

Petitioners, Simon Chevreuil, & Pierre Charpentier, represent that Janique Moutard their brother-in-law, is believed to have been killed by the Indians; 4-7

Letter to F. Rondes at N.O. from R. Duberier Son & Co., at Bordeaux 4-11

Excerpts from rough drafts of letters selected & assembled, pertaining to the writer's losses probably in Martinique, and he has decided to come to Louisiana, and start anew no signature n.d
with doc. 53/56

Excerpts from rough drafts of letters selected and assembled, pertaining to geographic & economic conditions in the Province of La., Prospects of the Colony & life, character & morals of the Indians. 100 pages, in with documents 53/56. (these letters were written by Clement Rondes)

Letter to Chantaloup, Chief clerk of the S.C of the Province of La., from Testa, ~~Na~~ Rochelle 4-16

Lease of plantation of Mr. Bienvenu by Mr. De Vaudreuil general inventory 4-16

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Letter to Raguet, Sr. Judge of S.C. & Attorney General from Dubreuil. D. is sending a negro ~~Es~~ as he is a thief and wishes to have him placed in jail & to have him ham-strung in order to disable him, so that he cannot escape 4-25 4-30 4-23, 24

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YEAR 1753JANUARY 1

RECEIPT AND TRADE AGREEMENT

Clement Rondes leaving for Martinique for purpose of trading, after which he will return, acknowledges receipt from Pierre Francois Roussillon of 5000 livres, represented by one Letter of Exchange, drawn at New Orleans September 20, 1752, by Mr. Detrehan, Treasurer of the Navy, to the order of Mr. Roussillon on Mr. De Boullogne, Treasurers General of the Colonies at Paris, payable January 29, 1753, approved by the Commissioner of the Navy, Mr. Michel, and further endorsed by Mr. Roussillon. Mr. Rondes further acknowledges receipt from Mr. Roussillon of six hundred boards and of 291 pounds of candles. He here agrees and obligates himself to dispose of all of the foregoing to the best advantage of Mr. Roussillon. The profits on the Letter of Exchange shall belong solely to Mr. Roussillon but those on the other things are to be equally divided between Mr. Rondes and Roussillon and shall be used for the purchase of negroes to be resold and the profits shared equally. It is stipulated that no cargo charges are to be made Mr. Roussillon for the boards, candles or negroes. It is also stipulated that Mr. Roussillon is to approve the use to which the funds in the hands of Mr. Rondes are to be put.

(No signatures)

(1 page)

Not listed in Louisiana Historical Quarterly.

YEAR 1753

3 pages

JANUARY 3

RE: JEAN BAPTISTE LE GROS SUR-
NAMED LA TENDRESSE AS MR.
LAYSSARD.

Plaintiff, Jean Baptiste Le Gros, merchant, shows that he leased a room and use of a kitchen to Mr. Layssard for three years, under Act by private signature; that the rental was at the rate of three hundred sixty livres per annum, payable monthly beginning November 1, 1751; that, while said Layssard has occupied said house for fourteen months, he has never paid the rent thereon. Wherefore, plaintiff prays for citation of said Layssard and for judgment against him in the amount of, four hundred and five pounds, without prejudice to the terms of the present year, and for costs.

(Signed) for J. B. Le Gros.

Jan. 3, 1753.

Order.

Undersigned, Judge, grants order for citation.

(Signed) D'Auberville.

Jan. 5, 1753

SHERIFF'S RETURN.

Undersigned, sheriff, makes his return showing service of copy of foregoing petition together with citation on Layssard to appear and answer said petition on January 8th.

(Signed) Le Normand

YEAR 1753

JANUARY 3

RE: JEAN BAPTISTE LE GROS, SUR-
NAMED LA TENDRESSE VS MR.
POTIN.

Petition on Recovery

Plaintiff, Jean Baptiste Le Gros, surnamed La Tendresse, alleges that he is holder of a note for one hundred livres dated March 11, 1752, signed by Potin in favor of Pierre Febin, whom plaintiff represents through Power of Attorney. Plaintiff alleges that Potin refuses payment of said note. He therefore prays that said Potin be cited to appear and be ordered to pay the amount due on said note, together with interest and costs.

(Signed) for J. B. Le Gros

Jan. 3, 1753

Order.

Undersigned, Judge, grants petition for citation.

(Signed) D'Auberville

Jan. 5, 1753

Sheriff's Return.

Undersigned, Sheriff, makes his return showing service of copy of foregoing petition on Mr. Potin, together with citation to appear and answer on January 13, 1753.

(Signed) Le Normand

Not printed in Louisiana Historical Quarterly.

YEAR 1753

JANUARY 3

RE: CARESSE AND MILHET VS HUBERT
AND LE RABLE.

Petition

Plaintiffs, Pierre Caresse and Jean Milhet through Mr. Garic, represent that on November 28, 1752, they leased a house plus the use of a kitchen (the latter to be built) from Jeanne Hubert and Laurens Le Rable for 1,000 livres per annum; they further represent that they paid said Defendants 1,000 pounds in advance and that the Defendants then refused plaintiffs possession of the said premises. Wherefore plaintiffs pray for citation of Defendants and that they be condemned to specific performance of the terms of said base and ordered to pay damages for their failure to have given possession of said premises during the year which has expired.

