  
Mr. de Flommer, Infantry Officer  
Mr. de Verbois, Officer, cousin of the minors  
Mr. Ledoux, Officer, cousin of the minors  
Mr. Derneville, Captain of Infantry, first  
cousin of the minors  
Mr. Layssard, brother-in-law of the minors

(Signed) Lenormand

YEAR 1752SEPTEMBER 2EXECUTIVE SESSION OF THE SUPERIOR  
COUNCIL.

Were present, Messrs:

De Vaudreuil, Governor  
 Michel, Commissioner General of Marine,  
 Chief Justice  
 Dauberville, Commissioner of Marine,  
 Second Judge  
 De Membrede, Major of the City of New  
 Orleans  
 Raguet, Dean of the Superior Council  
 Delalande, Kernion and LeBretton, Lateral  
 Judges

Jacques Massicot  
 versus  
 Sieur Fauche, Ship Captain

Considering the petition and defence of litigants,  
 the Council orders the suit of Sieur Massicot to  
 be dismissed; a test in bread making of the flour  
 to be made by Sieurs Bellegarde and Desormeaux,  
 bakers, their official report to be submitted to  
 Honorable Michel. Cost on plaintiff.

Pictet and Caminada  
 versus  
 Sieur Couturier, tutor of the minor children of  
 Sieur Le Kintrek

Considering the petition and defence of litigants,  
 the Council orders the succession to pay the value of  
 1114 pelts at the rate of 35 sols each, amounting to  
 1949 livres 10 sols, and costs.

Sieur de Saint Protest Populus  
Garic, Attorney  
versus

Michel Fortier, Curator of the minor children of  
the late Catherine Baudreau widow Gervais.

Considering the petition and defence of litigants,  
and the opinion of Sieur de Kernion, acting At-  
torney General during Mr. Fleuriau's sickness,  
the Council orders that Mr. Fortier render an ac-  
count of the funds of said succession before Mr.  
Raguet; the official report to be referred to  
the Council for the proper decree.

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Mr. Dauberville  
versus  
Sr. La Soudraye Monbrun

Considering the opinion of Mr. de Kernion, acting  
Attorney General, the Council orders Sieur Fortie  
to remit to Sieur Dauberville all funds belonging  
to the succession of Dame Gervais; Sieur  
Dauberville to remain responsible for said funds  
of the minors of Sieur La Soudraye.

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Jeanne Frederic, Garic, Attorney,  
versus  
Jacques Nicolas

Considering the petition and defence of litigants,  
the Council orders parties to appear before Mr.  
Duverges, engineer; his official report to be  
referred to the Council for the proper decree.  
Costs pending.

Widow Piquery  
versus  
Sieur Tixerant

Considering the first decree by default, the Council orders a second decree by default and orders Sieur Tixerant to pay plaintiff the amount of her claim and costs.

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Sieur Fuselier  
versus  
Colmart

Considering petition of plaintiff and promissory note of defendant, the Council orders a decree by default. Costs pending.

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Petition of Sieur Dreux

Considering the petition of Sieur Dreux, the Council accepts his resignation as Curator of Demoiselle Rivarde and officially appoints Sieur De Coue, uncle of said minor, in his place.

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Dame Vinsonneau, plaintiff in separation,  
versus  
Sieur Baudreau, her husband

The Council orders that a copy of the petition and of the official report of the inquiry be delivered to defendant, said defendant to answer within one month if he thinks proper.

Villars Dubreuil in the name of  
his wife, Dem<sup>e</sup>lle Laboulaye,  
versus  
Sieur de La Pommeraye

The Council orders that the negress Catin, belonging to the succession, be appraised at her original price, Sieur Villars to reimburse said appraised price to the succession as well as the rents at 100 livres per year until the day of the partition, all new born to be the property of Mr. Villars.

The negress Catherine be appraised and said amount and 500 livres for rent awarded by the Council to be reimbursed to Mr. de La Pommeraye; the partition to be made by arbiters appointed by the litigants in presence of Mr. Raguet.

(Signed) Michel

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752SEPTEMBER 2

## EXECUTIVE SESSION OF THE SUPERIOR COUNCIL.

Were present:

Messrs. De Vaudreuil, Governor  
Michel, Commissioner General of Marine,  
Intendant Commissary and Chief Justice  
Dauberville, Commissioner of Marine,  
Second Judge  
De Membrede, Major of the City of New  
Orleans  
Raguet, Dean of the Superior Council  
Le Bretton, Delalande and Kernion, Lateral  
Judges.

Jacques Massicot, merchant,  
versus

Sieur Fauche, Captain of the Merchant Vessel "La  
Pallas"

Sieur Massicot bought from Sieur Fauche 220 barrels of flour for the sum of 7150 livres. Said flour, after delivery, proved to be damaged, Sieur Massicot petitioned the Superior Council to recover the aforementioned amount, stating he had bought said flour, trusting to the good faith, honesty and sincerity of Sieur Fauche, who guaranteed said flour to be good and fresh.

Sieur Fauche in his answer stated that said flour was not sold as Nerac's flour as alleged and Sieur Massicot only paid for it fifteen days and only complained thirty-two days after delivery, the flour having ample time to deteriorate in his warehouse. The Council considering the foregoing petition and answer orders that Sieur Massicot be non-suited in his demand and a test of said flour be made in bread making by Sieurs Bellegarde and Desormeaux, bakers, their official report to be referred to Hon. Michel for a proper decree. Costs on plaintiff.

Sieurs Pictet and Caminada, Merchants,  
holding procuracy and acting for Sieur Mesnard,  
versus

Sieur Couturier, acting for and tutor of the minor  
children of the late Sieur Le Kintreck, known as  
Dupont  
Sr. Garie, attorney.

Sieur Mesnard having contracted with the late Sieur  
le Kintreck for the delivery of 1114 parchment roe-  
buck pelts and having advanced their approximate  
value, said advance evidenced by notes of July 1st  
and 18th, 1748, Sieurs Pictet and Caminada, proxies,  
petition the Superior Council for the delivery of  
said pelts.

Sieur Couturier answers that all pelts belonging to  
the succession having been sold judicially for the  
benefit of the creditors, it was impossible for him  
to make said delivery in kind, demands that plain-  
tiff be non-suited in his claim and the Council or-  
ders said claim to be settled in ready cash.  
Considering the foregoing petition and answer,  
the private contract dated March 5th, 1748, between  
Sieurs Mesnard and Le Kintreck the notes of Sieur  
Le Kintreck, dated May 17th and July 1st and 18th,  
1748, the private procuracy granted by Sieur  
Mesnard to Sieurs Pictet and Caminada, dated Septem-  
ber 3rd, 1749, all depositions and opinion of Sieur  
de Kernion, acting Attorney General during Sieur  
Fleuviau's sickness, the Council orders Sieur  
Couturier to pay plaintiff the 1114 pelts at the  
rate of 35 sols per pelt, as appraised by the  
Council making a total of 1949 livres 10 sols and  
costs,  
Sieur Couturier to receive good and valid dis-  
charge to be accounted in his final report of  
the succession.

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Sr. Jean Baptiste Garic, acting for and with procuration of Sieur Populus de St. Protest, widower of Marie Joachine Langlois, tutor of their minor children and in said capacity co-heir in the succession of Catherine Baudreau, widow Gervais, his mother-in-law,

versus

Michel Fortier, Curator of the minor children of Catherine Baudreau, widow Gervais.

The succession of Dame Catherine Baudreau, widow Gervais, having been settled and the funds trusted in custody of Sieur Fortier,

Sieur Populus de St. Protest, desiring to get possession of his late wife's share to use the revenue for the education of his children and set the capital aside until their majority, petitioned the Superior Council to get an accounting from Sieur Fortier and for a partition of said funds among the co-heirs.

Considering the foregoing petition, the procuration issued by Mr. Marcellin, Notary at Mobile, and the opinion of Attorney General, the Council orders Sieur Fortier to give an account within one month, of the funds of said succession to be later divided among the co-heirs; said report to be made to Mr. Raguet before the Attorney General, the proper decree to be issued in the case.  
Costs pending.

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Vincent Guillaume Senechal Dauberville,  
Commissioner of Marine, Second Judge of the  
Superior Council,

versus

Pierre Boucher de Monbrun, Sieur de La Soudraye  
and Michel Fortier, brother-in-law of Sieur de  
La Soudraye.

Sieur de La Soudraye, being indebted to Dame Petit de Coulange, now wife of Sieur Dauberville, in the sum of 3200 livres evidenced by two promissory notes: one of 3000 livres in piastres dated June 15, 1748, and the other for 200 livres dated August 9, 1749; his late wife (Sr. de La Soudraye's) being a co-heir in the succession of Etienne Langlois and his wife Dame Gervais, Sieur Dauberville, after an unsuccessful attempt to recover, the succession being settled, petitioned the Superior Council to have all funds belonging to said succession, now in custody of Sieur Fortier, seized up to the amount of 3200 livres, interest and costs.

Considering the foregoing petition, the two notes of Sieur de La Soudraye, the writ of seizure of April 18th last, and opinion of Attorney General, the Council orders that all funds derived from the succession of Marie Catherine Baudreau, widow Gervais, belonging to Sieur de la Soudraye as his late wife's share, now in custody of Sieur Fortier, be remitted to Sieur Dauberville. Said Sieur Dauberville to be responsible to the La Soudraye's minors for their mother's share in said succession.  
Costs pending.

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Widow Piquery, Baker,  
versus  
Sieur Tixerand, Colonist

Sieur Tixerand being indebted to Widow Piquery for the quantity of 1726 pounds of flour and in the sum of 215 livres for the baking of same, a decree by default was rendered on petition of Widow Piquery.

Considering the aforementioned first decree by default, the Superior Council orders a second decree by default, ordering Sieur Tixerand to return the 1726 pounds of flour in kind and to pay 215 livres and costs.

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Sieur Fuselier de La Claire, merchant,  
versus  
The named Eller, known  
as Colmart.

Considering the petition of Sieur Fuselier de La Claire, for the recovery of 468 livres 3 sols 7 deniers evidenced by a promissory note of 539 livres 8 sols 7 deniers less 71 livres 5 sols paid on account, dated February 9, 1752, the Council issues first decree by default, for non-appearance and order that defendant be re-summoned for the next session of the Council; costs pending.

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Petition of Sieur Mathurin Dreux,  
to be discharged of curatorship.

Sieur Dreux, having been appointed by decree of Family Council, curator of Demoiselle Rivarde, following the resignation of Sieur de Kernion, her step-father, finding that said succession was insolvent, Dame de Kernion claiming all movable and immovable properties and beside indebted to Mr. de Kernion in the sum of 6000 livres, petition the Superior Council stating he took charge of said curatorship with the understanding of administering it in a friendly way, but as such conditions are leading to litigation and he is a friend of both sides and not related to the minor, prays the Council to accept his resignation and order a family meeting to have a relative, Mr. DeCoue, her maternal uncle, or Sieur Provenche, her cousin, appointed in his stead.

The Council considering the aforementioned petition, and the reasons advanced for Sr. Dreux's resignation, orders that Sieur DeCoue be officially appointed as curator for Demoiselle Rivarde.

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Petition of Dame Marie Catherine  
Vinsonneau for separation of properties  
from Jean Baptiste Baudreau, known as  
Gravelines, her husband.

Considering the decree of August 1st ordering an inquiry upon the facts stated on plaintiff's petition, the official report of said inquiry, with depositions of four witnesses and opinion of Attorney General, the Council orders that copies of said petition and official report be delivered to defendant, said defendant to answer within one month, if he thinks proper.

No Signatures.

Not listed in Louisiana Historical Quarterly.

YEAR 1752

SEPTEMBER 2

SESSION OF THE SUPERIOR COUNCIL

Marie Catherine Vinsonneau, authorized  
versus  
Jean Baptiste Beaudreau, her husband,  
for a separation of properties.

Decree

Considering the decree issued on August 5th ordering an inquiry upon the facts stated on plaintiff's petition,  
The official report of the inquiry held on August 16th before Mr. Raguet,  
The opinion and demands of the Attorney General, ✓

The Council orders that copies of said petition and of the official report of the inquiry be delivered to Jean Baptiste Beaudreau, said Beaudreau to file his answer to said petition and official report within one month.

By the Council,  
(Signed) Chantalou, Clerk

September 5, Notice and Summon.

Pursuant to the foregoing decree issued on petition of Marie Catherine Vinsonneau, wife of Jean Baptiste Beaudreau, Sheriff LeNormand issues and delivers to Sieur Jean Baptiste Beaudreau copy of said petition and a list of

the names and qualifications of all witnesses summoned to testify at said inquiry with copy of their depositions,

Also summon to appear before the Council on the first Saturday of next month of October to answer said petition and facts stated on said inquiry,

Notifying him that whether present or absent, final decree will be rendered on the case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752SEPTEMBER 7

## SUCCESSION OF DAME GERVAIS.

Sr. Jean Baptiste Garic, acting for and with procuracy of Sieur Populus de St. Protest, widower of Marie Joachine Langlois, tutor of their minor children and in said capacity, co-heir in the succession of Catherine Baudreau, widow Gervais, his mother-in-law,

versus

Michel Fortier, curator of the minor children of Catherine Baudreau, widow Gervais

## Petition for accounting

The succession of Dame Catherine Baudreau, widow Gervais, having been settled and the funds trusted in custody of Sieur Fortier, Sieur Populus de St. Protest desiring to get possession of his late wife's share to use the revenue for the education of his children and set the capital aside until their majority, petitioned the Superior Council to get an accounting from Sieur Fortier and subsequently for a partition of said funds among the heirs.

Considering the foregoing petition and all other papers pertaining to the case, the procuracy issued by Mr. Marcellin, Notary at Mobile, to Mr. Garic and the opinion of the Attorney General, the Council orders Sieur Fortier to give an account within one month of the funds of said succession to be later divided among the co-heirs; said report to be made to Mr. Raguet before the Attorney General for the proper decree to be issued in the case. Cost pending.

(Signed) Chantalou, Clerk

1752

September 22,

Notice

Pursuant to the foregoing order issued on petition of Sieur Garic, proxy for Sieur Populus, Sheriff Lenormand issues and delivers a copy of said decree to Michel Fortier, tutor of the minor of Dame Gervais and curator of said succession.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752

SEPTEMBER 5

SUCCESSION OF SIEUR de La BOULAYE.

Claude Joseph Villars Dubreuil, acting  
for his wife, Jeanne de La Boulaye,

versus

Guillaume Loquet de la Pommeraye,  
acting for his wife, Dame Jeanne Trudeau,  
widow of Mr. de La Boulaye (and mother  
of said Dame Dubreuil)

Judgment decreeing the following:

That plaintiff be charged with rental of negroes  
of said succession,  
That his petition to be permitted to take the  
negroes of said succession be dismissed,  
That the claims of plaintiff and his wife in  
and to rights of donor be dismissed for the  
reason that there existed no marriage contract  
between Mr. de La Boulaye and his wife, the  
said Jeanne Trudeau,  
That the cost of mourning garments for the widow  
and her children be fixed at a certain sum,  
That plaintiff return the two negroes who were  
given him by defendant at the time of his mar-  
riage in order that they may form part of the  
mass of the succession to be subsequently  
divided,  
That the plantation which Sieur Trudeau had al-  
lowed Sieur and Dame de La Boulaye to enjoy,  
shall remain the separate property of said  
de La Boulaye as her share in her father's and  
mother's succession,

That the mass of the succession of Mr. de La Boulaye shall be divided as evenly as possible, it being understood that where it is impossible to divide same in kind, a judicial sale of the property will be necessary in order to effect the partition.

(Signed) Raguet

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752SEPTEMBER 6

SUCCESSION OF SR. de La BOULLAYE  
BETWEEN CLAUDE JOSEPH VILLARS DUBREUIL,  
ACTING FOR HIS WIFE, JEANNE LA BOULLAYE,  
and  
GUILLAUME LOQUET de La POMMERAYE, ACTING  
FOR HIS WIFE, JEANNE TRUDEAU, WIDOW OF SR.  
de La BOULLAYE, MOTHER OF DAME VILLARS.

The Council having seen accounts presented by  
Sr. de La Pommeraye, defenses and conclusions,  
decrees as follows:

That income of Sr. de La Pommeraye be paid from  
slaves' rental, amounting to 12,265 livres 16  
sols, estimation made by Sr. DeVerges and Trudeau,  
arbiters named under date of July 27th,  
That petition to take slaves of succession be  
dismissed,  
That claim of plaintiff and wife to the right of  
dowry be also dismissed for the reason that there  
was executed no marriage contract between said  
Sr. La Boullaye and Jeanne Trudeau,  
That 20 slaves are to be divided ; one-half to  
said Dame, the other half to be divided between  
Sr. Villars because of his wife and Sr. La Boullaye,  
a brother (absent) the share of a minor La Boullaye  
is to remain in care of said Sr. and Dame (tutor)  
to be used to minor's best advantage,  
That plantation Sr. Trudeau had allowed Sr. and  
Dame La Boullaye, remain the separate property of  
her father's and mother's succession,  
That slaves and property, the mass of said sum,  
be evenly divided and be understood that when  
impossible to divide, judicial sale be made to  
effect partition.

Costs to present day amounting to 208 livres payable between said Dame and minors.

All of the demands and petition are to be dismissed and succession condemned and all other costs and expenses.

(Signed) Raguet

Not listed in Louisiana Historical Quarterly.

58/29

YEAR 1752SEPTEMBER 8

## LETTER TO SR. RONDES

No address

This letter apparently written to a son and signed Urania is an affectionate family letter, expressing regrets of the long silence caused by misunderstanding from a trip said Rondes was supposed to have made to Louisiana. A letter received July 24th causes present answer sent to New Orleans where he now might be and informs him of others sent before to St. Pierre, Mississippi and Louisiana, the last addressed to the Drs. Roussillon. This letter requesting news, he is informed of life at home, of matters personal to themselves and of friends and relatives having married, others now heirs of large fortunes. Writer expresses sorrow on hearing of the accident caused by fire at which he was present and thanking him for his thoughtfulness to her father and sisters, wishes him to know she is the same.

(Signed) Urania

Not listed in Louisiana Historical Quarterly.

YEAR 1752SEPTEMBER 8

## LETTER

OF SIEUR MONEREAU, WRITTEN  
 AT BORDEAUX, TO SR. RONDER (AINE)  
 HIS BROTHER-IN-LAW AT MARTINIQUE,

Acknowledging receipt of a letter. Referring to a trip said Sr. Ronder is about to make to Mississippi, correspondent states to have insured him for 12,000 livres as desired on cargo of Ship "Elizabeth", Capt. Cadis going from Martinique to Mississippi and back to Martinique, at 1/4% and declines offer to buy a share on said ship to be sold on its return, this owing to recent investments.