(Signed) Garic for plaintiff.

Jan. 3, 1753

Order

Undersigned, Judge, grants petition for citation before the Superior Council.

(Signed) D'Auberville.

Sheriff's Return.

Undersigned, Sheriff, makes his return showing service on Jeanne Hubert, Widow Brunet and on Laurene LeRable of citation to appear on the 13th of January 1753, and answers the foregoing petition, copy of which is herewith served on them.

(Signed) Le Normand

(cont'd)

Jan. 13, 1753

Answer.

Defendant, Laurens Le Rable surnamed Saint Laurens, and Jeane Hubert, defendants, answering petition filed by Messrs. Caresse and Milhet, plaintiffs, admit having entered into a lease with plaintiffs, but deny that the terms of said lease are as represented by Plaintiffs and they allege that plaintiffs have abused the good faith of Mrs. Hubert as to the number of rooms rented under said lease, and they further allege that one of the witnesses, who later signed the lease, was not present at this transaction, Wherefore, Defendants pray that plaintiff be ordered to accept the premises as originally leased by them and that Jeanne Hubert remain in possession of a room and a closet in said house leased, or in the alternative defendants prayer that said lease be cancelled, upon which they shall return to Plaintiffs the 100 pistoles paid in advance by them to Defendant.

(Signed) Laurens Lerable
surnamed St. Laurent

YEAR 1752NOVEMBER 28

CONTRACT OF LEASE UNDER PRIVATE
SIGNATURE.

Jeanne Hubert and Laurens Lerable here agree to lease to Mr. P. Caresse and to Mr. Jean Milhet, merchants of this city, a parlor, two rooms of a closet, all furnished with a kitchen, (not connected to the house) for three years, beginning December 15, 1752, and ending December 15, 1754, for a yearly rental of one thousand pounds per annum, all of which terms are accepted by Messrs. Caresse and Milhet.

(cont'd)

Mark of Jeanne)
Hubert (X))
Mother of un-)
dersigned.)

(Signed) Laurent Lerable

surnamed St. Laurent acting
for myself and my mother.

J. Manico, Witness
B. Mallerte, Witness

Not printed in Louisiana Historical Quarterly.

YEAR 1753JANUARY 5

2 1/2 PP.

RE: GERARD TIXERANT VS. MR. PHILIP,
CAPTAIN OF THE FLUTE OF BORDEAUX.

Petition

Plaintiff, Gerard Tixerant, alleges that he purchased for account of Mr. Villemond, Commandant at the Fort of the Turn, four barrels of rum from Mr. Philip, Captain of the (Flute de Bordeaux) for the price of 90 livres per barrel depositing 100 livres earnest money and that after selecting these on board the said ship, the captain had them marked with a V, the mark of Mr. Villemond; plaintiff further alleges that, about ten days later Mr. de Villemond send for one hogshead of said sum, being able to move them but one at a time, which he obtained but that upon sending some-time later for the others, delivery of the remaining 3 hogshead were refused on the ground that the price had advanced. Wherefore, plaintiff prays that Mr. Philip, Captain of the Flute of Bordeaux be cited to appear and be ordered to deliver the three remaining barrels of rum to Mr. de Villemond at the price previously agreed upon of 18 piastres per barrel or, in the alternative, that plaintiff be allowed to obtain rum whenever he choses at the expense of Mr. Philip.

(Signed) Garic, for the Plaintiff.

January 5, 1753

Order.

Undersigned, Judge, grants order for citation to appear before the Council.

(Signed) D'Auberville

(cont'd)

January 5, 1753

Return of Sheriff.

Undersigned, Sheriff, makes his return showing service of copy of foregoing petition on Mr. Philip, Captain of the Flute of Bordeaux, together with citation to appear and answer said petition on January 13th.

(Signed)

Le Normand

Not printed in Louisiana Historical Quarterly.

YEAR 1753JANUARY 10

PETITION

Plaintiff, Alexander Bauré, Surgeon, alleges that having been robbed of two hundred chickens and having had his storehouse broken into and robbed, he had one of his negroes flogged in order to obtain information concerning these robberies and that he learned that the stolen property was to be found at Mr. Faussier's place; that upon investigation, plaintiff found that Mr. Faussier is encouraging these robberies by taking the stolen goods and giving the negroes rum in return. Wherefore, plaintiff prays that an information be prepared, relative to the facts contained in this petition, before such judge as it may please the court to appoint and before the Public Prosecutor and that such information shall then be submitted for such action as the law shall require for the protection and benefit of the people.

(Signed) Bauré

January 13, 1753.

Order.

Undersigned, Judge, grants order permitting the preparation of an information, relative to facts alleged in foregoing petition, before Mr. Le Bretton, Lateral Judge, in the Council Chamber on January 13, 1753.

Not printed in Louisiana Historical Quarterly.

YEAR 1753

1 page

JANUARY 10

CONDAMNATION OF KAKARAACON.

In view of the Proces Verbal and decree of Council of January 4th, inquiry of same date.

Interrogatory of Charles, alias Kakaraacon, Cupidon, Francois and Pluto, four negroes belonging to Mr. Raguet.

Proces verbal of Sieur Giredan, head sergeant in the city.

Interrogatory of Pluto, Charles and Joseph, of January 6th.

The interrogatory of Charles, alias Kakaraacon, of January 8th.

Interrogatory of Francois and Cupidon on same day.

Re-examination of witnesses on same day.

Confrontation of the accused and others with Sr. _____.

Confrontation of negroes accused and others with the negress belonging to Sr. _____. Concentration of the accused with each other.

Council decrees for the King that Charles, alias Kakaraacon be found guilty of murder against the person of Pierre Oliviv, alias Bon Envie. Kakaraacon is condemned

(cont'd)

D 53/8
(cont'd.)

to have wrist and hand cut off by
the public executor and placed on
the rack until death.

Cupidon, Francois acquitted.

(Signed) Lebreton

Not printed in Louisiana Historical Quarterly.

(19)

D. 53/10

YEAR 1753

JANUARY 10

EXCERPT FROM REGISTER OF HEARINGS
OF THE SUPERIOR COUNCIL OF THE
PROVINCE OF LOUISIANA, DATED
JANUARY 13, 1753

Re: Pierre Joseph Delille Dupart, Plaintiff
on Petition.

Decree

Having duly considered the petition filed by Pierre Joseph Dupart, colonist, wherein plaintiff alleges the loss of forty-three head of cattle which he believes have been stolen and killed by one person named Andre, resident of Cannes Brulless, and by another named Dore, residing with Mr. Bore, because upon visiting the homes of said aforementioned persons, plaintiff found fresh beef there and these persons were unable to account for the possession of this beef and he therefore prayed that the said Andre and Dore would be cited and examined as to this matter and that the opinion of the Attorney General would be obtained relative thereto; the Council orders that said Andre and Bore be cited to appear before Mr. Le Bretton, Lateral Judge, to answer the charges made against them in plaintiff's petition.

Original signed: By the Council, Chantalou,
Clerk. Copy duly paraphed.

1753

February 26, Return of Sheriff
Undersigned Sheriff makes his
return showing service of citation on Louis

(cont'd)

D. 53/10 cont'd.

Collet, surnamed Jolicoeur, Mr. Rixner, Mr. Vincent Boyau, Mr. Crouville and Mr. Pilleau to appear on March 1st before Mr. Le Bretton, Commissioner, in order to make their depositions in the matter of enquiry which Mr. Dupart wants made relative to Dore and Andre, under pain of imprisonment and fine. Undersigned also makes his return showing service of citation on Andre and Dore to appear and answer charges made against them by Mr. Dupart, on March 1st in the Council Chamber.

(Signed) Le Normand

(4 pages)

Not printed in Louisiana Historical Quarterly.

61/29

YEAR 1753JANUARY 12ANSWER

Sieur Louis Brazier, answering Sieur Duplanty's petition, states that the inventory of the community's properties was taken before Honorable de Kernion, appointed by the Council for the special purpose of rendering said accounting.

As it is not defendant's intention to delay proceedings, he is asking for one month's time in order to have his report ready in proper form to be submitted to one of the Councillors appointed.

(Signed) Helo
for Defendant.

Not listed in Louisiana Historical Quarterly.

57/B

YEAR 1753JANUARY 13

PROCURATION

Honorable Claude Trenaunay Chanfret, Judge sub delegate at Pointe Coupee, having by private contract, dated June 22, 1748, agreed with Mr. Dubreuil to have two houses which he owns in New Orleans repaired, by notarial act authorizes and gives Dame Charlotte Julie Moreau, his wife, power and authority to examine said houses and to investigate if the terms of the contract have been fulfilled and all rents collected and if necessary to institute action against Mr. Dubreuil for the full performance of his agreement, for any damages and recovery.

(Signed) Trenaunay Chanfret

Witnesses:

Ricard
Sarrazin

Benoist, Notary

1 $\frac{1}{2}$ pages

Not printed in Louisiana Historical Quarterly.

YEAR 1753JANUARY 8

(2½ pages)

RE: PIERRE JOSEPH de LISLE DUPAS
vs. ANDRE & BORE.

Petition

Plaintiff, Pierre Joseph de Lisle Dupas, a resident of this colony, alleges that since the last harvest, he has lost "forty-three head" of cattle; that he is of the opinion that these have been stolen and slaughtered by Andre and by Dore; that he has been losing cattle for a long while and that the entire amount totals about two hundred head.

Plaintiff then goes into detail explaining why he is of the opinion that both Andre and Dore are guilty. Wherefore, Dupas prays that judgment be rendered whereby he will be allowed to make out an information against said Andre and Dore before such Commissioner as it shall please the Court to appoint, and ordering that such witnesses shall be heard as the Commissioner shall judge necessary and that the entire proceeding shall then be duly reported for further action, in accordance with law.

(Signed) D'lle. Dupas

1753

January 13, Judgment

The Council renders judgment ordering the citation of said parties to appear before Mr. Le Bretton, Commissioner, to answer charges made against them and that an investigation be made of the facts alleged.

(Signed) D'Auberville

Not printed in Louisiana Historical Quarterly.

YEAR 1753

JANUARY 13

EXCERPT FROM REGISTER OF HEARINGS OF
THE SUPERIOR COUNCIL OF THE
PROVINCE OF LOUISIANA
DATED JANUARY 13, 1753.