Enclosing note of assurers and papers requested, writer wishes his brother-in-law prosperous and bon voyage.

(Signed) Monereau

## List of assurers:

Mr. Lartigue	-	3000)		
Hahan	-	2000)		
Francis fils Dejay	-	2000)	1200	
Jung	-	1000)	at 1/4%	5 - 10
Jacomer Alexandre	-	2000)		
Valentin Senior	-	2000)		
Commission 1/2%	-			
				60
				<u>5 - 70</u>

Bordeaux, Sept. 8, 1752

(Signed) Monereau

Not listed in Louisiana Historical Quarterly.

52/138

YEAR 1752SEPTEMBER 9

SUCCESSION OF SIEUR FAZENDE,  
FORMER JUDGE OF THE SUPERIOR COUNCIL.

Petition for accounting

Sieur Layssard, tutor of the minors of the late Sieur Fazende, having for five years enjoyed as farmer, the properties of said succession without rendering an account, Sieur Ledoux in the name of his wife ..... Fazende, jointly with four other co-heirs of age and emancipated, petition the Superior Council demanding that Sieur Layssard be summoned to appear before the Council to give an account of the administration of Sieur Fazende's succession.

(Signed) Le Doux

Permit to summon. (Signed) Raguet

Summon

Pursuant to the foregoing order issued on petition of Sieur Le Doux and others, Sheriff Lenormand issues a summon ordering Sieur Layssard to appear before the Council to answer said petition and hear the proper decree, said summon delivered to Sieur Latendresse.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly,

57/29

#1322

YEAR 1752

SEPTEMBER 9

SUCCESSION OF SIEUR DANIEL FAZENDE

Answer

Pursuant to an order issued on petition of  
Sieur Ledoux and others, Sieur Layssard,  
tutor of the Fazende minors, declares he is  
ready to give an account of his tutorship,  
but asks for a delay of two months in which  
to prepare his report.

(Signed) Layssard

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752SEPTEMBER 11

Letter written at Bordeaux by Sr. Trucharron to Sr. Rondit at Fort St. Pierre acknowledging their long silence. Remarks are made on the writer's poor health. There is also reference to his sorrow on hearing of his friend's loss by a fire at St. Pierre and mention of his great character accepting such a trial he is sure with courage and resignation. Dwelling on some mutual friends, some having married, others having been to Bordeaux. The writer wishes his friend good fortune and hopes to have the pleasure of seeing him soon in France.

Signed Tucharron.

YEAR 1752

SEPTEMBER 16

COLONY OF LOUISIANA  
FISCAL YEAR 1752.

Draft (second copy) for 2000 livres drawn  
by Sieur Duninan at New Orleans on Mr.  
de Boullongne, Treasurer General of the  
Colonies in Paris payable to the order of  
Mr. Dulinot on January 23rd, 1753.

(Signed) Duninan

Approved by the undersigned Commissioner of  
Marine and Intendant Commissary.

Michel.

YEAR 1752

SEPTEMBER 18

COLONY OF LOUISIANA

Fiscal year 1752

Draft (second copy) for 150 livres  
drawn by Sieur Duninau at New Orleans  
on Mr. de Boullongne, Treasurer General  
of the Colonies in Paris, payable to  
the order of Mr. Dulmot on January 25,  
1753.

(Signed) Duninau

Approved by the undersigned  
Commissioner of Marine  
and Intendant Commissary

Michel

Not listed in Louisiana Historical Quarterly.

YEAR 1752

SEPTEMBER 18

COLONY OF LOUISIANA

Fiscal year 1752

Draft (second copy) for 2000 livres,  
drawn by Sieur Duninau at New Orleans  
on Mr. de Boullongne, Treasurer General  
of the Colonies in Paris, payable to  
the order of Mr. Dulmot on January 25,  
1753.

(Signed) Duninau

Approved by the undersigned  
Commissioner of Marine  
Intendant Commissary

Michel

Not listed in Louisiana Historical Quarterly.

YEAR 1752SEPTEMBER 18

## COPY OF MARRIAGE CONTRACT.

Appearing before undersigned Notary and witnesses at New Orleans, Jean Barth, native of Lyons, residing in this colony, son of the late Mathieu Barre and of the late Marguerite Barbier, widower of Perine David, and Elizabeth Tomalin, widow of the late Louis Lavigne (or Lavergne), enter into this marriage contract, which contract contains the following provisions and stipulations, which said appearers agree shall be duly carried out.

Said appearers agree and promise to marry each other and stipulate that the marriage ceremony is to be in accordance with the Rites of the Catholic Church.

It is stipulated that said parties are to live in community of rights, after marriage in accordance with the Customs of Paris.

After partition in the succession of Lavergne, one-third of the partition going to his widow shall belong to the future community to exist between the parties hereto and the remaining two-thirds of said portion shall be the property of the issue to be borne of the marriage now contemplated.

The future husband settles two thousand pounds on his future wife as a dowry and stipulations follow as to its final disposition.

It is stipulated that the surviving spouse in community shall receive six                      pounds, which amount is to be paid said surviving spouse out of the community prior to partition, and immediately following the taking of inventory, said payment to be in cash, should said surviving spouse so desire it.

The next provision treats of the maintenance and upkeep of the children of the late Lavergne and to whom same shall be charged. The last stipulation is so torn that it is not possible, without guessing, to tell exactly what is its import.

Said contracting parties declared themselves unable to write or sign.

Original signed: Cantrelle, Lemelle, Revoil, Picou, Pelisson, LeNormand and by undersigned Notary.

(Signed) Chantalou, Notary

1752

(73243-46)

December 22,

Collated Copy of Inventory of Property belonging to Succession of Louis Lavergne and of the Sale of said property to Jean Barth, Husband of the widow of said Louis Lavergne, now deceased, and disposition of proceeds of said sale.

This property, inventoried and sold, consisted of several negro slaves and of miscellaneous articles such as a few great kettles, some sickles, one dozen and a half pewter spoons, one dozen crockery plates, one table and one safe. The proceeds of said sale amounted to six thousand five hundred eighty-one pounds, ten sols; from said amount, Jean Barth and his wife inherited six hundred pounds from said Lavergne, equally with the three sons-in-law of the widow Lavergne. There being two minor sons of said Lavergne, Jean Barth obligates himself to pay them six hundred pounds on their attaining full age. From the abovementioned

proceeds, three thousand pounds were then deducted which amount represents the children's share in Louis Lavergne's succession. The balance remaining of said proceeds is the widow's share and it is to belong to the community which shall exist after her marriage to said Jean Barth, who obligates himself to deliver said amount to her children, in case she should die before him; however, should he die before his said future wife, his children shall deliver said amount to her without prejudice to her dower rights and said wife and her children shall hold the succession of Jean Barth free of all obligation towards them. Done in the presence of Mr. Darembourg, Commandant at Des Allemands and of the persons undersigned, at Carlestin.

Original signed: Darembourg, Pierre Lavergne. Barth, Hoge & J. Delande declared they were unable to sign or write.

(Signed) Chantalou, Notary

1753

February 1, (73246)  
Affidavit

Personally appeared before undersigned notary and the witnesses Charles Tozineau and Joseph Songy, Jean Barth and Mrs. Elizabeth Tomalain \_\_\_\_\_, widow of Louis Lavergne, who declared that four hundred and two pounds are to be added to the above and foregoing inventory; that said amount represents the price of a piece of land acquired by the widow during her marriage.

(Signed) Chantalou, Notary

1762

July 6, (73246-47)  
Donation Inter Vivos

Appearing before undersigned Royal Notary and the witnesses Marin Barry and Pierre Chiron, Jean Barth

and Elizabeth Thomellin, his wife, by him duly authorized, who declared that not having made each other donations by their marriage contract and because said Barth has since acquired several negroes as a result of having acquired property from his wife's family and fearing that, should he die before his wife, that his heirs might worry her about these said negroes, which are four in number, he now stipulates that should his wife survive him, she is to enjoy the possession of said negroes and that, on her death, said negroes are to be turned over to her heirs. This instrument was then read to said parties, who approved its contents. Said parties declared themselves unable to sign because they can neither read nor write. Whereupon said Barth and Thomellin then and there declared that the above-mentioned negroes were acquired through the earnings and profits of their community and not through property coming from the wife aforementioned, and that the survivor in community is to enjoy the possession of said negroes which shall go to their heirs on both sides at the death of said survivor and that the conditions herein before stipulated are here declared null and void and contrary to these presents.

(Signed) Broutin, Notary

1762

September 7, (73247-48)

Extract from the Hearings of the  
Superior Council of Louisiana  
of September 7, 1762.

The donation inter vivos made each other by Jean Barre, resident of this colony, and Elizabeth Thommelin, widow of the late Louis Lavergne, passed before Broutin, Notary, on July 6th last, the hearing in open Court and

the opinion of the Attorney General, all duly considered; It is ordered and decreed by the Council that said donation be inscribed upon the register of said Council in order that it may have full force and effect, which order was carried out forthwith by the clerk.

By the Council  
(Signed) Broutin, Clerk

(7 $\frac{1}{2}$  pages)

Not listed in Louisiana Historical Quarterly.

61/29

#52/143

YEAR 1752

SEPTEMBER 19

COLONY OF LOUISIANA

Fiscal year 1752

Draft (second copy) for 125 livres  
drawn by Sieur Duninau at New Orleans  
on Mr. de Boullongne, Treasurer  
General of the Colonies in Paris,  
payable to the order of Mr. Testar,  
for account of Sieur Pelisson on  
January 25, 1753.

(Signed) Duninau

Approved by the undersigned  
Commissioner of Marine  
Intendant Commissary

Michel

Not listed in Louisiana Historical Quarterly.

YEAR 1751SEPTEMBER 21

SUCCESSION OF SIEUR DANIEL FAZENDE,  
FORMER JUDGE OF THE SUPERIOR COUNCIL.

Official Report of Family Meeting.

Before Honorable Jean Baptiste Raguet, the following relatives and friends of the Fazende family assembled for the purpose of granting Jacques Fazende, a minor, his full rights by emancipation:

Mr. Derneville, Captain of Marines, first  
cousin

Etienne Layssard, brother-in-law, married to  
Helene Fazende,

De Monberaut, Captain of Infantry, cousin

Mr. Le Doux, Lieutenant, brother-in-law, married to Francoise Fazende

Mr. de Lomer, Lieutenant, cousin

Mr. de Verbois, Ensign, cousin

The unanimous opinion of those present was that the said Jacques Fazende being capable of managing his own affairs, was entitled to emancipation and to administer his properties under the curatorship of Mr. Alexandre Viele.

(Signed) Ledoux, Jacques Fazende  
Alexandre Viel, Derneville  
Deverbois, Layssard  
Montaut de Monberaut

The undersigned acting Attorney General approves the foregoing decree of the family meeting to be homologated and consequently the minor to be emancipated under the curatorship of Sieur Alexandre Viele.

(Signed) Raguet

YEAR 1752

SEPTEMBER 22

JACQUES MASSICOT, BAKER,  
Versus  
SIEUR FAUCHE, CAPTAIN OF THE  
VESSEL "LA PALLAS"

Answer to Petition.

Sieur Jacques Massicot, baker, having purchased from Sieur Fauche, Captain of the Vessel "La Pallas", a consignment of flour amounting to 7150 livres, petitioned the Superior Council to compel Sieur Fauche to retake said flour and refund the said amount of 7150 livres, claiming said flour to be in a damaged condition and unfit to make good bread.

In his answer, Captain Fauche admits that it was not Nerac's flour, but neither was it sold as such, the price paid by plaintiff, proves it.

Sieur Massicot gave the flour a thorough examination and had an expert baker to assist him before purchasing it; said baker stating that the flour was not condemnable but was not fit to make first class bread; said declaration condemns plaintiff.

Sieur Massicot agreed on the price, only after full satisfaction of its quality.

The flour delivered on July 29th was paid on August 15th, but the complaint was only made thirty-two days after delivery, during which time said flour had ample time to deteriorate in plaintiff's warehouse.

(cont'd)

Defendant refers the Council to the case of Bettermieux versus Girardeau, settled in May or June, 1750.

Sieur Bettermieux having bought from Sieur Girardeau a quantity of brandy, and the first delivery the next day having proved unsatisfactory, Sieur Bettermieux entered action against Sieur Girardeau to have the deal cancelled.

The Council ordered Sieur Bettermieux to keep whatever brandy he had received, as he should have it examined before purchase.

Defendant prays that plaintiff's case be dismissed with costs.

(Signed)     Garic, Attorney,  
                  for defendant

Not listed in Louisiana Historical Quarterly.

YEAR 1752SEPTEMBER 25

## SUCCESSION OF FRANCOIS BRUNET.

## Rejoinder

Dame Jeanne Hubert, widow of Francois Brunet, having rendered the account demanded by Claude Chenier in the name of his wife, Marie Louise Brunet, daughter by a previous marriage of Sieur Brunet,

Sieur Chenier in his answer states that he will abide by the decision of the Council concerning the debts paid by Dame Hubert, that she remains in possession of the house and lot as well as the house and lot befallen to her from her father's succession; that the lot and negro in the community of said Jeanne Hubert and the late Sieur Brunet be sold and the proceeds divided between them after payment therefrom of the sum of 375 livres to the named Francois St. Jean, son of Sieur St. Jean, by her first marriage.

Plaintiff agrees to abide by the decision of the Council on all other articles of the report.

(Signed) X - Chenier  
(his mark)

Garic,  
Witness

Not listed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 1

UNSIGNED LETTER ADDRESSED TO  
SR. TESTAR, MERCHANT AT LA  
ROCHELLE, KING'S VESSEL "RINOCEROS"  
CAPTAIN LELARGE.

Writer who is in partnership with Sr. Testar acknowledges letters of March, May and June of the present year, as well as merchandise received, shown by invoice enclosed. Annexed are accounts of goods sold, unsold, and sent to Sr. Bosseron. Joining these are 3000 livres letters of exchange on General Treasurer, and one of 2000 livres obtained from a settlement with Sr. Henry, these to be carried on the partnership receipts. Writer thanks Sr. Testar for advance made his brother-in-law, Sr. Songy, and requests to give him no more, Songy having imposed on his allowance.

Letter dwells much on purchases made, some very satisfactory, others to be corrected and some to be repeated. He asks that on all occasions presenting themselves, whether by freight or otherwise, goods be sent to him.

He informs Sr. Testar of mutual friends returning to France, one a Sr. Babin, bearer of the present and Sr. Henry - requesting this not mentioned Dame Henry (his wife), he fears to see her upon his arrival. Correspondent requests account of their partnership to the present date, his intention being to keep on and to even increase it, if Mr. Testar feels the same.

Complying to remarks made him, he will accept letters of exchange preferably to products. Sending best regards from himself and wife to Testar and his family, remains devotedly,

Unsigned.

Postscript requests enclosed letter delivered,  
and for his wife 50 livres of fancy embroidery  
"pourpoint" and assorted colors of flowers for  
the hair - these carried on the partnership  
account.

(In document is found fragment of list of  
merchandise).

Not listed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 3

## SUCCESSION OF MR. De NOYAN

## Petition for recovery.

Sieur Petit having made a deposit of 5000 livres for safe keeping in care of Mr. de Noyan, said deposit evidenced by a promissory note dated November 15, 1745, 2000 livres paid on account, acknowledged by Mr. Petit's receipt on said note dated May 1, 1746, leaving a balance due of 3000 livres, said note transferred to Mr. Garic for recovery.

Sieur Garic petitions the Superior Council to have Mr. de Chavoy, tutor of the minors of Mr. de Noyan, summoned before the Council and ordered to pay the amount of 3000 livres with interest and cost.

(Signed) Garic

Permit to summon. (Signed) Raguet

## Summon

Pursuant to the foregoing order issued on petition of Sieur Garic, Sheriff Lenormand issues and delivers a copy of said petition to Sieur de Chavoy, tutor of the de Noyan minors, and summon to appear before the Council next Saturday, October 7th, to answer said petition and hear the proper decree in the case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 4

## COPY OF ACT OF SALE

By notarial act, Sieur Jean Joseph Delfau de Pontalba, Captain of Infantry, commanding for the King at the Post of Pointe Coupee, and Dame Marguerite Broutin, his wife, sell and transfer to Sieur Pierre Francois Roussillon, a plantation twelve arpents front by the usual depth, divided in two by a large canal, situated one league (two miles and a half) above the city on the same side of the river, adjoining Sieur Livaudais, Captain of the Port, land from below and the late Sieur Robert Avare land, actually enjoyed by his widow married to Sieur Delaunay, and children from above, with a house and other buildings in decay, being the same plantation Sieur and Dame de Pontalba bought from Sieur Joseph Dauphin and Marie Anne Meunier, his wife, by act passed before Sieur Henry, Notary, on November 9, 1750.

Said sale is made in consideration of 28000 livres which Sieur Roussillon agrees and promises to pay to Sieur and Dame de Pontalba within five years from date with interest at the rate of five per cent, said interest and installments on the capital to be paid annually in French money or any other money current in Bordeaux; the last payment on the capital to be made in Bordeaux no later than four months after the expiration of the five years, no interest to be paid for the said four months. If the final payment is made later than the four months of grace, Sieur Roussillon agrees to pay interest in full to date of payment including the said four months.

Sieur and Dame de Pontalba reserve the right to hold special and priority (first) mortgage upon said plantation until full payment.

YEAR 1752OCTOBER 4

## CERTIFICATE

On request of Ambroise Heydel and Gaspard Taulse, the undersigned Darensbourg certifies that both above named resided at "L'Ause aux Outardes" until the invasion of the Tchactas when Ambroise Heydel transferred to Widow La Vergne 15 arpents of said land for land on this side of the river where he is now established.

That Gaspard Taulse made an even exchange of three arpents with Mr. Ducoder, abandoning the rest of his land.

Again said Darensbourg certifies this will cause reclaiming of lands the proprietors abandoned finally, and should be considered to prevent future difficulties.

(Signed) Darensbourg

At Carleston, Oct. 4, 1752.

Not listed in Louisiana Historical Quarterly.

It is expressly agreed that Sieur and Dame de Pontalba will not be allowed to recover the said 28000 livres until they will have fully settled the amount due the children, heirs of the late Dame Malbec, widow of Sieur Petit de Levilliers, Sieur de Pontalba being their tutor as husband of their mother.

Made and passed in New Orleans at the residence of Sieur Roussillon in presence of Sieur Joseph Pelisson and Marin Lenormand, witnesses.

Original signed by: Pontalba, Roussillon,  
Pelisson, Lenormand, Broutin  
de Pontalba and the notary  
undersigned.

Chantalou, Notary

Not listed in Louisiana Historical Quarterly.

YEAR 1752

OCTOBER 5

SUCCESSION OF SIEUR FRANCOIS BRUNET.

Claude Chenier, acting for his wife,  
Marie Louise Brunet,

versus

Jeanne Hubert, widow by second marriage  
of Francois Brunet.

Decree

Dame Jeanne Hubert having, in compliance with an order of the Council issued on petition of Sieur Chenier, rendered an accounting of the late Sieur Brunet's succession, the case was referred to Honorable Raguet for a decision.

Considering the decree of the Superior Council ordering defendant to render account to plaintiff, The certified account rendered by defendant, a copy delivered to plaintiff, The answer, rejoinder and explanations filed against said account and all other papers pertaining to said case,

Honorable Raguet, Special Commissioner in his decision, recommends that

To the first article which shows assets for a sum of 853 livres 12 sols, be added the sum of 212 livres as a 25 per cent increase, according to law, making a total of 1065 livres 12 sols, which added to the second article (debts recovered by said widow after her husband's death) amounts to 1829 livres,

Other articles on assets approved,  
Two articles on expenses totalling 324 livres  
approved.

Defendant's allowance for mourning expenses re-  
duced to fifty livres.

A sum of 200 livres for her preciput and 300  
livres for her dowry according to her contract  
of marriage deducted from the community at par-  
tition be paid to defendant.

On article fifth the sum of 1008 livres 19 sols  
paid for debts to different persons be reduced  
to 534 livres, the balance rejected as imaginary  
debts,

Article sixth, 300 livres paid by defendant for  
plaintiff's wife's marriage expenses approved.  
The cost of rendering account reduced to 60 livres.  
The lot of ground and negro, the only immovable  
and concrete assets of the community, to be sold  
at auction, defendant to recover her dowry,  
preciput and all other claims from the proceeds,  
also the sum of 375 livres to be paid to Francois  
St. Jean as his share on a lot of ground sold by  
the late Sieur Brunet; the balance to be divided  
between plaintiff and defendant,  
All other claims to be non suited; each one to  
remain the owner of immovables in their possession  
before their marriage.

(Signed) Raguet.

Read and approved  
By the Council  
Michel.

Not listed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 6

## PETITION FOR RECOVERY

A bolt of sail cloth was stolen on November 22, 1751, from the vessel "Elizabeth" from Martinique, anchored in this city, by a mulatto named Joseph in complicity with a negro from the Jesuits.

Sieur le Sassier, merchant, part owner of said mulatto, having refused to pay 232 livres, the value of said stolen bolt, Sieur Jacques Malvesin, the owner of the vessel, petitioned Honorable Michel, Commissioner General of Marine, first Judge at the Superior Council, to recover from Sieur le Sassier 232 livres, the value of said cloth.

(Signed) Jaque Malvesin

Permit to summon.

(Signed) Michel

## Summon

Pursuant to the foregoing order issued on petition of Sieur Jacques Malvesin, owner of the vessel "Elizabeth", Sheriff Lenormand issues and delivers a copy of said petition to Sieur le Sassier and a summons to appear before the Council and answer said petition and hear the proper decree in the case.

(Signed) Lenormand

Oct. 9, Decree  
The testimony of witnesses and the confession of the mulatto, Joseph, who admitted having

stolen the bolt of sail cloth in complicity with a negro, said bolt brought to the Jesuits place, proved beyond doubt that the said mulatto Joseph was an acknowledged thief. Considering the order issued by Sieur Phrepein of Martinique, part owner of said mulatto to Sieur le Sassier, to return said mulatto to Martinique, Honorable Judge Michel orders that said mulatto be delivered on board the vessel "Elizabeth" to be returned to Martinique and to remain in custody of Captain Cadix, until otherwise ordered at Martinique, according to papers and claims furnished by Sieur Malvezin and the present declaration of which a certified copy is delivered.

(Signed) Michel

Not printed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 7

## PETITION FOR WRIT OF SEIZURE.

Widow Piquery, baker, having obtained a decree against Sieur Tixerand for the recovery of 1726 pounds of flour in kind and 215 livres in cash for baking same, now petitions the Superior Council stating that as Sieur Tixerand has never executed said judgment, she demands that the said flour which was worth 200 livres a barrel when sold be paid at the rate of 45 livres per barrel of 285 pounds (current price), making a total of 751 livres 10 sols and 215 livres for baking, a total amount of 966 livres 10 sols for which she demands a writ of seizure against Sieur Tixerand with interest and costs.

(Signed) Widow Piquery

Petition granted. (Signed) Michel

Not listed in Louisiana Historical Quarterly.

YEAR 1752

OCTOBER 7

MARIE CATHERINE VINCONNEAU, WIFE  
OF JEAN BAPTISTE BAUDREAU,

versus

JEAN BAPTISTE BAUDREAU.

Decree in separation of properties.

Considering the petition of plaintiff for separation of properties, renunciation to community and repossession of paraphernal properties, The decree of Council ordering an inquiry upon the facts and malconduct of Sieur Baudreau stated in said petition,

The official report of the deposition of four witnesses at said inquiry and all other papers and deeds pertaining to said case,

The Council orders that:

Plaintiff be separated in properties from defendant.

Certificate be given to her of her renunciation of community existing between herself and J. B. Baudreau, and consequently permit to retake possession of all movables and immovables, effects and cattle brought by her into the community at her marriage, such properties to remain in her ownership as well as her children's; he expressly forbids J. B. Baudreau to sell or to mortgage them under no reason whatsoever.

An inventory to be taken of all properties.

Considering the opinion of Sieur de Kernion, acting Attorney General since the death of Mr. Fleuriau, the Council orders a decree by default, defendant to be resummoned for the next session of the Superior Council.

By the Council,  
Chantalou, Clerk

Oct. 12,

Notice and Summon

Pursuant to the foregoing decree issued on petition of Marie Catherine Vinconneau, wife of Jean Baptiste Baudreau, Sheriff Lenormand issues and delivers copy of said decree to J. B. Baudreau and summon to appear before the Council to hear the final decree in said case, notifying him that whether present or absent, said final decree will be issued.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752OCTOBER 7

## WIDOW PIQUERY versus SIEUR TIXERANT

## Decree

Widow Piquery having obtained a decree against Sieur Tixerant for the recovery of 1726 pounds flour in kind, said decree not being executed petitioned to recover the sum of 726 livres 10 sols, the value of said flour plus 215 livres for baking same, making a total of 966 livres 10 sols, charging only 45 livres per barrel of flour weighing 285 livres, which was worth 200 livres at time of delivery, and a writ of seizure against Sieur Tixerant.

The Council considering the petition of Widow Piquery and the failure of Sieur Tixerant to execute last decree, orders that Sieur Tixerant pay the flour in kind or a writ of seizure be issued against him, his movables to be sold up to 966 livres 10 sols with costs and interest.

By the Council

No signature

Not listed in Louisiana Historical Quarterly.

YEAR 1752

OCTOBER 7

EXECUTIVE SESSION OF THE  
SUPERIOR COUNCIL.

Were present Messrs:

Michel, Commissioner General of the  
Marine, Intendant Commissary  
and First Judge,  
Dauberville, Commissioner of Marine,  
Second Judge,  
Raguet, Dean of the Council,  
Le Bretton, de la Lande, Kernion and  
Lafreniere, Lateral Judges.

Catherine Vinconneau, wife of Beaudreau,  
versus  
Beau dreau.

The Council orders decree by default, defendant to  
be re-summoned for the next session of Council.

---

Sieur Ledoux, married to Demoiselle Fazende,  
Garic Attorney,

versus

Etienne Layssard, tutor of the Fazende minor  
Considering petition and defence of litigants,  
opinion of Sieur Kernion, acting Attorney General,  
Council orders Mr. Layssard to render account of his  
administration before Mr. Raguet within two months.  
Costs pending.

---

Fuselier de la Claire  
versus  
Colmar

All testimonies heard, defendant is granted until the end of December to settle, and costs.

---

Mr. Garic

versus

Mr. de Chavoy, acting for Mr. de Noyan  
All testimonies heard, the Council orders Mr. de Chavoy to pay plaintiff the sum of 1000 livres next December, same amount in December 1753, and also same amount in December 1754; the succession to pay costs.

(Signed) Michel

Not listed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 7

## POWER OF ATTORNEY.

Sieur Chauvin de la Freniere, known as Le Sueur, a minor, desiring to sell a tract of land four arpents front by the usual depth, situated three leagues (seven miles and a half) above the city on the left bank of the river at the Tchoupitoulas cypress land, because he was not getting any revenue from it and its upkeep was onerous, intending to invest the proceeds, to a better advantage, in the purchase of negroes, a family meeting was ordered to be convened to authorize him to proceed to said sale,

Messrs. Le Bretton, de Mouy, Payen de Chavoy, Volant Delhomme and Derneville, relatives and friends of Sieur de La Freniere, having been summoned but being unable to be present at said family meeting on account of the gathering of their crops, grant a private power of attorney to Sieur Jean Baptiste Garic, giving him power and authority to represent them at said meeting, agree and promise to approve and ratify the decree of said meeting.

(Signed) Le Bretton,	Volant
Demouy,	Delhomme
Payen de Chavoy,	Derneville

On motion of Sieur Garic, the Council homologates the decree of the family council to be executed according to its form and tenor.

(Signed) Michel

Not listed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 7

MARIE CATHERINE VINCONNEAU  
versus  
JEAN BAPTISTE BAUDREAU, HER HUSBAND

Petition for Separation of Properties.

Dame Marie Catherine Vinconneau having petitioned the Superior Council for a separation of property from her husband, Jean Baptiste Baudreau, on account of his misconduct, his unbecoming behavior and of his squandering the assets of the community, the Council ordered an inquiry, upon the facts stated in the petition.

Dame Vinconneau now petitions the Superior Council for a decree of permanent separation of property, a certificate of renunciation to the community existing between herself and Jean Baptiste Baudreau; her right to repossess all movables and immovables, effects and cattle by her brought to the community at her marriage and an inventory be taken of all properties, said inventory to remain in her possession.

(Signed) Lenormand  
for plaintiff

Not listed in Louisiana Historical Quarterly.

YEAR 1752

OCTOBER 7

EXECUTIVE SESSION OF THE  
SUPERIOR COUNCIL

Were present:

Messrs. Michel, Commission General of Marine,  
Intendant Commissary and First Judge,  
Dauberville, Commissioner of Marine,  
Second Judge,  
Raguet, Dean of the Council  
Le Bretton, de Lalande, Kernion and  
Lafreniere, Lateral Judges

---

Marie Catherine Vinconneau, Plaintiff in  
separation of property,  
versus

Jean Baptiste Baudreau, her husband, defendant

Considering the petition of plaintiff for separation of property, renunciation to community and repossession of paraphernal properties,  
The decree of Council ordering an inquiry upon the facts of malconduct of J. B. Baudreau stated on said petition,  
The official report of the depositions of four witnesses at said inquiry and all other papers and deeds pertaining to said case,  
The Council orders that plaintiff be separated in properties from defendant,  
Certificate be given her of her renunciation of community of property existing between herself and

Sieur Baudreau and consequently her right to retake possession of all movables and immovables effects and cattle brought by her into the community at her marriage, said real estate, movables and cattle to remain her own property as well as her children's, be expressly forbidden to Sieur Baudreau under no circumstances whatsoever to sell or mortgage said properties, an inventory be taken of all movables and immovables.

Considering the opinion of Sieur de Kernion, Acting Attorney General since the death of Sieur Fleuriau, the Council orders decree by default defendant to be resummoned for the next session of Council.

Sieur Francois Ledoux, Officer of Marines in garrison in this Colony, in the name of his wife, Dem<sup>elle</sup> Françoise Fazende, daughter of the late Jacques Fazende, former Judge of the Superior Council, and the late Dame Helene de Moriere, plaintiff, for accounting together with the other co-heirs of the succession,

versus

Mr. Layssard, tutor of the Fazende minors emancipated, defendant

Mr. Layssard having for five years, enjoyed by lease the properties of the succession of Sieur and Dame Fazende, some of the minors emancipated with Sieur Ledoux petitioned the Superior Council to get an accounting from Sieur Layssard, of the administration of said succession,

Considering the aforementioned petition and the defense plea of Sieur Layssard demanding a delay of two months in which to file his report, and other papers and deeds pertaining to said case,

The Council orders Sieur Layssard to render within two months an account of his administration; Mr. Raguet to receive said account as well as all objections and corrections; his report to be referred to the Council for a final decree. Costs pending.

---

Sieur Fuselier de La Claire, merchant,  
plai ntiff,

versus

The named Etlene, known as Colmar,  
Colonist, defendant

Sieur Fuselier de La Claire, claiming from  
Sieur Colmar the sum of 468 livres 3 sols 7  
deniers evidenced by a promissory note dated  
February 9th, petitioned the Superior Council  
to recover said amount and obtained a decree  
by default.

Considering the aforementioned promissory  
note and the petition and decree by default,  
the Council by agreement between litigants,  
orders defendant to pay said amount no later  
than the next month of December, and costs.

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Claude Chenier, in the name and married  
to Marie Louise Brunet, minor daughter  
of the late Francois Brunet, plaintiff,  
versus

Jeanne Hubert, widow by second marriage  
of the late Francois Brunet, defendant

Considering the decree by default issued by the Council on petition of plaintiff, ordering defendant to render within six weeks an account of her administration of the succession of Sieur Brunet, the account presented by defendant showing assets of 1614 livres 14 sols and liabilities of 2442 livres 19 sols 3 deniers, with all answers and rejoinders of plaintiff followed by vouchers and receipts of defendant and final rejoinders of plaintiff, all other papers and deeds concerning said proceedings, the opinion of Mr. Kernion acting Attorney General since the death of Mr. Fleuriau, the Council orders that

To the first article of the account, which shows movables and immovables amounting to a sum of 853 livres 12 sols be added the sum of 212 livres as a 25 per cent increase, according to law, making a total of 1065 livres 12 sols which added to the second article (debts recovered by said widow after Sieur Brunet's death) amounts to 1824 L 12 S. Other articles on assets be approved. Two articles on expenses totaling 234 livres. Defendant's allowance for mourning expenses be reduced from 100 livres to 50 livres. A sum of 200 livres for her preciput and 300 livres for her dowry, according to her contract of marriage, deducted from the community at partition be paid to defendant, On article fifth, the sum of 1008 livres 19 sols paid for debts to different persons be reduced to 534 livres, the balance rejected as imaginary debts.

Article sixth, 300 livres paid by defendant for plaintiff's wife's marriage expenses, be approved. The cost of rendering account be reduced to 60 livres.

The lot of ground and negro, the only concrete assets of the community to be sold at auction, defendant to recover her dowry, preciput and all other claims from the proceeds, also the sum of 375 livres to be paid to Francois St. Jean, son of widow Brunet's first husband, as his share on a lot of ground sold by the late Sieur Brunet, on order of Council; the balance to be divided between plaintiff and defendant.

All other claims to be non-suited, each one to remain in possession of immovables which they owned before their marriage. Cost on succession.

No signatures

Not listed in Louisiana Historical Quarterly.

#52/157

YEAR 1752

OCTOBER 10

No address  
No beginning

This letter contains documents pertaining to sales, transactions and exchanges. Writer requests acknowledgment of same to quiet anxiety.

Promises all work he possibly can during the year. Wishes to be remembered. Sends regards and remains the humble and obedient servant.

(Signed) Benoit

At Pointe Coupee

Not listed in Louisiana Historical Quarterly.

58/29

YEAR 1752OCTOBER 14

## SUCCESSION OF MRS. GERVAIS

Account rendered by Mr. Fortin, Curator.

To get an understanding of the present report it must be stated that after Mrs. Gervais' death there were eight children, most of them minors, the tutorship of whom was entrusted to Louis Langlois, their paternal uncle, and to Mr. Francois Roujot, after Mr. Louis Langlois' death. By a decree of the Superior Council, the widow Langlois is indebted to the succession for the sum of 2900 livres and Mr. Roujot for 1400 livres. The undersigned having obtained an order of court, sold the negroes for cash and the real estate at a credit for eight months. Some of the heirs demanding a settlement of their share, the Council ordered a full report of the financial standing of the succession.

## Receipts

Remainder of Louis Langlois tutorship account.

Balance due by Widow Langlois of effects sold after her husband's death ..	2900 livres
Balance due by Mr. Roujot on his tutorship account .....	1425 livres

## Sale of Negroes

Judicial sale of the succession slaves .....	4840 livres
--	-------------

Sale of Lots and Real Estate

Sale of a house .....	3650	livres
Sale of the plantation .....	300	"
Sale of five lots .....	<u>300</u>	"
Total	4250	livres

Rental of Negroes

Paid by Mr. Hugon for rental of negroes from April 5, 1751, to the day of sale, .....	1594	livres
Rent of house for nine months ..	225	"
NOTE: Note of Mr. Benoit de Sainte Clair found among the succession papers and paid ....	<u>30</u>	"
Total Receipts .	32264	livres

Expenses

Paid to Mr. Benoit de Sainte Claire in compliance with the order of Council of Aug. 5, 1752-	2900	livres
--	------	--------

Court Expenses

Paid to Mr. Garic in suit against Mr. Roujot .....	120	livres
Deeds and summons in the succession settlement .....	20	"
For several summons paid to Sheriff according to account rendered by Mr. Fleuriau .....	10	"
April 10th, 1752, .....	41	"
Attorney fees to Mr. Halo in the case of Mr. Benoit de Sainte Claire against the succession .....	26	" 5 S
Funeral of negroes .....	<u>7</u>	" 10 S
Total Expenses	3116	" 5 S

Claims allowed Widow Langlois			
for court expenses .....		200	livres
Same allowance to Mr. Roujot for			
balance due on tutorship account,			
refusing to pay despite order of			
court .....		<u>1425</u>	"
	Total	1625	"

RECAPITULATION

Receipts .....		32264	livres
Expenses .....	3115 L 5 S		
Claims .....	<u>1625</u>	4740	" 5 S
	Balance in		
	favor of receipts of		
Fortie .....		27523	" 15 S

1754

May 16,

Receipt

Before the Royal Notary of the Province of Louisiana, Francois Langlois, major son of the late Etienne Langlois and the late Catherine Baudreau, acknowledges receiving from Michel Fortier, his brother-in-law, curator and tutor of Langlois minors, the sum of 4100 livres 4 sols 4 deniers in ready money for his share in the succession of his father and mother in full settlement except for an undivided tract of land at the "Prairie du Rocher" at the Illinois.