Re: Alexander Bore, resident, Plaintiff
on Petition.

Judgment

The facts contained in petition of Mr. Bore, plaintiff, to the effect that two hundred chickens have been stolen from his plantation and his warehouse has been broken into and food-stuff stolen and that he learned from one of his negroes that all of this property is at the place of Mr. Faussier whom he alleges gives the negroes rum in return for what they steal and bring to him and he therefore prays that the Council order that an Information be prepared in presence of the proper officers: all duly considered, the Council decrees that said Information be prepared before Mr. LeBretton, Commissioner appointed in this matter, and the opinion of the Public Prosecutor be then obtained thereon for further action in the matter; and the Council further orders that said Fossier be summoned to appear on the first hearing day and to answer said charges made against him.

By the Council

(Signed)

Chantalou, Clerk

(cont'd)

D. 53/11 cont'd.

1753

January 22, Sheriff's Return

Undersigned Sheriff makes his return showing service of summons on Mr. Faussier to appear on the first Saturday of February in the Chamber of the Council to answer charges made against him, which he is ordered to do by Decree of the Superior Council, copy of which Decree is also served on him.

(Signed) Le Normand

1753

January 16, Sheriff's Return

Pursuant to Decree of the Superior Council, undersigned Sheriff served citation on Mr. Cheval and on Mr. Louis Collet, surnamed Jolicoeur, to appear on Friday following before Mr. LeBretton, Councillor, Commissioner, in order to make depositions relative to Information to be prepared on petition of Mr. Bore, proceeding against Mr. Faussier. Copy of which Decree is also served on said Cheval and Collet.

(Signed) Le Normand

1753

January 23, Sheriff's Return

Undersigned Sheriff shows service of citation on Mr. Nicolas Gauvin de Boisclair to appear on January 25th before Mr. LeBretton for the same purpose as outlined in foregoing return. Copy of said Decree is also served on Mr. DeBoisclair.

(Signed) Le Normand

(6 $\frac{1}{2}$ pages)

Not printed in Louisiana Historical Quarterly.

61/29

D.53/13

YEAR 1753

JANUARY 13

SUCCESSION OF JOSEPH ANTOINE
DES LATTES, JOINER.

Petition

Petitioner, Marguerite Lejeune, widow of Joseph Antoine Des Lattes, joiner, prays that she be allowed to sell a house and lot situated on Conty Street in New Orleans for the purpose of using the proceeds for the benefit of her seven children of which six are minors. Petitioner alleges that she is tutrix of her said children and that she is having a very difficult time meeting the needs of so large a family.

(Signed)

For Marguerite Lejeune widow of
Joseph Ante. Des Lattes

1753

January 13,

Order

Undersigned Judge orders that a family meeting be held for the purpose of deliberating on the foregoing petition.

(Signed) D'Auberville

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

Not printed in Louisiana Historical Quarterly.

61/29

YEAR 1753

JANUARY 13

RE: PIERRE JOSEPH de LISLE DUPAR
vs. ANDRE & DORE.

(A part of a) Decree.

Plaintiff's petition praying that an Information against Andre and Dore be duly prepared and that certain persons be cited for that purpose: All duly considered: it is ordered by the Council that Andre and Dore be summoned to appear before Mr. Le Bretton, Commissioner, on the first hearing day, to answer the charges contained in Plaintiff's petition; an inquiry is also ordered held relative to the facts alleged in said petition.

(Signed) By the Council
Chantalou, Clerk

(Note: The name of plaintiff does not appear on this page which is but a part of this Decree, however there is every indication that his name is Pierre Joseph de Lisle Dupar).

(1 page)

Not printed in Louisiana Historical Quarterly.

YEAR 1753

JANUARY 13

(First & Second Page only of)
EXCERPT FROM REGISTER OF HEARINGS
OF THE SUPERIOR COUNCIL OF THE
PROVINCE OF LOUISIANA
DATED JANUARY 13, 1753.

Judgment

Re: Pierre Joseph Delillet Dupart,
colonist, Plaintiff on Petition.

The Superior Council having duly considered the petition filed by plaintiff in which he alleges that since the last harvest forty-three head of cattle are missing and that he is of the opinion that Andre and Dore are killing them and he explains why he is of this opinion, namely that he called at the homes of said aforementioned persons, accompanied by Jolycoeur and Peleau and that he found fresh meat there for which said Andre and Dore were unable to account for but vaguely.
(ending missing)

Not printed in Louisiana Historical Quarterly.

YEAR 1753

JANUARY 13

EXECUTIVE SESSION OF THE
SUPERIOR COUNCIL.

Present: Messrs. D'Auberville, Commissioner of the Navy, Ordonator, Associate Judge, De Membrede, Senior Judge, Raguet, Dean of the Council, performing the functions of Attorney General of the King, Le Bretton, de Lalande and Lafreniere, Lateral Judges.