(Signed) Francois Langlois

Not listed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 21

## STATEMENT

of amount due by the Sieurs Rousillon  
for freight of 600 boards on ship  
"L'Elizabeth" of Martinique, Capt. Cadiz,  
Shipowner, Jaque Malvesin, said cargo  
loaded in New Orleans, consigned to  
Ronder:

600 Boards making $8\frac{1}{2}$ Casks at 130	-	1105	
Ronder's Commission 10%			
1 note of Flujagnie		100	
16 months' interest at 10%		13 6. 8	
		<u>113 6. 8</u>	} 170
50% of Exchange		56 13. 4	

Case of Candles

(Signed) Jaque Malvesin

Not listed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 27

Antoine Sarazin (of age) acting in his name and that of his brother, Francois Sarazin, (soldier interpreter) in Kansas, Petitions and declares that Dame Anne Rolland, widow of their deceased father, Francois Sarazin, remarried to Sr. Roquancourt, had never accounted their father's succession, there being properties, both movables and immovables, belonging to said succession according to inventory made. This considered, petitioner requests said Sr. Roquancourt assigned to appear next Session Day to render account to said succession and right be made.

(Signed) Sarazin

1752

Oct. 28, Granted to summon.

(Signed) D'Auberville

1752

Oct. 29, Return of service of notice.

(Signed) Le Normand

Not printed in Louisiana Historical Quarterly.

YEAR 1752

OCTOBER 28

LETTER TO CHANTALOU,  
ATTORNEY FOR VACANT ESTATES IN LOUISIANA,  
FROM  
TESTAR IN BORDEAUX.

Testar, who is in partnership with Chantalou, writes about purchases he has made at Bordeaux Fair and takes this occasion to forward this letter saying that he will send him by the ship of Mr. de Veriguy, leaving next month, the articles he has requested.

Writer speaks of his business during the war and of a four years' sickness interrupting his usual trips for their business.

His health now restored, he says will resume said trips and that both being now in a position of increasing their partnership, should work with more vigilance. To that end, he requests his partner's share of funds (which he will double) and asks to repay him money advanced.

Wishing him good health,

(Signed) Testar

Postscript requesting the message given to a Mr. Henry that will soon write advising him of the amount invested for his wife.

Not listed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 28

The Sieurs Alexandre and Dubuisson in behalf of their wives, Marianne and Ursule Trepagnier, sisters of the deceased Ignace Trepagnier, together with the Dames Makarty, Carriere Le Raide, de Vauberry and Francois Trepagnier, in said capacity, all sisters and brother of said Ignace Trepagnier,  
Petition be ordered Francois Trepagnier who has charge of the estates to appear next Session day to account all properties belonging to the succession, this effecting by Judicial sale of all movables, immovables and slaves, etc., the partition amongst said co-heirs -  
Requesting for the absent ones  
Attorney General conclusions.

(Signed) Garic, holding power of attorney  
for Sr. Alexandre  
Roussillon

1752

Oct. 30, Granted to summon.

1752

Oct. 30, Return on service of notice.

(Signed) Le Normand

Not listed in Louisiana Historical Quarterly.

58/29

CRIMINAL TRIAL OF JEAN DUCOUDRAY  
ACCUSED OF BURGLARY

Preamble

Jean Ducoudray, soldier of the Marines, in garrison at Kascaskia, having been court martialled for burglary, his case was referred to the Superior Council of the Province of Louisiana and all official records of the arrest, indictment, inquiry, trial and decree were sent and delivered to the Clerk of the Superior Council.

1752

Oct. 22,

Receipt

Receipt tendered by Mr.

Chantalou, Clerk of the Superior Council, to Mr. de Membrede for all papers and records pertaining to the trial of Jean Ducoudray.

(Signed) Chantalou

1752

July 13,

Criminal trial of Jean Ducoudray,

accused of burglary

Official docket of the arrest, inquiry, court martial, trial and sentence of Jean Ducoudray.

Official report of Captain Demarzilliere to Mr. de Macarty de Martigues, Major commanding at the Post of Illinois, of the arrest by Sergeant Bedague of Jean Ducoudray, known as Poulailier, soldier of the Marines in garrison at Kascaskias accused of burglary and stealing chickens, demanding an inquiry and trial, signed by

Captain Demarzillieres.

Order appointing Sieur de Rousselet de  
Boisroger to hold an inquiry, signed by  
Macarty

1752

July 13, Inquiry held at Mr. de Macarty's  
Mansion by Sieur Jean Baptiste de Rousselet de  
Boisroger, Infantry Lieutenant, acting aid-major  
at Kascaskias and acting attorney general by ap-  
pointment of Mr. de Macarty; Sieur Berblos  
Barrois, Clerk of Court in this district acting  
as Clerk of said Court martial.

The first witness, Francoise Didier, wife of  
Joseph Brazeau, Colonist, testified that before  
daylight she heard her chickens shrieking and pul-  
ing; not thinking of anything wrong, she never  
went to see, but at daybreak she found a panel  
of the chicken house broken and some vestiges of  
dead chickens: nine heads and one headless chicken.

Jacques Degagne, Colonist, testified that while  
sleeping in a tumbrel he was awakened by the squeals  
of a wounded pig, ran to see, but the thief run  
away carrying the hog; finally dropped it and es-  
caped without witness being able to recognize him.  
Could not tell whether it was a white man or a negro  
on account of the darkness, could not describe his  
clothes.

Jean Francois Bedague, called St. Jean, Sergeant  
of the Company of Demazellieres, testified that  
while making his rounds he saw eight chickens boil-  
ing in a kettle. Complaints having been made by  
the colonists of stolen animals, Ducoudray was the  
only soldier around, all others sleeping he con-  
cluded he must have been the thief, arrested him  
and had him put in irons.

Witness being ordered to go with Sergeant George Joseph Jaquemet, called Versailles, of the Reggio Company and Jean Mareau, Sergeant of the Company of Neyoz, to the city prison and question the accused, reports that the said accused confessed of having killed and stolen eight chickens, brought them to the Company's barracks and put them in a kettle to boil.

Jean Ducoudray, known as Poullailler, son of Jean Ducoudray and Anne Millet, aged 28 years, native of Jouy le Montay, Province of Isle de France, the accused testified that he broke in a chicken house at two o'clock in the morning of July 13th, killed and stole eight chickens, plucked them by the river and put them into the kettle to boil, was arrested by Sergeant Bedague who suspected him of the theft, had no accomplices; only wanted the chickens to divide them with the other soldiers. Admits he was branded on the right shoulder with the letter "V" (voleur - thief) in the District of Beauvais for the robbery of six francs from a fellow worker.

All witnesses summoned for a re-examination and confrontation, the accused in their presence stated he had no exceptions to take on their testimonies.

#### Court Martial Trial.

The case called for trial before the Court martial, the accused hearing reading of all prosecuting witnesses' depositions; to questions asked by the presiding judge, the accused answered that he stooped while killing the chickens to prevent the blood splashing on his clothes, and cut the chickens' heads off; he intended to divide the chickens with the other soldiers.

Demands of Attorney General

Considering the evidence brought at the criminal trial of Jean Ducoudray, accused of burglary, the testimony of Francoise Didier who claimed to be robbed of nine chickens, and Jacques Degagne for the loss of a hog, the confession of the accused who was found in possession of eight chickens, his acknowledgment of being a second offender, branded with the letter "V" at Beauvais in Picardie for the theft of six livres, Sieur Jean Baptiste Rousselet de Boisroger, Lieutenant of Marines, acting Attorney General, demands

that the named Jean Ducoudray, soldier of the Marines in garrison at Kascakias, accused, be convicted on his own confession of burglary and be sentenced to be hanged and strangled until death. If there is no executioner, to be shot down.

Signed by  
Rosselet de Boisroger

July 15, 1752

---

Court Martial Decree  
by the King.

Considering the inquiry evidence, confrontation of witnesses, interrogatory and answers of the accused, all proceedings of the Criminal trial of Jean Ducoudray called Poulailleur, accused of burglary while on guard duty, the opinion and demand of Sieur Rosselet de Boisroger, acting aid Major,

The Court Martial in session at Mr. de Macarty's Mansion, declared the said Jean Ducoudray impeached

and convicted of burglary and as branded by the executioner for previous theft, condemns the said Jean Ducoudray to be degraded; his process to be referred to the Secular Courts for a new inquiry to be held on his criminal act, to undergo the penalty carried by the criminal laws.

At the Kascaskias, July 15, 1752

By the Court Martial

Barrois, clerk

The foregoing judgment has been read and executed by the soldiers going on guard duty on the day and year aforementioned.

Barrois, clerk

Not listed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 30

## SUCCESSION OF SIEUR CARITON

## Petition for Recovery

Sieur Cariton having in his will stated that Sieur Garic was indebted to him in the sum of 190 livres, Sieur Jacques Cantrelle, testamentary executor of Sieur Cariton, petitions the Superior Council to have Sieur Garic summoned before the Council to be ordered to pay the said amount with interest and costs.

(Signed) Cantrelle

Permit to summon.

(Signed) Raguet

Summon accepted.

(Signed) Garic

Not printed in Louisiana Historical Quarterly.

YEAR 1752OCTOBER 30

SIEUR DUBREUIL, CAPTAIN OF MILITIA,  
versus  
SIEUR De COUE

Petition for Recovery

On the settlement of accounts by arbitration between Sieur Dubreuil and Sieur De Coüe, the arbiters, Sieur Broutin, engineer, and Sieur Guedon decided the balance in favor of Sieur Coüe.

Sieur Dubreuil, being under the impression he was indebted to Sieur Coüe, accepted the payment of a draft for 1800 livres drawn by Sieur De Coüe in favor of Pictet and Caminada.

On auditing the arbitrators' report, Sieur Dubreuil claims that said arbiters overlooked certain receipts of Sieur De Coüe which, with other items, would make him creditor of Sieur De Coüe to the amount of 4538 livres 8 sols instead of being his debtor.

Sieur Dubreuil petitions the Superior Council to have Sieur De Coüe summoned before the Council to be notified that he (Sieur Dubreuil) having, under false impression, accepted the draft payable to Pictet and Caminada, now declares said acceptance to be null and void as in the contrary Sieur De Coüe is indebted to him in the sum of 4538 livres 8 sols which he be ordered to pay with interest and costs,

In the alternative the settlement of accounts to be referred anew to arbiters selected by the litigants or officially appointed.

(Signed) Garic, Attorney

Permit to summon.

(Signed) Dauberville

Summon

Pursuant to the foregoing order issued on petition of Sieur Dubreuil, Captain of Militia, Sheriff Lenormand issues and delivers copy of said petition to Sieur Coûe and summon to appear before the Council and answer said petition and hear the proper decree.

(Signed) Lenormand

Not printed in Louisiana Historical Quarterly.

57/29

YEAR 1752OCTOBER 31CRIMINAL CASE OF JEAN DUCOUTRAY,  
ACCUSED OF BURGLARY.

## Petition of Attorney General.

Honorable Raguet, acting Attorney General, represents to the Superior Council that one Jean Ducoutray known as Poullailler, accused of burglary for which crime he has been prosecuted at the Illinois by Sieur Rosselet de Boisroger, acting aid major at that post, has been sent here and is now incarcerated in the prisons of this city

By Judicial inquiry, re-examinations, confrontations and interrogatory of the accused, it has been proved that the accused left his post to go to a colonist's house to steal some hens, by breaking at night into the chicken house, Furthermore it is proved by examination that he is an old offender from France, being branded on the right shoulder with the letter "V" (voleur thief) by the public executioner.

The Court martial at Illinois having declared itself incompetent, referred said case to the ordinary Courts of Justice to be tried according to the ordinances.

As it is to the best interest of the State, the Public and the King that criminals be punished, a Judicial inquiry and examination was held in Illinois, a certified copy of the official report and other proceedings was sent to the Superior Council for a final judgment.

(cont'd)

52/166 cont'd.

As no crime should go unpunished, the Attorney General hereby presents this petition drawn as a complaint demanding that the Superior Council issue an order to have the said Jean Ducoutray, known as Poullailler, brought before the Council to be heard and interrogated over again upon all the facts resulting from the testimonies brought out at the inquiry at Illinois, certified copies of which have been deposited in the Registry Court and upon any other facts mentioned in all certified papers; having no other way to get direct evidence, these papers having been certified 400 leagues (1000 miles) away from here and the inquiry being conducted with all the formalities required by the ordinances.

The special commissioner appointed to acquaint himself with all facts before interrogatory, Official record of the trial with all confessions and denials of the accused to be referred to the Attorney General for his opinion and to issue his demand for the proper sentence.

At New Orleans, October 31, 1752.

(Signed) Raguet

Order

The accused to be interrogated by Mr. Dauberville, second Councillor, in presence of Mr. Raguet, Councillor, acting Attorney General.

(Signed) Michel

Not printed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 1

## CRIMINAL CASE OF JEAN DUCOUTRAY

Session of the Superior Council

## Interrogatory

Were present:

Messrs de Vaudreuil, Governor,  
 Michel, Commissioner General of Marine,  
 Intendant Commissary, First Judge,  
 De Membrede, Major of New Orleans,  
 Dauberville, Commissioner of Marine,  
 Second Judge,  
 Raguet, Dean of the Council, Acting At-  
 torney General,  
 De Kernion, Lateral Judge

The accused brought from the prison by a picket of riflemen, on being interrogated stated: His name is Jean Ducoutray, former soldier of the Company Demazilliere, in garrison at Illinois, aged twenty-eight years, shoemaker by trade, native of Montray, Province of Isle de France, a Roman Catholic, has full confidence in the integrity of the judges, Acknowledges he is a second offender and through weakness of mind, stole chickens at Illinois, Being warned that this is his last trial, states he has nothing else to say. Hearing reading of his testimony, acknowledges same to be the truth, but cannot sign, being illiterate.

(Signed) Dauberville, Vaudreuil  
 De Membrede, Michel  
 Hushet de Kernion

Not listed in Louisiana Historical Quarterly.

#52/167

YEAR 1752

NOVEMBER 2

CASE OF JEAN DUCOUDRAY

Sheriff's Report

Jean Ducoudray, soldier of the Marines in garrison at Kascaskias, accused of burglary, was tried by court martial, but his case, being a capital one, was referred to the Superior Council of the Province of Louisiana.

After being transferred to New Orleans, Sheriff Lenormand reports that

Pursuant to an order from the Council of even date, issued on petition of Sieur Raguet, Attorney General, accuser and prosecutor, having personally notified said Jean Ducoudray, called Poulailier, at present interned in the city prison, of having entered his name in the prison Register, said name to remain in said Register until his trial takes place.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

57/29

Document NO. 270  
Box No. 30

FILE #37  
Nov. 2, 1752  
P. 4  
In French.

Receipt executed by Chauvin Le Sueur in favor of Jung, for 1500 livres, the purchase price of one plantation of 4 arpents front by usual depth.

Bounded on one side by property of Mr. Lacotere and on the other, by that of Mr. Delery.

There is a clause in the receipt which provides for the return of the money- (through a third party, Mr. LeBreton-) should the sale fall through on the Saturday following the date of receipt.

(Signed) Chauvin Le Sueur

Nov. 26, 1753

(On reverse side of receipt is this document:

Receipt executed by Jung in favor of de Morand for 1500 livres, purchase price of same plantation.

(Signed) Jung.

NOTE: Translation of both documents printed in Louisiana Historical Quarterly, 1926-27, Vol. 9, No. 1, Jan. 1926, page 173, paragraphs 2 and 3 as part of suit "Antonio Barnabe vs. the de Morand Minors" dated March, 1, 1773. (Not printed as units.)

(MT)

YEAR 1752NOVEMBER 3

## CRIMINAL CASE OF JEAN DUCOUDRAY

## Interrogatory

Pursuant to an order issued by Honorable Michel, Intendant Commissary, First Judge at the Superior Council, Honorable Vincent Guillaume Senechal Dauberville, Second Judge, proceeded to the interrogatory of the accused.

The prisoner, brought before the Council by the jailor, declares his name is Jean Ducoudray known as Poulailier, twenty-eight years of age, shoemaker by trade, native of Monteay, Province of Isle de France, Roman Catholic, came to this Colony on the Vessel "l'Infante Victoire", arriving here in July 1751.

Was arrested at the Illinois for the theft of eight chickens by breaking into a chicken house sometime after midnight; the robbery was discovered by a sergeant on guard who saw the chickens laying on a table.

Admits he is an old offender, having been whipped and branded on the right shoulder with the letter "V" (voleur-thief) at Beauvais in Picardie for the robbery of six livres from a fellow worker. Was arrested at the guard house and had no accomplices.

Hearing reading of the official report of his testimony, acknowledges same to be true and correct but cannot sign, being illiterate; was remanded to prison.

Dauberville  
Chantalou, Clerk

1752

Nov. 3, The foregoing official report referred to the Attorney General at New Orleans.

Dauberville

Not printed in Louisiana Historical Quarterly.

YEAR 1752

NOVEMBER 6

1  
By Notarial Act, Etienne Pervier, former Governor of Louisiana, resident of Brest, constitutes as his procurator, Mr. Lange, resident of Allemand, to act for him in all matters pertaining to the collection of money from different persons in New Orleans.

(Signed) Pervier  
Guepret) Royal Notaries  
Martret)

Received 12 sols. Brest, Nov. 7, 1752.

(Signed) M.

Jean Joseph Benoit Duval Soares, First Judge, certifies the authentication of above Royal Notaries' signatures and affixes a seal thereon. Brest, Nov. 7, 1752.

(Signed) J. Duval Soares

April 10, 1753. Sheriff Lenormand's report that copy of above procuracy has been served to Mr. Chanoy as Mr. Lange requested.

(Signed) Lenormand

In answer to above Sheriff's summons as requested by Mr. Lange, acting for Mr. Pervier, Mr. Chanoy declares that in matter relative to amount due by the late Mr. de Moyan, acting as tutor for the de Moyan minors, he found no papers describing

(continued)

the reality of such a debt. Further stating Mr. de Moyan had deposited, April 15, 1739, with Mr. de La Pommeray, Treasurer, the sum of 7,700 livres, and never received a receipt thereof that even should Mr. Pervier's claim be just, at the present time the said succession is unable to make any payment thereof.

(Signed) Chanoy  
Lenormand

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 6

JOSEPH GERARDY, COLONIST AT BAYOU ST. JOHN,  
versus  
CHARLES TARASCON, MARRIED TO MARIE LOUISE  
GERARDY, WIDOW OF SIEUR LANGLOIS.

Petition for executory performance

Sieur Louis Turpin, in 1734, on his death bed made a deed of gift to Marie Louise Gerardy of a tract of land eight arpents front by the ordinary depth, facing Bayou St. John.

Sieur Joseph Gerardy, father of Marie Louise, cleared the land, built fences, cabins for his negroes and other improvements.

The land was used for a long time as a common utility ground by all the neighbors and a public pasture for their cattle, the negroes occupying the cabins.

Sieur Langlois, first husband of Marie Louise, being deceased, she married Sieur Charles Tarascon and Sieur Joseph Gerardy permitted them to occupy the buildings and helped them to cultivate the ground.

Now Sieur Tarascon refuses anyone to trespass on his land, no cattle to graze, no negroes to occupy the cabins, threatening them with bodily harm.

Sieur Gerardy petitions the Superior Council to have Sieur Tarascon summoned before the Council to be ordered that the said land shall remain a common utility for petitioner and his neighbors as previously since its clearing by petitioner, cattle allowed to graze and petitioner's negroes to reside in the cabins.

(cont'd)

If defendant prefers, he may pay petitioner for the clearing of the land and all the improvements: fencing of 150 arpents as per certificate of Sieur Saucier, engineer, and all buildings and cabins at the appraisal of experts.

(Signed) Helo, attorney for  
Joseph Gerardy

Permit to summon.

(Signed) Dauberville

Summon

Pursuant to the foregoing order issued on petition of Sieur Joseph Gerardy, Sheriff Lenormand issues and delivers copy of the foregoing petition to Sieur Charles Lorrain, known as Tarascon, to appear before the Superior Council on the next Session day to answer said petition and hear the proper decree in said case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 10

## CRIMINAL CASE OF JEAN DUCOUDRAY.

Opinion and Demands of the  
Attorney General.

Considering the official report of the court martial trial held at Kascaskias on petition of the King's Attorney General against Jean Ducoudray, known as Poulailier, soldier of the Marines in garrison at Kascaskias, including the bill of complaints of the Attorney General and the official report of the condition of the premises at the moment of the burglary,  
The official report of the inquiry including testimony of four prosecuting witnesses,  
The writ of arrest of the accused,  
The official report of the interrogatory of the accused, with his confessions and his denials, re-examinations and confrontations,  
The certified copy of the proceedings of the trial held before the military court martial on petition of the aid Major of the Marines,  
The decree of the Court martial referring the trial of the accused to the Ordinary courts,  
Seeing that the accused is an old offender branded on the right shoulder with the letter "v" (voleur - thief),  
All proceedings in conformity to the royal ordinances in such cases,  
Considering also the petition and complaint against the accused to be incarcerated and interrogated anew,  
The official report of the interrogatory of the accused with his answers, his confessions and his denials,

Everything carefully considered and examined, the Attorney General, in the name of the King, demands

That the accused be duly impeached and convicted of burglary and as a second offender, branded by the executioner for theft, that he be sentenced to be hanged to a gallows erected in the public square for that purpose and strangled until death; that all his possessions be confiscated and remitted to whom it may concern, and if unable to confiscate, the sum of five hundred livres be deducted from them for the benefit of His Majesty.

Made at New Orleans, November 10, 1752.

(Signed) Raguet,  
Acting Attorney General.

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 10

## PRIVATE CONTRACT OF PARTNERSHIP

By notarial act, at Martinique, Sieur Jacques Malvezin, owner of the Vessel "l'Elizabeth" and Sieur Clement Roudes, a colonist in Louisiana, entered into a partnership for the exportation of Louisiana products to Martinique, Sieur Roudes paying no freight charges and the profits to be divided pro rata to each one's investment in the cargo. Desiring to extend their trading and to provide for a return cargo, they make a new agreement by private contract specifying that a general cargo would be bought at Martinique, or at any other port of calling with the proceeds of the imported Louisiana products, and more funds if necessary, the profits derived from said undertaking to be divided as heretofore in pro ratio of each partner's investment, Sieur Roudes paying no freight charges and no expenses as specified in the original contract. Sieur Malvesin approving Sieur Roudes in all his dealings pertaining to said partnership.

Made in duplicate at New Orleans, Nov. 10, 1752.

(Signed) Jaque Malvesin  
Roudes

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 10

Before Royal Notary at La Rochelle, witnesses, merchants in that city appearing as creditors with others appointed Syndics, to the succession of the late Sr. Jean Vinier, voluntarily constitutes as procurator General and Special Sr. Francois Braquier, merchant in Louisiana, to act in their name and withdraw from Sr. Chevallier Macarty, officer in Louisiana, note of 1991 livres made by Srs. Laissard Bros., merchants in said place, in favor of Sr. Denis Macarty, Captain of the Vessel ~~Lonore~~ "L'Aurore", "the Dawn", who on his departure from Louisiana, gave said note to Sr. Chevallier Macarty for payment of same according to receipt said Denis Macarty has on hand. Procurator General is to handle to a conclusion of note, plus interests and costs, give receipt and valid discharge and on refusal compel to account for same.

Srs. Syndics agreeing that said note paid, or whatever issue of it be delivered to Sr. Jacques de Carayon to whom it belongs, before witnesses and undersigned Notaries of La Rochelle.

Received 12 sols.  
Pichon

Delavengne  
L. Guillemot

Gabriel Berandin, King's Lieutenant General,  
certifies above named Notaries in La Rochelle.

Berandin

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 11EXCERPT FROM THE REGISTERS OF  
THE SUPERIOR COUNCILThe King's Procurator General, Accuser,  
VersusJean Ducoutray, known as Poulailler, former  
soldier of the Company of Demazeliere of  
the garrison of Kascaskias at the Illinois  
Post, accused of burglary.

Considering the official report of the proceedings of the original trial of the accused Jean Ducoutray, held at Kascaskias, and the second trial held before the Superior Council, the opinion and demands of the Attorney General and all other papers and deeds pertaining to said case, everything duly considered and carefully examined,

The Superior Council decrees the said Jean Ducoutray, known as Poulailler, duly impeached and convicted of burglary and sentences him to be branded on the left shoulder with a fleur-de-lys, to be flogged at the street crossings of the city by the executioner and to serve as galley-slave on the galleys of the King for the remainder of his life, his possessions to be confiscated for the benefit of His Majesty. The foregoing judgment to be read and posted wherever it may be necessary.

(Signed) Chantalou, Clerk

1752

Dec. 3, Pursuant to the foregoing order, Sheriff LeNormand certifies having published and posted copies of said judgment at the front

doors of the parochial Church, the Council Chamber and the Registry Court and all other public places.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752NOVEMBER 11

Jean Baptiste Garic, holding power of attorney for Sr. Populus de St. Prothes, heir for his children in the succession of Dame Gervais, Petitions the judges of the Superior Council to approve accounts rendered by Sr. Fortier, curator of said succession and give plaintiff whatever sum may have fallen as share of Sr. Populus' children; said funds to be used to heirs' best advantage.

(Signed) Garic, Procurator

Not listed in Louisiana Historical Quarterly.

YEAR 1752

NOVEMBER 11

SUCCESSION OF IGNACE TREPAGNIER.

Petition for accounting and  
partition.

Sieur Ignace Trepagnier having died four months previously leaving as collateral heir his sisters, Marie Anne, married to Sieur Alexandre; Ursule, married to Sieur Dubuisson, Dame de Macarty, Dame Carriere, Dame Vaubaney, and a brother, Francois Trepagnier.

All properties being in care of Francois Trepagnier, Sieur Alexandre and Sieur Dubuisson, in the name of their wives, petitioned the Superior Council to have the said Francois Trepagnier summoned to appear before the Council to render an account of said succession before one of the commissioners appointed, petitioners to be able to discuss and, if necessary, to be able to answer his report; all effects, slaves, movables and immovables to be sold at public auction to the last and highest bidder, the proceeds to be divided among the co-heirs.

The Council considering the foregoing petition and the opinion and demands of the Attorney General, orders first default against Sieur Trepagnier for non-appearance, the case continued, the defendant to be re-summoned for the next Session of the Council.

Costs pending.

By the Council

(Signed)

Chantalou

1752

Nov. 17,                      Notice and Summon.

Pursuant to the foregoing order issued on petition of Sieurs Alexandre and Dubuisson, Sheriff Lenormand issues and delivers to Sieur Francois Trepagnier copy of the foregoing judgment and summon for him to appear before the Council to answer petition of Sieurs Alexandre and Dubuisson and to hear the final decree in the case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752NOVEMBER 11EXECUTIVE SESSION OF THE  
SUPERIOR COUNCIL.Criminal Case of Jean Ducoutray,  
known as Poulailier.

## Were Present:

Messrs: de Vaudreuil, Governor  
 Michel, Commissioner General of  
 Marine, Intendant Commissary,  
 First Judge,  
 De Membrede, Major of New Orleans,  
 Dauberville, Commissioner of  
 Marine, Second Judge,  
 Kernion, Lateral Judge

Considering the official reports of the proceedings of the criminal trial of the accused Jean Ducoutray, held at Illinois, and the second trial held before the Superior Council, the opinion and demands of the Attorney General and all other papers and deeds pertaining to said case, everything duly considered and carefully examined,

The Superior Council decrees the said Jean Ducoutray, known as Poulailier, duly impeached and convicted of burglary and sentences him to be branded on the left shoulder with a fleur-de-lys, to be flogged at the street crossings of the city and to serve as galley-slave on the galleys of the King for the remainder of his life; his possessions to be confiscated for the benefit of His Majesty.

The foregoing judgment to be read and posted wherever it may be necessary.

(Signed) Vaudreuil

Demembrede  
 Hushet de Kernion

Michel  
 Dauberville

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 11

SIEUR DUBREUIL versus SIEUR COÛE.

## Answer

The arbitrators having decided that Sieur Dubreuil was indebted to Sieur Coüe in the settlement of accounts, Sieur Dubreuil petitioned the Council that on the contrary Sieur Coüe was indebted to him in the sum of 4500 livres.

Answering said petition, Sieur Coüe states that since 1735 Sieur Dubreuil has been his debtor for large sums of money and being unable to recover on account of his ill will was compelled to sell his residence, furniture and slaves to pay his own debts. He is asking Mr. Dubreuil to file with the Clerk of Court an itemised account with vouchers and wants him to appear personally in Court and not his attorney so he can discuss personally with him any objections against the said account.

(Signed) Coüe

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 11

## SUCCESSION OF SIEUR RIVARDE

## Petition for Family Meeting.

Pursuant to an order of the Superior Council, Sieur de Kernion, former tutor of Demoiselle Rivarde, rendered his account of tutorship, but Sieur Dreux, the newly appointed administrator, refused to discuss said account and resigned.

Sieur Decaux, maternal uncle of the minor, was appointed but knowing that the succession could not be settled without a law suit, also refused. Sieur de Kernion petitions the Superior Council demanding that a family meeting of the relatives and friends of the minor be convened before one of the Judges of the Council to receive his report, discuss and act upon it, their decision to be referred to the Attorney General for his opinion and his demand for a final decree.

(Signed) Hushet de Kernion

Not listed in Louisiana Historical Quarterly.

YEAR 1752

NOVEMBER 11

EXECUTIVE SESSION OF THE  
SUPERIOR COUNCIL.

Were present:

Messrs. de Vaudreuil, Governor,  
Michel, Commissary General of the Navy,  
Intendant Commissary and First Judge,  
De Membrede, Major of New Orleans,  
Dauberville, Commissary of the Navy,  
Second Judge,  
Raguet, Dean of the Council, Acting Attorney  
General,  
de Kernion, Lateral Judge.

Petition of Sieur Hushet de Kernion

Pursuant to an order of the Superior Council dated August 5th, Sieur de Kernion rendered his tutorship account to Demoiselle Antoinette Rivarde, emancipated for the administration of her properties but Sieur Dreux, newly appointed Curator, contemplating litigation, refused to receive and discuss said report and resigned his functions.

Sieur Coue, maternal uncle of the minor, appointed to replace Sieur Dreux, also refused to discuss said report for the same reasons, so Sieur de Kernion petitioned the Council to order the convocation of a family meeting to receive and act on his report. The Council considering the petition of Sieur de Kernion orders that a family meeting be held before Mr. Dauberville, special commissioner, in presence of the Attorney General for the purpose of receiving, auditing, discussing and acting on the tutorship report of Mr. de Kernion, their report to be referred to the Council for a final decree. Costs pending.

Sieur Villars Dubreuil, Sr. Captain  
of Militia,  
versus  
Francois Coue

Sieur Dubreuil and Sieur Coue having referred the settlement of their long standing account to arbitration, the late Sieur Broutin and Sieur Guerdon, arbiters, reported the balance in favor of Sieur Coue.

Sieur Dubreuil, under the impression that he was indebted to Sieur Coue, accepted a draft for 1800 livres drawn by Sieur Coue to the order of Pictet and Caminada.

Sieur Dubreuil, on closer examination, claiming that the arbiters had overlooked certain receipts of said Coue and consequently was a creditor instead of a debtor, petitioned the Superior Council to notify Sieur Coue that he would consider his acceptance of said draft as null and void and claiming the sum of 4638 livres 8 sols due by said Sieur Coue or that said account be referred to arbitration again.

The Council, considering the foregoing petition and answer orders that the settlement of accounts between the litigants be again referred to arbiters, their decision to be referred to the Council for a final action.

It is further ordered that both litigants will have the right to take cognizance of all papers pertaining to their claims or defences.  
Cost pending.

Sieur Alexandre, Colonist, married to  
Demoiselle Marie Anne Trepagnier,  
Sieur Dubuisson, married to Demoiselle  
Ursulle Trepagnier,  
versus  
Sieur Francois Trepagnier, Colonist,  
their brother-in-law.

Sieur Ignace Trepagnier, having died four months previously, leaving as collateral heirs his sisters, Marie Anne married to Sieur Alexandre, Ursulle married to Sieur Dubuisson, Dame de Macarty, Dame Carriere, Dame Vaubaney and a brother, Francois Trepagnier,

All properties being in care of Francois Trepagnier, Sieur Alexandre and Sieur Dubuisson petition the Superior Council to have the said Francois Trepagnier summoned to appear before the Council to be ordered to render an account of said succession before one of the Commissioners appointed, petitioners to be able to discuss and if necessary answer his report; all effects, slaves and properties, movables and immovables, to be sold at public auction to the last and highest bidder, the proceeds to be divided among the co-heirs.

The Council orders first default against Sieur Francois Trepagnier, for non-appearance, the case continued, defendant to be re-summoned for next Session of the Council.  
Costs pending.

Sieur Jacques Cantrelle as  
Administrator of the Succession  
of Jean Cariton, Tailor,  
versus  
Sieur Jean Baptiste Garic.

Sieur Cariton, having in his will, stated that Sieur Garic was indebted to him in the sum of 190 livres, Sieur Garic refusing to settle same, Sieur Jacques Cantrelle, Administrator of said succession, petitioned the Superior Council to recover said amount.

The Council considering the petition of Sieur Cantrelle and the bill of supplies furnished by Sieur Cariton to defendant, sets the amount of said bill at 160 livres and Sieur Garic is ordered to pay said amount with costs.

Marie Catherine Vinconneau in  
separation of property with her  
husband, Jean Baptiste Boudreau,  
versus  
Jean Baptiste Boudreau.

Dame Marie Catherine Vinconneau in her petition to the Council states that by the foolish profusion, lavishness, extravagance and mismanagement of her husband, Jean Baptiste Boudreau, she sees herself every day exposed as well as her children to a total ruin, he having sold to the last negro and notwithstanding the good price he received for said negro, he ran into over 1000 livres in debt in New Orleans and Mobile.

Petitioner to be guaranteed in her rights which she claims by her contract of marriage in her acquisitions made with the proceeds of her labors and savings, in the preservation of valuables and effects donated to her by her mother during her husband's imprisonment and of the donations made to her children by her late mother and by Sieur Laville and to secure herself and children from extreme want which is threatening them, prays the Council to issue a decree of separation of properties between herself and her husband, Jean Baptiste Boudreau; demands an inquiry, offering to get witnesses worthy to be believed who will testify to the bad conduct of her husband and to her patience, always hoping he would change for the better and finally yielding to superior force to file this petition; also requests permission to retain possession of thirteen horned cattle entered in her contract of marriage and of two negroes, Marie and her family, and Valentin as having been bought with the proceeds of her labor and savings and her mother's help and for surety of her dowry of 3000 livres, let

the house and lot which they occupy in the city be mortgaged, and Sieur Boudreau be forbidden to dispose of cattle given to her children by her mother and Mr. Laville.

Considering the foregoing petition drawn as a complaint, the official report of the testimony of four witnesses at the inquiry held before Honorable Raguet, the notice issued by Sheriff Lenormand giving defendant one month's time to answer, the opinion and demands of the Attorney General,

The Council orders second default against defendant for non-appearance and as a final decree orders that Dame Marie Catherine Vincomeau will be permanently separated in properties from Jean Baptiste Boudreau, her husband, and consequently certificate of her renunciation to the community is granted to her that she will repossess in full ownership all movables she brought at her marriage, inventory of which will be taken; Sieur Boudreau is forbidden to sell, alienate or mortgage them for any reason whatsoever. Cost on defendant.

Sieur Jean Baptiste Gario, proxy  
for Sieur Populus de St. Protais,  
heir to the late Widow Gervais,  
versus

Michel Fortier, curator of the minor  
children of the late Widow Gervais.

Pursuant to an order of the Council issued on  
petition of Sieur Gario, Sieur Fortier rendered  
an account of the succession of Dame Gervais.  
Said account being homologated, the share of  
each one of the children heir was valued at  
1659 livres 4 sols 4 deniers.

The Council considering the petition of Sr.  
Gario, the report of Honorable Raguét, Special  
Commissioner, order Sieur Fortier to pay Sieur  
Populus de St. Protais the sum of 1659 livres  
4 sols 4 deniers as his children's late mother's  
share in the succession of the late Widow  
Gervais, said amount to be invested for the  
best advantage of said minors with the approval  
of the Attorney General.  
Costs on succession.

Petition of Jacques Fazende.

The Fazende heirs, brothers and sister, having obtained a decree from the Council giving them the right to administer their properties, Jacques Fazende, one of the brothers, absent when the decree was issued, petitioned the Council for the session of a family meeting to give him an equal privilege with his brothers and sisters.

The Council considering the foregoing petition and the official report of the family meeting homologates the decree of said family meeting to be executed in its form and tenor giving Sieur Jacques Fazende power and authority to administer his movables and to enjoy the revenue of his immovables under the curatorship of Sieur Alexandre Vielle the same as the other heirs but not to dispose of it until his full majority.

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Honorable Michel, First Councillor, having officially notified the Council that the office of Attorney General was vacant since the death of Mr. Fleuriau, the Council after deliberation concluded to be its duty to appoint an able, honest and experienced man to fill said vacancy with the appointment by His Majesty of a new incumbent. The Council considering the ability of Sieur Raguet, Councillor, as having acted as Attorney General on several cases, entrusts him with said office with all the prerogatives and functions pertaining to it as it is the Will of His Majesty until the appointment of a new Attorney General.