Judgments Rendered:

In re: Marguerite Lejeune, widow of Joseph Antoine Delatte, Joiner, Plaintiff.
Plaintiff having petitioned for order to sell a house and lot in New Orleans, alleging the bad condition of the house and the fact that she was left with seven children, six of which are minors and that she had gone to Pointe Coupee where she was endeavoring to earn a living with the help of her children and that she would use the proceeds from the sale prayed for for her children's benefit, the Council rendered Judgment decreeing that a family meeting be held in presence of Mr. Raguet, Commissioner, for the purpose of deliberating on plaintiff's petition.

Page 1 & 2

In re: Jean Villeneuve and Jean Temenard, Carpenters, Plaintiffs,
and Jean Douatt, Carpenter, Defendant.
Plaintiffs sue the defendant for ten months' salary at the rate of one hundred French pounds per month, for carpenter work done by them on a schooner which defendant had undertaken to repair, plaintiffs alleged defendant has refused payment and that the schooner was to be delivered to Don Manuel Sanchez and they therefore prayed

(cont'd)

D. 53/16 cont'd.

for citation of defendant and for judgment against him for said ten months' salary: they also prayed for a Writ of Provisional Seizure of said schooner in the hands of said Sanchez for the amount due them: the Council rendered judgment decreeing that the parties herein sum up the accounts of their partnership before Jean Cosset, Carpenter of the King, and Louis V. Vilee, Contractor in this City, who, in case of dispute will submit the matter to Mr. Livaudais, Port Captain in this Colony, for his decision.

Page 2 & 3

In re: Gerard Tixerant, Sergeant in the Company of De Villemont in the Detached Troops of the Navy, maintained in this Colony, Plaintiff, and Mr. Philipps, Ship Captain, Defendant.

Plaintiff having sued defendant for delivery of three barrels of rum prays for judgment to that effect, or in the alternative that he be allowed to purchase, at defendant's expense, three barrels of rum wherever plaintiff shall please at the price previously agreed upon by defendant, plus the additional cost. Plaintiff alleges having entered into an agreement with defendant for the purchase of four barrels of rum for account of Mr. De Villemont, at the rate of ninety French pounds per barrel and that he offered defendant to pay him 100 French livres, earnest money, for the said four barrels of rum, which defendant refused; that defendant delivered one of said barrels but refused to deliver the remaining three, declaring that the price had since increased. Council rendered judgment decreeing that the matter be submitted to arbitration and appointed Mr. Lesassier and Durom, arbitrators, and Mr. Rougues, Umpire. According to the findings of arbitration, the Council will render final judgment.

(cont'd)

D.53/16 cont'd.

Page 4

In re: Francois Jourdain in the name of and as husband of Therese Le Roy, Plaintiff, represented by Mr. Garic, and Antoine Danede in the name of and as husband of Claudine Clong Rizon, widow of Pierre Le Roy, mother of aforesaid Therese Le Roy, Defendant.

Plaintiff sues for partition of the property left by the late Pierre Le Roy, the administration of which is in the hands of Antoine Danede; he alleges that proper formalities had been observed relative to the administration of said property and that now the wife of plaintiff, Therese Le Roy, is of full age and according to law entitled to enjoy the property left by said deceased, Pierre Le Roy, and he prays that judicial sale of the estates be ordered and partition made of the proceeds. The Council renders judgment decreeing the judicial sale of the real estate of the Succession of said Pierre Le Roy in the presence of the Attorney General, and also the partition of the proceeds among the heirs.

Page 5

In re: Joseph Philipps, Ship Captain, Plaintiff, and Charles Dozillet, Merchant, Defendant. Plaintiff sues defendant in order to obtain settlement of Letters of Exchange given in payment for a negro, from the Indies, sold defendant. After hearing the defense offered by defendant, the Council rendered judgment decreeing that the matter be submitted to the arbitrators to be appointed by the Council and their findings should be submitted to the Council for a final decree.

Page 5, 6 & 7

In re: David Girandea, as holder of Power of attorney for Mr. Boudet, Merchant of

(cont'd)

D. 53/16 cont'd.

La Rochelle, by Substitution; said Mr. Boudet holding Power of Attorney of Jean, Charles, Anthier and Andre Gigau, Rectors of the Hospital of Savournin in Provence, Plaintiff, and Mr. Durand, Merchant of New Orleans, Defendant.

Plaintiff sues defendant for payment of four thousand, five hundred French pounds due on a note made by defendant in favor of a Mr. Pelling, who bequeathed said note to the Hotel Dieu of Savournin. The Council after examining all the legal documents herein submitted, and particularly the Will of Pelling, orders Mr. Durand to pay the amount due on said note to Mr. Girandau, in his aforementioned capacity.

Page 7

In re: Jacques Canterelle, Testamentary Executor of the late Jean Amahon, Plaintiff, and Ruolair Chauvain Boisclair, through his Attorney, Mr. Garic, Defendant.

Plaintiff sued Defendant for two hundred twenty French livres due the Succession of Canterelle for goods received by him. Judgment is rendered in favor of Plaintiff and Defendant is ordered to pay said amount and all costs.

Page 7 & 8

In re: Jean Baptiste Destrehan, through his Attorney, Mr. Garic, Plaintiff, and Pierre Couturier, Defendant.

Plaintiff sues defendant for payment of four thousand eight hundred and eighty-nine French livres on a contract guaranteed by a mortgage given by defendant on a certain house; plaintiff alleges that defendant is endeavoring to defeat this mortgage by a prejudicial sale. (Judgment rendered is wholly illegible).