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 11EXECUTIVE SESSION OF THE SUPERIOR  
COUNCIL.

Were present

Messrs: de Vaudreuil, Governor  
Michel, Commissioner General of Marine,  
Intendant Commissary, First Judge  
Demembrede, Major of New Orleans  
Dauberville, Commissioner of Marine,  
Second Judge  
Raguet, Dean of the Council, Acting  
Attorney General  
de Kernion, Lateral Judge

Petition of Mr. de Kernion for an accounting.

Sieur Dreux and Sieur Decoux, appointed successively curators to Demoiselle Rivarde after the resignation of Sieur de Kernion, had refused to receive and discuss the curatorship report of Sieur de Kernion, the said Sieur de Kernion petitioned the Superior Council for an order to have a family meeting assembled to receive, discuss and to take action on said report.

The Superior Council, considering the foregoing petition, and the opinion of the Attorney General orders that a family meeting, members selected by said minor, be assembled before Mr. Dauberville with the assistance of the Attorney General for the purpose of receiving and discussing the account rendered by Mr. de Kernion.

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Sieur Dubreuil versus Sieur Coue

The late Sieur Broutin and Sieur Guerdon, arbiters having decided Sieur Coue to be the creditor in the settlement of accounts, Sieur Dubreuil petitioned the Superior Council claiming that the arbiters had erred by overlooking some of Sieur Coue's receipts and Sieur Coue denied said claim. The Council referred the decision to a board of arbitrators.

Sieur Dubreuil selected Sieur Lesassier. Sieur Coue nominated Sieur Darbin and the Council appointed Sieur Duverges, engineer, as umpire; their decision to be referred to the Council for a final decree. The litigants to have access to all papers, costs pending.

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Alexandre Viel and Dubuisson  
versus  
Francois Trepagnier

Sieur Ignace Trepagnier having died, his properties in care of his only brother, Francois Trepagnier, his sisters demanded an accounting and settlement.

The Council rendered a judgment by default, defendant not appearing and consequently continued the case, Sieur Trepagnier to be re-summoned at the next Session of the Council.

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Sieur Cantrelle, Testamentary Executor  
for Sieur Cariton, Tailor,  
versus  
Sieur Jean Baptiste Gario.

Sieur Cantrelle claiming the sum of 190 livres  
from Sieur Gario as specified in Sieur Cariton's  
will,

The Council, according to the litigants' agree-  
ment, reduced said amount to 160 livres.  
Sr. Gario was ordered to pay said amount with  
costs.

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Marie Catherine Vinconneau  
versus  
Jean Baptiste Baudreau, her husband  
Petition for separation of properties.

Sieur Jean Baptiste Boudreau having by mis-  
conduct and mismanagement squandered some of the  
assets of the Community, his wife, Marie Catherine  
Vinconneau, petitioned the Superior Council for  
a dissolution of community and a separation of  
properties.

The Council orders a judgment by default against  
defendant for non-appearance, grants petitioner  
separation of properties from her husband and a  
certificate of her renunciation to the community,  
gives her power and authority to take possession  
of all her own movables owned by her before her  
marriage as per inventory; Sieur Baudreau being  
expressly forbidden to sell or dispose of any of  
them, costs on defendant.

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Sieur Jean Baptiste Garic, Proxy for  
Sieur Populus de St. Protest,  
versus  
Michel Fortier, Curator for the Suc-  
cession of Widow Gervais.

Sieur Garic having in the name of Sieur Populus de St. Protest demanded from Sieur Fortier a report of the succession of Dame Gervais, Sieur Fortier's report shows that the share of Sieur Populus' minor children in said succession amounts to 1600 livres.

The Council homologates the report of Sieur Fortier and orders that the 1600 livres belonging to the minors, their late mother's share in the succession of Widow Gervais be invested to their best interests. Costs on succession.

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Petition of Jacques Fazende for  
Emancipation.

The Fazende minors having been emancipated by order of the Superior Council, Jacques Fazende, one of them absent at the time, not included in the decree, petitioned the Superior Council for an order to call a family meeting.

Considering the opinion of the Attorney General, the Council homologates the decision of the family meeting, Sieur Fazende being emancipated under the curatorship of Sieur Alexandre Vielle to enjoy the use of his movables and the revenues of his immovables, but not to sell or dispose of them until his full majority.

(Signed) Michel

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 11

Dame Catherine Pierre, widow of the late Sr. Gauvry, (living) Commander of troops maintained in this Colony, states that Sr. Gauvry, her husband, having died without justice formalities there being children of two marriages and wishing to dissolve their community, Petitions inventory of all properties, movables and immovables, belonging to said succession be taken in presence of the Attorney General and proceeds to division amongst co-heirs of their father's succession.

(Signed) Destrehan (in charge)

1752

Nov. 11, Approval of Attorney General.

(Signed) Raguet

1752

Nov. 12, Permit for inventory prayed for.

(Signed) Michel

Not listed in Louisiana Historical Quarterly.

YEAR 1752

NOVEMBER 11

The Council assembled at which meeting were present:

Sr. de Vaudreuil, Governor of the Province,  
Sr. de Membrede, Major of the City,  
Sr. Dauberville, 2nd Commander of the Marines

Sr. Michel having declared the office of the Attorney General of the King vacant by the death of Sr. Fleuriau, shows that a man of probity and experience should be chosen. The Council resolute and elect in said function Sr. Raguey whose capacities are known, and will succeed until such time as his Majesty shall have made an appointment.

Made in the Chamber of the Council.

(Signed) Michel

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 11

The Superior Council of Louisiana on declaration of Mr. Michel that the office of Attorney General to the King being vacant by the death of Mr. Fleuriau, provided of said charge, It would be necessary for the King's service as well as for the public to choose a person of probity, able and of experience.

On which deliberation, Sr. Raguel is elected until appointment of successor is made by the King.

By the Council  
(Signed) Chantalou

Not listed in Louisiana Historical Quarterly.

YEAR 1752

NOVEMBER 11

EXCERPTS FROM THE REGISTERS OF THE  
SUPERIOR COUNCIL

Petition of Dame Catherine Pierre.

Decree

Dame Catherine Pierre having two sets of children, in her petition to the Superior Council stated she would like to annul the community existing between herself and her children, but there being no decree settling the succession of her late husband, Sieur de Gauvrit, she demands an inventory of all her properties, movables and immovables, in order to effect a partition.

The Council considering the foregoing petition and the opinion of the Attorney General, orders that permission be given to petitioner to have inventory of her properties, movables and immovables, taken before Sieur Dauberville, Second Judge and the Attorney General.

By the Council

(Signed)

Chantalou, Clerk

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 13

## SUCCESSION OF SIEUR GERBE

## Procuration

The late Sieur Gerbe trading, while living, with the Vessel "La Chimene" commanded by Captain Rossal, died, leaving a balance due of 1054 livres 17 sols 7 deniers to the said vessel.

The Honorable Joseph Pascaud, resident of La Rochelle, honorary president of the Treasury office of that generality district, former owner and fitter of said Vessel "La Chimene" by notarial act before two royal notaries, Messrs. Solleau and Desbarres, grants a procuration to Sieur Louis Anthoine de Calongne, resident of New Orleans, giving him power and authority to recover from widow Gerbe, holder or administrator of Sieur Gerbe's succession, the sum of 1054 livres 17 sols 7 deniers, to use all legal proceedings for the recovery of said sum and to give full and valable receipt and discharge for same and if necessary to transfer said procuration to other agents; said procuration to be in force until its revocation; the procurator to be expected to render faithful account to constituent of all amounts received.

Made and passed at La Rochelle at the residence of said Sieur Constituent.

November 13, 1752

(Signed) Pascaud

Desbarres )  
Solleau ) Notaries

Collated at La Rochelle

November 13, 1752

Received 12 sols.

Fichon

1752

Nov. 13,

Authentication

Gabriel de Deraudin, Esquire,  
lord of Passyrompeay, Lieutenant General of the  
Senechal's jurisdiction (Judicial District) and  
Judge of the Presidial (District Court) seat of  
the City and Command of La Rochelle, certifies  
that Messrs. Solleau and Desharres whose signa-  
tures appear on said procuration are bona fide  
royal notaries of the City and Government of La  
Rochelle.

In faith of which they have hereby set their seal  
and signatures.

At La Rochelle at Our Mansion

November 13, 1752.

(Signed) Deraudin

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752NOVEMBER 13

Before Notary Royal, Pierre Couturier, Surgeon in Swiss Regiment, and his spouse, Francoise Le Kintreck, acknowledge being indebted to Sr. Jean Baptiste Destrehan, Treasurer of the Marine, for merchandise given them to sell. Commission paid, leaving sum of 4889 livres 10 sols 7 deniers which they promise and obligate themselves jointly or separately to pay, if not before, as soon as peltries they are expecting from Attacapas reaches them, declaring to have half of the interest in that trade at Attacapas, for which security mortgages all their property, including the rent of a house to Sr. Gachinard for 7000 livres beginning on the 15th day of last October, all peltries and other effects from Opelousas and Attacapas and especially a negro woman named Marion and her daughter Marie, to be sold or hired only to conclude said payment.

Sr. Destrehan present accepts and promises debtors execution of obligation in every respect, before witnesses.

(Signed) Chantalou, Notary

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 15

## LETTER

Letter written at La Rochelle,  
signed Rasteau Sr., Rasteau Jr.  
to Sr. Chantalou at New Orleans.

The writer states he has not heard from Sr. Chantalou since March 3, 1750, and trusts that he and Sr. Michel have accomplished something to help his misfortune by settling some of the affairs in their Colony, and believes if not able to do so, in creditors' ill will.

He entreats them to increase all efforts to end said affairs. Requesting what is due him entrusted to Sr. Billoteau, Captain of the Ship "L'Union", equipped for the Colony by his son, Jr.

Wishing conclusions to quiet his mind, and hoping to hear from him, etc.

(Signed) Rasteau Sr., Rasteau Jr.

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 17

## PETITION FOR RECOVERY

Sieur Chauteau, Innkeeper, paid Sieur Lacassagne, sailor on the Schooner "l'Heureux Ami" the sum of 250 livres on account of salaries due by Sieur Jean Hinard, owner of said schooner, Captain Hinard giving Sieur Chauteau his promissory note for said amount. Captain Hinard having sold his schooner at auction, the proceeds of said sale were deposited by order of the Council in the Registry Court subject to any claim that may arise. As the funds belonging to Captain Hinard lay idle in the Registry Court and Sieur Chauteau having obtained a judgment on his note, Captain Hinard petitioned the Superior Council demanding that Sieur Chauteau be paid off said funds derived from the sale of the schooner as said note was issued in payment of expenses on said vessel, the balance of said funds to be returned to Captain Hinard, their rightful owner; Sieur Chauteau to be ordered to appear in Court to be told to accept said amount.

(Signed) Hinard

Permit to summon. (Signed) Dauberville

## Summon

Pursuant to the foregoing order issued on petition of Sieur Jean Hinard, Sheriff Lenormand issues and delivers a copy of said petition to Sieur Chauteau and a summon to appear before the Council to answer said petition and hear the proper decree in the case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOV. 17SUCCESSION OF JEAN CARITON, TAILOR,  
PETITION FOR RECOVERY.

Sieur Nicolas Chauvin Boisclair, being indebted to the late Sieur Jean Cariton in the sum of 220 livres for supplies, Sieur Jacques Cantrelle, testamentary executor of the said Jean Cariton, petitions the Superior Council to Have Sieur de Boisclair summoned before the Court to be ordered to pay the said amount of 220 livres with interest and cost.

(Signed) Cantrelle

Permit to Summon

(Signed) Dauberville.

YEAR 1752DECEMBER 28SUMMON

Pursuant to the foregoing order issued on petition of Sieur Jacques Cantrelle, Sheriff Morin Lenormand issues and delivers to Sieur Nicolas de Boisclair, copy of the aforesaid petition and summons to appear in court, answer said petition and hear the proper decree in the case.

(Signed) Lenormand.

Not printed in Louisiana Historical Quarterly.

57/B

YEAR 1752NOVEMBER 17

## PETITION FOR RECOVERY

Sieur Lagrange, merchant, holding a promissory note for 238 livres dated August 31st same year, signed by Sieur Colmar, saddler, petitions the Superior Council to have Sieur Colmar summoned before the Council to be ordered to pay the said amount of 238 livres with interest and cost.

(Signed) Lagrange

Permit to summon.

(Signed) Dauberville

Nov. 18,

Summon

Pursuant to the foregoing order issued on petition of Sieur Lagrange, merchant, Sheriff Lenormand issues and delivers to Sieur Colmar, saddler, copy of the aforesaid petition and summon to appear in Court, answer said petition and hear the proper decree in the case.

(Signed) Lenormand

1753

July 3,

Second Summon

The Superior Council having rendered a decree by default against Sieur Colmar, and the case being continued, Sheriff Lenormand pursuant to the foregoing decree issued and delivered summon to Sieur Colmar to appear in Court and answer petition, copy of which was delivered to him on November 18, 1752, notifying him that whether present or absent, final decree will be rendered by the Council.

(Signed) Lenormand

YEAR 1752NOV. 27

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JOSEPH GIRARDY, COLONIST AT BAYOU ST. JOHN  
 versus  
 CHARLES TARASCON, MARRIED TO LOUISE  
 GIRARDY, WIDOW OF SIEUR LANGLOIS.

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ANSWER

Sieur Louis Turpin, on his death bed, in 1734, made a donation to Louise Girardy of two tracts of land situated at Bayou St. John, one tract which he had purchased from Jean Brunet, known as Bourbonnais, by private deed, dated August 22, 1731, and the other one from Jean Olivier, also dated August 21, same year, said deeds confirmed and sanctioned by Master Place, Notary at Illinois, and Master Jerome Rousselet, Notary at Fort de Chartres; approved by Mr. Dartaguet, said titles now in care of Sieur Graveline, Father, who must remit them to Louise Girardy.

Louise Girardy, after the death of her husband, Sieur Langlois, having married Charles Tarascon, Sieur Tarascon took possession of the land and forbid anyone to trespass on it, claiming sole ownership, ready to prove it by deeds.

Sieur Joseph Girardy, Father of Louise Girardy, in a petition to the Superior Council, claims to have cleared and cultivated said land, fenced in and built cabins for negroes, the land being used as a public parking and grazing ground for all neighbors cattle, demanding that Sieur Tarascon let the land be a public utility ground as heretofore, or to pay for the improvements.

cont'd.

In his answer Sieur Tarascon states that when Sieur Girardy cleared the land it was only a Savages' camping ground, which cost him very little to improve. On the contrary by felling the trees for his benefit he ruined the land completely, having during eighteen years, while saving the trees on his own land, taken all the timber away, so you cannot even find fire wood or logs to repair the fences, erecting fences only to park his own cattle and for his own utility.

Sieur Girardy has built cabins on said land, and still built some no later than eighteen months ago; has negroes living in them for the past ten years. What business has he to erect buildings on someone else's land?

Sieur Girardy says that said donation is null and void as not being recorded, and that said pretended donation was only made to befriend respondent's wife, which must be correct, as donations are only made under an obligation.

He also says that the said donation was made under consideration of one hundred ecus (300 livres), paid by Sieur Girardy to Sieur Turpin: that statement demands confirmation.

As Sieur Turpin was not capable of deceiving five persons he must certainly, during his life time, have given Sieur Girardy a receipt, and there are no living witnesses to testify to that transaction.

He also says that he has threatened negroes trespassing on the land with bodily harm, which is absurd as the negroes are not responsible for their masters' quarrels.

Respondant claims to have suffered considerable damages, especially during this last year, he not having harvested a single bean.

Petitioner demands the appointment of a councillor to inquire upon the facts mentioned in the present complaint, and all papers and deeds herewith attached, and that Sieur Girardy, or anyone else, be enjoined from interfering with petitioner in the possession of his land, or in his labors, under penalty of punishment prescribed by the ordinances.

November 27, 1752

(Signed) C. Tarascon

Not listed in Louisiana Historical Quarterly.

57/B

YEAR 1752NOVEMBER 27

## GIRARDEAU versus DURAND

## Petition for recovery

Sieur Noel Pellerin (location unnamed) holding a promissory note for 4500 livres from Sieur Francois Durand, merchant at New Orleans, issued a procuracy for the recovery of said sum (procurator unnamed).

Sieur Louis David Giraudeau, the holder of said procuracy by entailment, having failed to recover said amount amicably, petitions the Superior Council to have Sieur Francois Durand summoned before the Court to be ordered to pay the full amount of said note with interest and costs.

(Signed) Giraudeau

Permit to summon.

(Signed) Michel

## Summons

Pursuant to the foregoing order issued on petition of Sieur Giraudeau, Sheriff Lenormand issues and delivers to Sieur Francois Durand, merchant, copy of foregoing petition and summons to appear before the Council to answer said petition and hear the proper decree in the case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 29SUCCESSION OF PIERRE Le ROY,  
KNOWN AS FERRAND.

## Petition for Accounting and Partition.

Francois Jourdain as husband of Francoise Le Roy, petitions the Superior Council stating that after the death of her father, the late Sieur Pierre Le Roy, she remained under the tutelage of her mother, Claudine Grison, who married after with Antoine Darrede who as husband took charge of the administration of the properties left by the deceased Pierre Le Roy, inventory of which was taken.

As she is now of majority, she can enjoy of her rights under the authority of petitioner. Demand that Sieur Darrede be summoned to appear in Court to be ordered to render account, in the name of Dame Claude Grison, his wife, of all properties, movables and immovables, belonging to the succession of the late Pierre Le Roy known as Ferrand, before one of the Councillors appointed, said properties to be judicially sold, the proceeds to be divided between the heirs.

(Signed) Jourdain

Permit to summon.

(Signed) Michel

## Summon

Pursuant to the foregoing order issued on petition of Sieur Francois Jourdain, Sheriff Lenormand issues and delivers to Sieur Antoine Darrede, copy of the foregoing petition and summon to appear before the Council to answer said petition and to hear the proper decree in the case.

(Signed) Lenormand

YEAR 1752NOVEMBER 29

## CAPTAIN MELINEAU versus SIEUR DAUNOIS.

## Petition for execution of Contract.

Sieur Charles Melineau, Captain of the Vessel "Le Marechal de Broglie de Nantes", having contracted with Sieur Daunois, Colonist, for a cargo of timber to be delivered during the month of October, on the 20th of said month sent his vessel to Sieur Daunois' plantation to be loaded but found the timber in a defective and unmarketable condition and refused to load.

As the time specified in the contract is about to expire, Captain Melineau petitions Honorable Michel de la Rouvilliere, Commissioner General of Marine, First Judge of the Superior Council to have Sieur Daunois summoned before the Court on special Session to be ordered to deliver petitioner, within twenty-four hours, the quantity of timber contracted for, if not, to authorize petitioner to purchase said timber at any place for Sieur Daunois' account; Sieur Daunois to be ordered to pay all expenses caused by the delay and for salaries and board of crew and all other damages.

(Signed) Melineau

## Order

Two arbiters to be appointed by litigants to examine and estimate Sieur Daunois' timber, an umpire to be selected in case of disagreement; their official report to be transferred to Honorable Michel for a final decree.

(Signed) Michel

Summon

Pursuant to the foregoing order issued on petition of Captain Charles Melineau, Sheriff Lenormand issues and delivers to Sieur Daunois, at his plantation, seven leagues (17 miles  $\frac{1}{2}$ ) distant copy of foregoing petition and summon to appear before Honorable Michel to answer said petition and hear the proper decree in the case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752

DECEMBER 10

CAPTAIN MELINEAU versus DAUNOIS.

Petition for execution of Contract  
and Damages.

Pursuant to an order of Honorable Michel issued on petition of Captain Melineau, Sieur Daunois appointed Sieur Coupery, merchant, and Captain Melineau appointed Sieur Chaperon, colonist, as arbiters to examine and estimate all the timber intended for the cargo of the Vessel "Le Marechal Broglie".

In their official report dated the 7th instant, the said arbiters stated that after a careful examination, only two pieces of timber were found to be in sound condition and marketable; all the rest was rejected as defective.

Captain Melineau claiming that Sieur Daunois had had time to provide another cargo of sound timber, petitions Honorable Michel de la Rouviliere to have Sieur Daunois summoned before the Court to be ordered to reimburse him for all expenses incurred by his delay in sailing, salaries and board of crew from the day of the expiration of their contract until the loading of the vessel and all other damages to be arbitrated by experts and good judges.

Petitioner demands also to be permitted to purchase, at Sieur Daunois' account at any place where he can find some, the quantity of timber necessary; Sieur Daunois to be responsible for all accidents caused to the ship by its delay.

(Signed) Melineau

Dec. 15, Permit to summon.

(Signed) Michel

1752

Dec. 16,

Summon

Pursuant to the foregoing order issued on petition of Captain Charles Melineau of the Vessel "Le Marechal de Broglie", Sheriff Lenormand issues and delivers to Sieur Daumois, at his plantation, seven leagues (17 miles  $\frac{1}{2}$ ) distant, copy of foregoing petition and summon to appear before the Council to answer said petition and hear the proper decree in the case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752DECEMBER

## PROCEEDINGS FOR EXECUTION OF CONTRACT.

## Answer to petition

Sieur Daunois, Colonist, having received official notice of the petition filed by Captain Melineau, promptly answered as follows:

Sieur Goudeau having been advised by letters from San Domingo of the arrival of a vessel from Nantes to get a cargo of timber, proposed Sieur Daunois to provide said cargo by the 15th of August.

Considering the proposal a good business venture, he immediately entered into a contract and ordered his negroes to cut down the trees. In a short while he had enough timber, good and marketable in all respects, ready for the cargo and more beside.

Captain Melineau's vessel, who according to Sieur Goudeau, was due in a few days, only arrived on the 15th of September.

During that time there were heavy rains and hot weather, engendering swarms of flies which pricked the timbers but not damaging the heart nor the quality of them.

Captain Melineau on his arrival was invited several times to call at the plantation and inspect the timber, but always declined the offer without stating any reasons.

On October the 24th, the vessel commanded by the second officer arrived at the plantation, but the officer, on being shown the timber, refused to take the responsibility of loading same aboard his vessel and returned to the city with a letter of Mr. Daunois addressed to Captain

Melineau offering him to have the timber appraised by two arbiters, he selecting Sieur Coupery, Captain Melineau's friend.

Sieur Daunois was very much surprised, in answer to his letter, to see Captain Melineau appear with a sheriff delivering to him a writ of Court ordering him to deliver on the levee opposite the vessel the quantity of timber specified in the contract. Within six days nine hundred pieces of timber were piled up at the required place.

Captain Melineau having notified the arbiters he would not accept any pricked timber, the arbiters told Sieur Daunois that while they considered his timber to be good and sound, he could not compel Captain Melineau to accept it on account of those small punctures.

Sieur Daunois desiring to settle the matter without any litigation or chicanery, offered Captain Melineau the timber at his own price, but Captain Melineau refused.

After being apprised that Captain Melineau could not sail before the 15th or the 20th of January, Sieur Daunois still trying to avoid litigation, offered to deliver a whole new cargo of timber by January 5th or 6th.

Sieur Coupery, one of the arbiters, considering the proposition a very reasonable one, notified Sieur Daunois of Captain Melineau's acceptance stating that if Captain Melineau brought any more objection, he would be the first one to testify in Court to the bad faith of said Captain.

Sieur Daunois resolved to sacrifice everything to rid himself of such worry, ordered all his negroes to the swamps, water to their knees, and the negroes animated by the rough deal given to their master, within twenty-four hours, cut down and delivered two hundred pieces of

timber on the levee beside those left in the swamps.

During that time the crew of the vessel loaded only eighty pieces which is proof enough they had more work than they could attend to.

The second officer in command admitted before witnesses that he was making a full report to the captain and that the vessel was not ready to receive cargo until the month of December on which day forty pieces of timber were laying on the levee opposite said vessel.

Sieur Daunois demands that Captain Melineau be non-suited in his claim for damages and for expenses incurred by salaries and board of crew, and sentenced to costs of Court, also to be ordered to accept and to load the five hundred and fifty pieces of timber to be delivered to him sound and marketable, according to the terms of his contract.

If on account of bad weather or some unforeseen accident, Sieur Daunois is not able to deliver the full amount of timber before the sixth of January, order that some new experts select, from the two thousand pieces laying on the river short, enough pieces to fulfill the said contract up to the five hundred and forty pieces required.

(Signed) Daunois

Not listed in Louisiana Historical Quarterly.

YEAR 1752NOVEMBER 30

LETTER OF TESTAR IN La ROCHELLE  
to  
CHANTALOUPI IN NEW ORLEANS.

Testar who is in partnership with Chantaloup, merchant in New Orleans, by the present advises him of a shipment of two cases of arms and a chest of articles stated on bill here enclosed, adding bill of lading of said cargo by Vessel "L'Aimable Marie" - Capt. Raoul, Sr., or Jean Raoul.

Letter dwells on their business, refers to other shipment. At first opportunity give statement of money advanced, money received on accounts and urges partner's share of funds.

Writer recommends his affairs with the late Sr. Girbe, urging Chantaloup to act in the matter as would for himself and enclosing a note of Mr. Le Chevallier Dabin to be recorded on failure of having accounted same.

Letter ends with writer's most perfect consideration for Mr. Chantaloup and his wife.

(Signed) Testar

Not listed in Louisiana Historical Quarterly.

YEAR 1752DECEMBER 2

## SESSION OF THE SUPERIOR COUNCIL.

## Succession of Noel Pellang

## Decree

Sieur Louis David Giraudeau, merchant at New Orleans, holding procuration from Sieur Pierre Boudet, merchant at La Rochelle, by entailment; Sieur Boudet holding procuration from Sieurs Jean Charles Tamisier and Andre Gigon, Directors at the Hospital of Saint Savournain in Provence (France)

versus

Francois Durand, Merchant

Sieur Noel Pellang, former resident of Martinique, holder of a promissory note for 4500 livres dated from Saint Pierre, Martinique, October 9, 1747, signed by Sieur Francois Durand, by notarial act passed before Mr. Fougues, Notary at Saint Savournain on May 31, 1751, willed and bequeathed said note to the Hospital (Hôtel Dieu) of Saint Savournain. Sieurs Jean Charles de Tamisier and Andre Gigon, Directors of said hospital, by notarial act passed before Mr. Fougues on May 9, 1752, granted a procuration to Sieur Pierre Boudet, merchant at La Rochelle, giving him power and authority to recover the amount of said note. Sieur Pierre Boudet, by notarial act passed before Messrs. Fleury and Crasson, Notaries at La Rochelle, on June 14, 1752, granted procuration to Sieur Louis David Giraudeau, merchant at New Orleans, giving him power and authority to recover from Sieur Francois Durand

(cont'd)

for account of the Hospital of Saint Saviourain 4500 livres, with interest and costs, the amount of Sieur Noel Pellang's note willed to the said Hospital.

Sieur Giraudeau having failed to recover said amount amicably, entered action against Sieur Durand.

Considering copy of Sieur Durand's note recorded and registered at Marseilles, July 5, 1749, Copy of Sieur Noel Pellang's will duly legalized on May 15, 1752 by Mr. Antoine Rousset, Civil and Criminal District Judge at Saint Saviourain, The procuration granted by Messrs. Jean Charles de Tamisier and Andre Gigon, Directors of the Hospital of Saint Saviourain, to Sieur Pierre Boudet duly legalized May 15, 1752,

The procuration granted by Sieur Pierre Boudet to Sieur Louis David Giraudeau duly legalized by Mr. Beraudin, District Judge, at La Rochelle on June 15, 1752,

Copies of all aforementioned legal deeds delivered to Sieur Durand by Sheriff Lenormand, on November 28th,

The Council orders decree by default against Sieur Francois Durand for non-appearance, to be re-summoned for the next session of the Council. Costs pending.

By the Council

(Signed)

Chantalou, Clerk

1752

Dec. 23,

Notice and summon

Pursuant to the foregoing order issued on petition of Sieur Louis David Giraudeau, proxy by entailment for Sieurs de

Tamisier and Gigon, Directors of the Hospital of Saint Saviourain, Sheriff Lenormand issues and delivers to Sieur Francois Durand copy of said petition and also summon to appear before the Council at the next session day and answer said petition and hear the final decree in the case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

YEAR 1752DECEMBER 2SESSION OF THE SUPERIOR  
COUNCIL.

Were present:

Messrs. de Vaudreuil, Governor,  
Michel, Commissary General of  
Marine, President,  
Dauberville, Commissary of Marine,  
Second Judge,  
Le Bretton, de Kernion and Lafreinere,  
Lateral Judges,  
Raguet, Attorney General.

## Decrees

Joseph Girardy

versus

Charles Tarascon

The Council, hearing all testimonies and Attorney General's opinion, decrees plaintiff to be non-suited in all his demands and orders parties to live in better understanding; permits Joseph Girardy to remove all negro cabins which he has built on said land and specially recommends to Tarascon and his wife to show respect due their father. Costs pro-rated.

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Captain Jean Hynard

versus

Sieur Chouteau

The Council, hearing all testimonies, orders that the sum of 251 livres be paid to Sieur Chouteau from the funds proceeding from the sale of the schooner, deposited in the Registry

(cont'd)

#1331 cont'd.

Court; the surplus of said funds to be re-  
mitted to Captain Hynard by giving good  
and sufficient security; the Clerk of Court  
to receive good and valable discharge.  
Costs on Captain Hynard.

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Alexandre Viel and Dubuisson  
versus  
Trepagnier

Considering the decree by default already  
rendered, the opinion of the Attorney General,  
the Council hearing all testimonies, orders  
Sieur Trepagnier to render an account of his  
brother's succession within one month.

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Sieur Girardeau versus Sieur Durand  
The Council orders default against defendant  
for non-appearance to be re-summoned to appear  
for the first Session of the Council. Costs  
pending.

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Sieur Dubreuil versus Sieurs Messager and  
Michel Fortier  
The Council orders default against Michel Fortier  
for non-appearance; the writ of attachment,  
against funds in his care, to remain in force  
until full settlement of the case. Cost pending.

(Signed) Michel

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752DECEMBER 2EXECUTIVE SESSION OF THE  
SUPERIOR COUNCIL.

Were present:

Messrs. de Vaudreuil, Governor,  
Michel, Commissary General of the  
Marine, First Judge,  
Dauberville, Commissary of the Marine,  
Second Judge,  
Raguet, Acting Attorney General,  
Le Bretton, Kernion and Lafreniere,  
Lateral Judges.

Joseph Girardy, Colonist at Bayou St. John,  
versus

Charles Tarascon, acting for his wife, Marie  
Louise Girardy, widow of Louis Langlois.

According to petition presented by Sieur Girardy, in the year 1734 a donation was made to his daughter, Marie Louise Girardy, by the deceased Louis Turpin of a tract of Virgin land, measuring eight arpents front on Bayou St. John, by the ordinary depth; said land having been cleared, enclosed and buildings placed thereon; in fact, improved as it is today at the expense of plaintiff. Sieur Girardy claims that said donation is null and void,

First - because it has never been recorded,  
Secondly - if plaintiff would have let said land lie fallow for the past eighteen years since the donation was made, it would have been granted to any one for the asking and consequently the donation would have been valueless.

Plaintiff claims ownership of said land by right of first occupancy and that donation was in consideration of 300 ecus (900 livres) paid by plaintiff for Sieur Turpin's account.

Plaintiff demands that said land be used as a public pasture as heretofore and that all negroes be given the right to occupy their cabins as they have enjoyed said right since they were built, or let Sieur Tarascon pay for all improvements.

The Council considering the foregoing petition, the answer filed by Sieur Tarascon and the deed of gift of said land dated May 11, 1734, passed by Mr. Rossard, Notary, both litigants' testimonies and the opinion of the Attorney General in the case orders that plaintiff be non-suited in his demands and that both parties live in better understanding and specially that Tarascon and his wife show respect due their father.

Sieur Joseph Girardy is permitted to remove all negro cabins he has built on said land.

Cost divided.

Sieur Hynard, Captain  
versus  
Sieur Choutaud, Colonist

Captain Hynard having signed a note in favor of Choutaud for the sum of 251 livres for an amount due said Choutaud by a sailor named La Cassaigne from the Schooner "Les deux Amis" said sum to cover wages due La Cassaigne by Captain Hynard, owner of said Schooner,

As Captain Hynard sold the schooner, it was ordered that funds proceeding from said sale be placed at the Registry Court for the protection of further claims.

As no claims have arisen, Captain Hynard prays that said funds be released and that he be allowed to settle with Choutaud accordingly.

Council orders that 251 livres due Choutaud be paid him from the funds deposited in the Registry Court and surplus funds to be given to Sieur Hynard and Registry office be given receipts in full. Hynard to pay costs.

Sieur Alexandre Viel, Colonist, in the name of his wife, Marie Trepagnier, and Sieur Dubuisson, in the name of his wife, Ursule Trepagnier,

versus

Francois Trepagnier, their brother-in-law.

Sieur Ignace Trepagnier having died four months previously, the administration of his succession left to his brother, Francois Trepagnier, Sieur Alexandre Viel and Sieur Dubuisson petition the Superior Council praying that Sieur Francois Trepagnier be ordered to give an account of his brother's succession, all movables and immovables to be sold judicially and the proceeds divided among the heirs, including Dame de Macarty, Dame Carriere and Dame de Vauberey, also sisters of the deceased.

The Council considering the foregoing petition and first decree by default ordered, orders that Sieur Francois Trepagnier give an account of the succession of deceased Ignace Trepagnier to co-heirs of said succession within one month. Costs pending.

Sieur Louis David Giraudeau, merchant at New Orleans, holding procuration from Sieur Pierre Boudet, merchant at La Rochelle, by entailment; Sieur Boudet holding procuration from Sieurs Jean Charles Tamisier and Andre Vigon, Directors of the Hospital of Saint-Savournin, in Provence (France)

versus

Francois Durand, merchant.

Sieur Noel Pelleng, former resident of Martinique, holder of a promissory note for 4500 livres dated from St. Pierre Martinique October 9, 1747, signed by Sieur Francois Durand, by notarial act passed before Mr. Fougues, Notary at St. Savournin on May 21, 1751, willed and bequeathed said note to the hospital at St. Savournin.

Sieurs Jean Charles de Tamisier and Andre Gigon, Directors of said hospital, by notarial act passed before Mr. Fougues on May 9, 1752, granted a procuration to Sieur Pierre Boudet at La Rochelle giving him power and authority to recover the amount of said note.

Sieur Pierre Boudet by notarial act passed before Messrs. Fleury and Crasson, notaries at La Rochelle on June 14, 1752, grant procuration to Sieur Louis David Giraudeau, merchant at New Orleans, giving him power and authority to recover from Sieur Francois Durand, for account of the hospital of St. Savournin, 4500 livres with interest and costs, the amount of Sieur Noel Pelleng's note willed to the said hospital

Sieur Giraudeau having failed to recover said amount amicably, entered action against Sieur Durand.

Considering copy of Sieur Durand's note, re-  
corded and registered at Marseilles July 5, 1749,  
Copy of Sieur Noel Pelleng's will duly  
legalized on May 15, 1752, by Mr. Antoine  
Rousset, Civil and Criminal District Judge at  
St. Saviourin,

The procuration granted by Messrs. Jean Charles  
de Tamisier and Andre Gigon, Directors of the  
Hospital of St. Saviourin, to Sieur Pierre  
Boudet, duly legalized May 15, 1752,

The procuration granted by Sieur Pierre Boudet  
to Sieur Louis David Giraudeau, duly legalized  
by Mr. Beraudin, District Judge at La Rochelle  
on June 15, 1752,

Copies of all aforementioned legal deeds delivered  
to Sieur Durand by Sheriff Lenormand on  
November 28th,

The Council orders decree by default against  
Sieur Francois Durand for non-appearance, to  
be re-summoned for the next Session of the  
Council. Costs pending.

Sieur Claude Joseph Villars Dubreuil,  
Signor Captain of Citizens Militia,  
versus

Sieur Messenger, Colonist at Illinois  
and Michel Fortier, Gunsmith in this  
city, Curator of the successions of  
Etienne Langlois and his wife, Marie  
Boudreau.

Sieur Villars Dubreuil having endorsed a note of  
Sieur Messenger, in favor of Sieurs Pictet and  
Voisin for 2492 livres 10 sols, was ordered to  
pay same by decree of the Council of September 7,  
1743, with 12 livres costs.

Having been informed that Sieur Messenger was to  
receive funds befallen to his wife from the suc-  
cessions of Etienne Langlois and Marie Boudreau,  
his wife, said funds in care of Sieur Michel  
Fortier, curator of said successions, Sieur  
Dubreuil prays for a decree ordering Sieur Messenger  
to pay said amount of 2492 livres 10 sols with in-  
terest and costs and an order of attachment against  
all funds belonging to said successions, in care of  
Sieur Fortier, up to the amount of his claim.