(cont'd)

Page 11 & 12

In re: Jean Baptiste Legroce, Plaintiff,
and Saint Etienne Layssard, Defendant.
Plaintiff sues defendant on a three-year lease of a house, said lease having begun Nov. 1, 1751, and alleges that defendant owes him 455 pounds, rent for the first eleven and one-half months of said lease, and prays for judgment for said amount, without prejudice to the unexpired portion of said lease. The Council, having duly considered the defense of defendant to the effect that he occupied the said house but one year and then returned the key, together with his offer of 13 months' rent, renders judgment ordering plaintiff to accept the amount covering rent for thirteen, as offered by defendant, and to cancel the lease for the balance of the unexpired term and further orders that defendant pay costs.

Page 12

In re: Jean Baptiste Legros, surnamed Latendresse, Plaintiff,
and Mr. Potin, Defendant
Plaintiff sues defendant for one hundred French pounds, amount due on a note dated May 10, 1752, made in favor of Mr. Sebein. The Council after duly considering the said note herein exhibited and other evidence, rendered a Default Judgment against Mr. Potin, defendant, and ordered that he be again summoned to appear on the first hearing day. Costs reserved.

Page 12 & 13

In re: Alexander Bore, resident, Plaintiff
on Petition.
Plaintiff prays for judgment permitting him to file an Information containing the facts expressed in his petition, which facts are to the effect that plaintiff has been robbed of two hundred chickens and that his storehouse

D. 53/16 cont'd.

Page 8 & 9

In re: Messrs. Carresse and Jean Milhet,
merchants, Plaintiffs,
and Jeanne Hubert and Laurent Lerable,
Defendants.

Plaintiffs allege that they had leased a house from defendants for two years at the rate of one thousand French pounds per year but that notwithstanding an advance by them of one thousand pounds, defendants refused them possession for which they now sue, together with damages. Council renders judgment permitting defendants to return the amount advanced by plaintiffs and to annul the lease within eight days of service of this judgment. Defendants are ordered to pay costs.

Page 9 & 10

In re: (1st part of name illegible) Sarazin in his own name and that of his brother Francois Sarazin, Plaintiff, and Rocquencourt, resident of Point Coupee, in his own name and as husband of Anne Rollane, widow of Francois Sarazin, Defendant.

Plaintiff prays for citation of Defendant commanding that he appear and be ordered to give an account of the property belonging to the Succession of plaintiff's father, alleging that their mother had remarried but had never rendered an account of said property or of the income therefrom. Council renders judgment ordering defendant to appear and render account of the property of said Succession within three months from this date. All costs are reserved.

Page 10 & 11

(The major part of this case is illegible)

(cont'd)

D. 53/16 cont'd.

has been broken into and some of the contents carried off; that these robberies were committed by one of his negroes who brought the things stolen to Mr. Fossier, who gave this negro rum in return; that Mr. Fossier is encouraging the negroes to steal for his benefit. Wherefore, plaintiff believes that Mr. Fossier should be prosecuted by the Public Prosecutor, upon receiving the proper information. The Council renders judgment permitting Mr. Bore, Plaintiff, to make the information prayed for before Mr. Le Bretton, Lateral Judge, appointed Commissioner herein, and orders that the report of the proceeding be submitted to the Public Prosecutor for further action. Said judgment also orders citation of said Fossier, whereby he is commanded to appear on the next hearing day.

Page 14, 15 & 16

In re: Joseph Dellisle Durand, resident,
Plaintiff on Petition.

Plaintiff prays for judgment permitting him to file an Information containing the facts expressed in his petition, which facts are to the effect that plaintiff has been having his cattle stolen and killed; that he believes he has proof pointing to the fact that Andre and Dore are guilty and he goes into detail on this point and concludes his petition by stating that for the benefit of the Colonists, the Public Prosecutor should prosecute said Andre and Dore, upon his being furnished with the Information herein prayed for. Plaintiff further prays for citation of Dore and Andre and of certain witnesses, all to be heard before a Commissioner to be duly appointed. The Council grants plaintiff's petition and permits him to make the information prayed for; citation of Dore and

(cont'd)

D. 53/16 cont'd.

Andre to answer the charges before Mr. LeBretton, Commissioner, on the first day of hearing, is also ordered.

Not printed in Louisiana Historical Quarterly.

61/29

YEAR 1753

JANUARY 13

EXECUTIVE SESSION OF SUPERIOR COUNCIL

Present: Messrs. D'Auberville, Assistant-Intendant and President of Marine; Raguét, Dean of the Council, acting Attorney-General of the King; Le Breton, De Lalande and Lafreniere, additional Councilors, constituting a quorum.

Suits:

- (1) Sr. Tixerant, Plaintiff, vs. Sr. Philippe, Ship Captain, Defendant.

Council ordains that each party shall name an arbitrator; Tixerant named Sr. Le Sassier and Sr. Philippe named Sr. Durand, Council named Sr. Nonguer in case of conflict, arbitration to be effected in favor of whom it may concern.

Costs reserved.

- (2) Sr. Giraudeau, Plaintiff, vs. Srs. Garic and Durand, Defendants.