The Council considering the foregoing petition  
orders first default against Sieur Fortier for  
non-appearance and the attachment against said  
funds to stand for the next eight months from  
the day of the delivery of notice. Costs  
pending.

Isabelle, free negress, plaintiff  
by petition.

The Council, considering the opinion of the Attorney General, orders that the effects mentioned in the inventory made after the decease of Jean Baptiste Gon de Chavannes be delivered to the said Isabelle and daughter (said effects being of little value) in payment of their services to the said de Chavannes.

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Sieur Alexandre Baure, Colonist

Petition for homologation of a  
donation.

Dame Marie Labranche, widow Verret, having by contract of marriage passed before Mr. Henry, Notary, on August 23, 1749, made a donation to Sieur Alexandre Baure of a child's share to be taken from her paraphernal estates, according to the custom of second marriages,  
The Council considering the opinion of the Attorney General, homologates said donation to be executed in its form and tenor; said donation to be recorded in the registers of the Clerk's office which was done instantly Folio No. 54.

Francois Armand Duplessis,  
Colonist

Petition for homologation  
of donation.

Sieur Duplessis and Marie Sautier, minor daughter of Jacques Sautier, by contract of marriage passed before Mr. Henry, Notary, on August 23, 1749, made an irrevocable mutual gift to the survivor of all properties, movable and immovable, acquired in community during their marriage time to be enjoyed by the survivor in full ownership.

The Council considering the opinion of the Attorney General, orders said donation to be homologated to be executed in its form and tenor. Said donation to be recorded in the Registry office, which was done instantly, Folio No. 54.

No signature

Not listed in Louisiana Historical Quarterly.

YEAR 1752DECEMBER 7

## CAPTAIN MELINEAU versus SIEUR DAUNOY.

## Report of Arbiters

Sieur Daunoy having contracted to supply Captain Melineau with a cargo of timber for his Vessel "Le Marechal de Broglie", Captain Melineau refused to accept the cargo tendered as defective and entered action against Sieur Daunoy for the proper fulfilment of his contract,

The Council having referred the decision to arbitrators, Sieurs Joseph Chaperon, appointed by Captain Melineau, and Jean Couprie appointed by Sieur Daunoy, report that after visiting and examining said timber on the levee, of the first forty pieces which they had carefully examined on the four sides, only two were sound and marketable and the rest of the cargo was not considered sound and marketable according to the terms of the contract.

Said opinion hereby delivered to stand according to law.

Sieur Chaperon, being illiterate, makes his own mark.

(Signed) J. Couprie

ordinary mark

X of

Joseph Chaperon

Not listed in Louisiana Historical Quarterly.

YEAR 1752

DECEMBER 12

4 pages

ANSWER OF DESILLETTS ON SUMMONS  
GIVEN HIM BY PETITION OF SIEUR  
PHILIP.

Desillets does not deny buying four negroes from Sr. Philip; he says however, that it was agreed between them that he could return to vendor, any negro who was found stricken of an incurable disease; and the negro who died, having himself admitted that he had been suffering from lung trouble for many years. Desillets, therefore, asks Council to render him justice and compel Sieur Philip to deduct price of dead negro and pay costs.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

DECEMBER 20

SESSION OF THE SUPERIOR COUNCIL.

Captain Charles Melineau  
versus  
Sieur Daunoy, Colonist

Were present:

Messrs. de Vaudreuil, Governor,  
Dauberville, Commissary of Marine,  
Second Judge  
De Membrede, Major of New Orleans,  
Kernion, Lateral Judge,  
Raguet, Attorney General,  
Mr. Michel, Commissary General of  
Marine, second Judge, died Dec. 18th.

Sieur Daunoy, Colonist, by contract dated August 13th of the present year, bound himself to deliver to Sieur Charles Melineau, owner and Captain of the Vessel "Le Marechal de Broglie" no later than the next month of October a cargo of timber.

When the vessel arrived at the plantation, the timber was refused as unsound and unmarketable. Captain Melineau entered action against Sieur Daunoy demanding immediate delivery of good sound timber according to contract or the privilege to purchase said timber elsewhere at Sieur Daunoy's risk and cost claiming damages for delay in sailing and for expenses incurred for crew's salaries and board.

Sieur Daunoy in his answer states that right after the signing of the contract he had the timber piled on the levee ready to be loaded,

(cont'd)

but the vessel only came one month later. During that time warm and rainy weather caused swarms of flies to set on the timber and by their depredations caused apparent but not real deterioration of said timber.

Sieur Daunoy offered Captain Melineau the timber at his own price, but the latter wanting only first class timber, refused.

Sieurs Couprie and Chaperon, arbiters appointed pursuant to a decree of the Council, while finding the timbers in fair condition after examining them on the four sides, were compelled by order of Captain Melineau to reject all but two pieces as spotted and pricked, consequently not sound and marketable according to contract.

Sieur Daunoy being apprised that Captain Melineau could not sail before the middle of next January, offered to deliver a full cargo from freshly cut trees and set his negroes to work to have the timber ready on time.

The Council considering the petitions of Captain Melineau, the defence of Sieur Daunoy, the official report of the arbiters, all testimonies heard and the opinion and demand of the Attorney General, decrees:

That by common consent between litigants, defendant delivers to plaintiff, before the 8th of January next, the 550 pieces of timber specified in their contract and by common consent also, a reduction of one sol per foot of timber to be made as indemnification; the plaintiff is allowed to hasten his shipping, to take whenever it will be convenient up to two hundred pieces of timber which he can load in his vessel.

Plaintiff is ordered to notify defendant when vessel is laden, so said defendant can stop the supply.

Costs on defendant.

All sheriffs and sergeants are hereby required to issue the proper notices and other papers required for the execution of foregoing decree.

Made in the Council Chamber, at New Orleans,  
December 20, 1752.

By the Council

No signature.

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752DECEMBER 20EXECUTIVE SESSION OF THE SUPERIOR  
COUNCIL

Were present: Messrs. deVaudreuil, Governor.  
 Dauberville, Commissary of the  
 Marine, Second Judge.  
 DeMembrede, Major of New Orleans.  
 DeKernion, Lateral Judge.  
 Raguet, Attorney General  
 (Michel, First Judge, Died Dec. 18th.)  
 Sieur Charles Melineau, Captain of  
 the vessel: (LeMarechal de Broglie)  
 versus  
 Sieur Daunoy, Colonist.

Sieur Daunoy contracted to deliver a cargo of  
 timber to Captain Melineau, but the latter refused  
 to accept the timber offered to him as defective,  
 and entered action against Sieur Daunoy for the  
 delivery of a cargo of good, sound, marketable  
 timber, claiming damages for loss of time and  
 expenses incurred for salaries, and board of crew,  
 during said time.

Considering the petitions and defences of the  
 litigants, the Council, by their common consent,  
 orders that defendant deliver to plaintiff, before  
 the 8th of January next, the 550 pieces of timber  
 mentioned in their contract, and by common consent  
 also a reduction of one sol per foot to be made as  
 indemnification; the plaintiff is allowed to hasten  
 his stowage, to take wherever it will be convenient  
 250 pieces of timber, which he may load in his  
 vessel, and to notify defendant whenever he will  
 have a full cargo loaded aboard his vessel, so de-  
 fendant can stop the supply. Cost on defendant.

(Signed) Dauberville.

Not listed in Louisiana Historical Quarterly.

YEAR 1752DECEMBER 23

## PROTEST

Sieur Couturier, surgeon, after mortgaging on November 3rd a house and lot to Sieur Destrehan for 4889 livres 8 sols 7 deniers, tried to sell said property.

Mr. Jean Baptiste Garic, in the name of Sieur Destrehan, before Sheriff Lenormand declares and enters a protest against said sale declaring that only a judicial sale would be legal and if the private sale is effected, it must be for cash and the amount of Sieur Destrehan's mortgage paid in full.

Certificate of declaration to stand according to law, granted to Sieur Garic.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

PETITION IN RECOVERY  
SIEUR JEAN BAPTISTE DESTREHAN,  
TREASURER OF MARINE,  
versus  
SIEUR PIERRE COUTURIER, SURGEON,  
AND DAME FRANÇOISE LEKINTRECK,  
HIS WIFE.

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Sieur Jean Baptiste Destrehan, treasurer of the Marine, petitions the Superior Council, stating that he is the holder of an obligation for 4889 livres, 10 sols, 7 deniers, dated November 3rd last, signed by Sieur Pierre Couturier, surgeon of the Fourth Company of the Kerrer Swiss regiment, and by Françoise LeKintrek, his wife, said obligation secured by a third mortgage on a house bought by said Couturier from Sieur Medsingue: The first mortgage for 2000 livres, held by Sieur Medsingue, as balance due on the purchase price; the second mortgage for 5000 livres held by Sieur Chantalou.

Petitioner is informed that Sieur Couturier is about to sell the house for 7000 livres to clear the two first mortgages; furthermore it is said that the house is sold for more than 7000 livres, but Sieur Couturier, by agreement with the purchaser, will pass the act of sale for that amount only, by so doing annulling petitioner's mortgage.

Sieur Destrehan, considering that Sieur Couturier intends to defraud him from the surplus of the sale price of said house, has filed a protest against said sale until the execution of his mortgage, or the full settlement of the obligation. As there are three mortgages on said house it would be proper to let it be sold judicially to the last and highest bidder, so petitioner can receive the surplus above the other two mortgages.

cont'd.

Petitioner demands that the protest already filed be sustained according to law until the extinction of his mortgage, and that Sieur Couturier and his wife be summoned to appear before the Council to be ordered to pay petitioner the sum of 4889 livres, 10 sols, 7 deniers, with interest and cost, and that said house be sold judicially.

(Signed) Garlic, for Petitioner.

PERMIT TO SUMMON  
PROTEST SUSTAINED.

(Signed) Dauberville

YEAR 1752

DECEMBER 28,

SUMMON

Pursuant to the foregoing decree, issued on petition of Sieur Jean Baptiste Destrehan, Treasurer of Marine, Sheriff Lenormand issues and delivers to Sieur Francois Couturier, Surgeon of the Swiss troops, and to his wife, copies of said petition of their obligation, and of Sieur Destrehan's protest; also, summons to appear before the Council on Saturday, January 13, next, to answer said petition and to hear the proper decree in the case.

(Signed) Lenormand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752DECEMBER 26

## PETITION IN RECOVERY

Jean Villeneuve and his partner Jean \_\_\_\_\_  
versus  
Doua.

Sieur Doua having contracted for the repair and refitting of a schooner, Sieur Jean Villeneuve and his partner, Jean \_\_\_\_\_, carpenters, worked for him, one for the period of seven months and the other for three months at the salary of one hundred livres per month each. As the schooner, chartered to Don Manuel Sanchez is about to sail, Jean Villeneuve and his partner petitioned the Superior Council to have Sieur Doua summoned before the Court to be ordered to pay them the sum of one thousand livres less whatever they have received on account and that a writ of attachment be issued against any funds in care of Don Manuel Sanchez for account of Sieur Doua, up to the amount of their claim.

(Signed) Garlic for petitioner

Permit to summon and  
Permit to attach funds in care of Don Sanchez  
up to the amount of the claim.

(Signed) Dauberville

1752

Dec. 30, Notice of Attachment.

Pursuant to the foregoing order issued on petition of Jean Villeneuve and partner, Sheriff Lenormand issues and delivers to Don Manuel notice of attachment of all funds in his care belonging to Sieur Doua, said funds to be delivered to Jean Villeneuve and partner up to the amount of their claim.

(Signed) Lenormand

1753

January 4,

Summon

Pursuant to the foregoing order issued on petition of Jean Villeneuve and partner, Sheriff Lenormand issued and delivered to Sieur Doua, carpenter, at his plantation on the lower Bayou St. John, two leagues (five miles) from the city, a copy of said petition and notifying him of the writ of attachment issued against all funds in care of Don Sanchez, to be paid to Jean Villeneuve and partner, up to the amount of their claim, also summon to appear in Court and answer said petition and hear the proper decree in the case.

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752

DECEMBER 28

SUCCESSION OF JEANNE TRENANT,  
WIFE OF LOUIS BRAZIER.

PETITION FOR ACCOUNTING.

Jeanne Trenant, deceased twenty-five years, leaving two minor children, an inventory of her properties was taken only last August, dissolving the community existing between herself and her husband Louis Brazier.

Francois Heery, Sieur Duplantis, married to Madeleine Brazier, desiring to recover his wife's share of her mother's succession, petitions the Superior Council, demanding that Sieur Louis Brazier, known as Tourangeau, his father-in-law, be summoned to appear in court to render an account of the community properties according to the inventory taken lately, said report to be brought before one of the Councillors to be audited and discussed, and an early partition be made as soon as possible between the heirs, Madeleine Brazier, wife of petitioner and Louis Brazier, her brother, now of age and entitled to enjoy them.

(Signed) F. Hery

YEAR 1753

JANUARY 3rd.

PERMIT TO SUMMON

(Signed) Dauberville

over.

YEAR 1752

DECEMBER 29

2 pages

PETITION

Petition of Joseph Philip, Captain of the vessel Ste. Anne of Bordeaux saying that having sold to Sieur Dezillets of this City three negroes "Pieces d'Indes" for the sum of 1200 livres apiece, said Sieur Dezillets claims a reduction on sale of negroes as one of the negroes died. Suppliant cannot agree to this as the contract between them did not provide for above complication.

Suppliant therefore, prays Superior Council to summon Sieur Dezillets to appear and compel him to pay suppliant amount of dead negro- as well as other negroes according to mutual agreement, besides condemn Sieur Dezillets to pay costs.

(Signed) Philippe

Order for trial.

(Signed) Duberville

Summons given to Sr. Desillets.

(Signed) Lenormand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752NO DATEANSWER OF COUTURIER TO DESTREHAN

Declaration of Couturier to the Superior Council in answer to Destrehan's petition to compel him to pay him 4,899 livres and opposing also the sale of his house for 7,000 livres.

Couturier explains that he sold said house to Sr. Lagrange for the sum of 7,750 livres, and that Destrehan claims a mortgage on said house.

Couturier declares that Destrehan has a mortgage only on the surplus of the sale price of 7,000 livres, said house being mortgaged first to Chevalier, his brother-in-law for 5,000 livres, and to Sr. Messaingue for the other 2,000.

In the act passed between Destrehan and Couturier it was agreed that Destrehan should receive the surplus on sale of said house after payment of said two mortgages, which he Couturier, does not oppose.

Couturier declares that Destrehan is opposed to the gift of 100 pistoles that the buyer presented to his wife; he declares that according to contract he need not pay Destrehan before the end of next month, when Couturier will receive his pelts.

Couturier ask the Council to reject Destrehan's demands.

(Signed) Couturier

YEAR 17523½ pagesNO DATE

GENEVIEVE CHEVAL, WIDOW OF PIERRE PERETTE  
 versus  
 JEAN PERETTE

## ANSWER.

Answering suit of Genevieve Cheval, Widow of the late Pierre Perette, son of Jean Perette, Defendant, said Defendant admits that the sum of 300 livres is due Plaintiff for her preciput but he denies that a Dowry of 1,000 livres is due her but he does admit that she is entitled to the usufruct of One thousand livred, due to the fact that there were no children born of the marriage of Plaintiff to Pierre Perette, son of Defendant. Wherefor, Defendant prays that he be allowed three months in which to pay plaintiff thirteen hundred livres which amount represents her preciput and the 1,000 livres on which amount she is entitled to enjoy the usufruct only, but which 1,000 pounds he will turn over to her only upon her furnishing bond guaranteeing the return of said amount to Defendant and recognizing it to be his property.

(Signed) Helo for Perrette

2 pp.

NO DATEMEMORANDUM.

This is a statement, or memorandum, of effects belonging to the Deceased and in the hands of his father for which his father is accountable as much for the Dowry of the wife, as for the portion devolving upon her: 1120 pounds, received, since his son's death, from Mr. Latulipes, representing amount earned by Pierre Perrette now deceased. Miscellaneous articles consisting of a bed, six sheets and wearing apparel. Also, one-half of the harvest which was made on the plantation of Mr. Peret, father of Deceased, which half, his father had promised him.

(Signed) Croizet.

YEAR 1752 \_\_\_\_\_

2 pp

DR. GUEYDAN'S BILL FOR 27 LIVRES.

This covers professional services  
and medicines furnished the daughter  
of De la Kiaulais.

YEAR 1745 \_\_\_\_\_

Another bill of Dr. Gueydan, for  
professional services and medicine  
rendered to family of de la Kiaulais,  
for years 1745, and 1746.

Received on account ... 15 piastres  
Leaving a balance of--- 8 piastres.

Not entered in Louisiana Historical Quarterly.

YEAR 1752DATE TORNINVOICE

Invoice of one case of merchandise containing linens, notions, hosiery, beaver hats and fancy goods, shipped by Mr. Testar, merchant at La Rochelle to his partner, Mr. Chantalou at New Orleans, on board the vessel (La Rhinoceros) Captain Le Large, sailing from Rochefort.

Said consignment, amounting to 607 livres 16 sols including freight charges from La Rochelle to Rochefort and packing, shipped under the name of Monsieur Charmeteau, Sr. merchant at Portiers.

(No Signature).

Not listed in the Louisiana Historical Quarterly.

#57/s.

YEAR 1752

2 pages

NO DATE

JUDGMENTS RENDERED BY  
THE SUPERIOR COUNCIL.

In re: Pierre Amotin vs Chanoy and Mr. Jung, his bonds. The Council renders a First Default Judgment against Chanoy and Jung and orders them re-summoned to appear on the next day of hearing. Costs reserved.

In re: Jacques Maniard vs Lacour Baufort. First Default Judgment was rendered against Baufort and he was ordered re-summoned to appear on the next day of hearing. Cost reserved.

(The names of this plaintiff and defendant are illegible they are faded and torn). The Judgment rendered was that of a First Default against Defendant, who was ordered re-summoned to appear on the next day of hearing. Costs reserved.

In re: Jean Baptiste Le Gran, surnamed Latendresse vs Claude Vignon, surnamed Le Combe. A First Default Judgment was rendered against Defendant, who was ordered re-summoned to appear on the next day of hearing. Costs reserved.

In re: Michel Brosses vs. Joseph Hebere. First Default Judgment was rendered against Defendant who was ordered re-summoned to appear on the next day of hearing. Costs reserved.

In re: (Name of Plaintiff torn away completely) vs. Mr. Dubreuil. The Council having examined the Judgment rendered January Twelfth, 1749 it now renders Judgment decreeing that said Judgment be executed according to its form and tenor, it also renders Judgment for interest and costs.

(Signed) Michel.

Not listed in the Louisiana Historical Quarterly.  
61/s.