Council orders Sr. Durand to pay the sum of 3000 livres to Sr. Girardeau; Sr. Girardeau to pay costs.

- (3) Sr. Destrehan, Plaintiff, represented by Sr. Garic, vs. Sr. Couturier, defendant.

Council issues writ of attachment against Sr. Destrehan, matter to remain in present status until arrival of peltry.

(cont'd)

#1333 cont'd.

(4) Sr. Caresse Millet, Plaintiff,
vs. Laurent Lerable, Defendant
Council ordains that proprietors shall obtain possession of premises by paying lessee a compensation of 300 livres and refunding the 1000 livres paid in advance; should parties accept this decision same shall go into effect in eight days from date.

(5) Sr. Philippe, Ship Captain, Plaintiff,
vs. Sr. Des Illets, Defendant.
Council names Srs. Millet and Fusillier arbitrators, together with Sr. Martin in case of conflict, before whom parties shall appear.

(6) Jacques Cantrelle, Plaintiff, vs.
Sr. Boisclair, Defendant,
represented by Sr. Garic.
Council orders Sr. Boisclair to pay Sr. Cantrelle 220 livres with costs.

(7) Sr. Sarazin, Plaintiff, vs.
Sr. Rocancour, Defendant.
Council orders Sr. Rocancour to render an account for 3 months. Expenses reserved.

(8) Sr. Jourdain, Plaintiff, vs.
Sr. Darede, Defendant.
Council approves agreement between parties that immovables be sold in presence of the King's Attorney General.

(9) Sr. Duplanty, Plaintiff, represented by
Sr. Garic, vs. Louis Brazilee, also
known as Tourangot, Defendant.
Council orders Sr. Tourangot to render an account for one month in presence of Mr. Kernion.

(cont'd)

#1333 cont'd.

- (10) Sr. Le Gros, Plaintiff, vs.
Sr. Laissard, Defendant.
Council orders Sr. Laissard to pay
13 months' rent, and moreover that said lease
be cancelled.
- (11) Sr. Le Gros, Plaintiff, vs.
Sr. Potin, Defendant.
Council casts plaintiff for non-
appearance, and ordains that case be reset for
first Court Day. Costs reserved.
- (12) Sr. Villeneuve, Plaintiff, vs.
Sr. Donat, Defendant.
Council orders parties to appear for
arbitration before Srs. Dosset and Vile, and
in case of conflict before Mr. Livaudais,
Captain of the Port. Costs reserved.

(Signed) D'Auberville

Not printed in Louisiana Historical Quarterly.

YEAR 1753JANUARY 15

ANSWER TO SUMMONS.

In answer to summons served upon him at request of Sr. Le Gros, appearer states to the Council that he is prepared to pay the balance due on 13 months' rent, having occupied the house in question 1 year and 9 days, at the expiration of which time he delivered keys to the owner; he, however, refuses to pay for 14 months as demanded.

(Signed) Layssard

Not printed in Louisiana Historical Quarterly.

YEAR 1753JANUARY 19

5 pages

DEPOSITIONS MADE AT INVESTIGATION
CONDUCTED ON PETITION OF
MR. BAURÉ.

Pursuant to the Decree rendered by the Superior Council on January 13th, investigation was made, as petitioned for by Mr. Bauré before Mr. LeBretton, Commissioner, when the below-named persons gave their respective depositions relative to the facts contained in said petition, after being duly placed under oath.

Mr. François Cheval, Manager of the plantation of Mr. Delachaise, stated that on two different occasions he saw negroes at Mr. Fossier's place; that the first time there were about six; that these belonged to Mr. Boré and that they had put four sacks of coin and some empty bottles under Mr. Fossier's gallery and that when he asked the servant of Mr. Fossier what these negroes wanted, she told him they wanted rum. Mr. Cheval further stated that he had instructed Fossier not to let any of the negroes of Mr. Delachaise have any brandy unless they had a note and that he had never known Mr. Fossier to do so without having such note.

(Signed) Cheval
Le Bretton
Chantalou,
clerk.

The next person giving depositions was Louis Collet surnamed July Colur, manager of (name torn away completely) plantation, who states that he has absolutely no knowledge of any of the facts contained in Mr. Boré's petition nor did he know that Mr. Fossier sold rum, although he states he did borrow six pitchers

(cont'd)

#1334
(cont'd)

of rum from him and that he is to return them or pay the price at which Fossier purchased the rum. He did not sign his depositions, stating he did not know how.

(Signed) LeBretton
Chantalou, Clerk.

January 25, 1753

Mr. Nicolas Chauvin de Boisclair, Officer of the Citizens' Militia, then gave his depositions wherein he stated that the week before Christmas one of his negroes disappeared from the plantation and upon his return was dead drunk; that, that night he had him flogged at which time this negro, named Levelle, said he had been drinking with negroes belonging to Mr. Boré, which leads Deponent to believe that the liquor was obtained from Fossier. Deponent further stated that about the time the Indians were striking a blow, he met two negroes riding a horse belonging to Mr. Lafreniere and carrying 4 empty bottles and upon his asking them where they were going, they answered to Mr. Fossier's place to get some rum.

(Signed) Chauvin Boisclair
LeBretton
Chantalou, Clerk

January 25, 1753

Undersigned, Commissioner, orders the foregoing Depositions submitted to the Public Prosecutor for his attention.

(Signed) Le Bretton

Not printed in Louisiana Historical Quarterly.

YEAR 1753

JANUARY 17

COPY OF RECEIPT AND AGREEMENT.

By act before undersigned Notary and witnesses, Francois Trepagnier, resident of this Colony, in the name of and as husband of Marianne Barth, daughter of Jean Barth and of the late Perine David, acknowledges payment to him by Jean Barth, his father-in-law, of two thousand two hundred fifty livres as the share and portion coming to said Marianne Barth, his wife, from the Succession of the late Perine David and in accordance with agreement made February 3, 1752, before Mr. Darensbourg, Commander of the Village of Des Allemands, and hereby discharges Jean Barth, his father-in-law, of all further obligation in the Succession of the said Perine David, and he declares that he has no interest in the Succession of Jean Barth, after the latter's death: all of which he agrees to have his wife ratify upon her arrival in New Orleans.

Done at New Orleans, Original signed: Francois Trepagnier, Tizoneaux, Songy, and by the Notary undersigned.

(Signed) Chantalou, Notary
Clerk

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

Not printed in Louisiana Historical Quarterly.

YEAR 1753FEBRUARY 6

RECEPTION AND INSTALLATION
OF MESSRS. de KERLEREC,
de MEMBREDE AND de BELLISLE.

Presiding at this installation of members of the Superior Council were: Messrs. De Vaudreuil, Governor of Louisiana, D'Auberville, Commissioner of the Navy, performing functions of Ordonator, de Membrede, Major, Raguet, Dean of the Council, performing functions of Attorney General of the King, Le Bretton, de la Lande, Kernion and Lafreniere, Lateral Judges. In conformity with Letters of Appointment showing nomination by the King, which were duly read and ordered registered, the following gentlemen were received and installed in the following positions: Mr. de Kerlerec, Governor of the Province in place of Mr. De Vaudreuil; Mr. de Membrede, (heretofore Major) Lieutenant of the King in this Province; Mr. de Bellisle, Major.

	(Signed) Vaudreuil	Kerlerec
De Membrede	Bellisle	D'Auberville
Delalande	Le Bretton	
		Hushet de Kernion

By request

(Signed) Raguet.

1753

February 6,

Petition

Mr. Simard de Bellisle

places his appointment as Major before the

(cont'd)

#1335 cont'd.

Superior Council and as such is entitled to take part in the Sessions of the Council, as shown by the List sent by the King to the Governor.

Wherefore, he prays that he be accorded the rank at the Council to which his position entitles him and that his Letter of Appointment be registered and executed according to its form and tenor.

(Signed) Bellisle

(3 pages)

Not printed in Louisiana Historical Quarterly.

61/29

YEAR 1753FEBRUARY 10

SUCCESSION OF JOSEPH VALENTIN DAUBLIN
(Two Communities are involved).

Copy of Proces Verbal of Family Meeting.

Pursuant to Decree rendered by the Council on November 11th last, a Family Meeting was held for the purpose of appointing a Tutor and Under-Tutor to the minor children of Marie Anne Gratien, widow of Joseph Valentin Daublin, which children were issue of her marriage to Joseph Valentin Daublin. Presiding at this meeting was Mr. Jean Baptiste Raguét, performing the functions of Attorney General. Those present, undersigned, were friends and relatives of the Daublin minors. After due deliberation, the Widow Daublin was named Tutrix of her said minor children, and Mr. Delisle surnamed Duparc, was named Under-Tutor; both nominations were accepted. Whereupon those present then took up the matter of nominating a Tutor to the minor children of the late Joseph Valentin born of his first marriage which was to the late Marguerite Decuir. Mr. Pugeol was nominated Tutor and Guardian of these said minors, which nomination he accepted.

It was then decided by those present that in order to partition the property of said Daublin, deceased, it should be sold at auction and particularly in view of the fact that the land and plantation, through lack of cultivation, would deteriorate, entailing a loss to the minors. Original signed: Marianne Daublin, Jean Pierre Daublin, Pujeau, Judice, Jean Pierre Hardy and Jacques Hernet.

#1340 cont'd.

Whereupon said Family Meeting was ordered submitted for homologation by Mr. Raguet. Original signed: Raguet and by undersigned, Clerk.

(Signed) Chantalou, Clerk

1753
March 10, Order of Homologation
Undersigned Judge orders homologation of said Family Meeting and orders its execution according to its form and tenor.

(Signed) D'Auberville

(2½ pages)

Not printed in Louisiana Historical Quarterly.

#D. 53/19

YEAR 1753

FEBRUARY 15

PERSONAL LETTER.

This letter is addressed to Mr. Roudez, merchant at St. Pierre, at Anchorage, by undersigned at Pilot Shore, who expresses his joy at his friend's arrival and tells him that he had anticipated it with impatience because he felt he owed Mr. Roudez much because of his attention to the writer's affairs. The writer tells Mr. Roudez he could not have come to a place where the winter was milder than here. He then assures Mr. Roudez of his attachment and asks that he let him hear from him.

(Signed) Chimbaud de Filhort

In the form of a postscript, the writer sends his compliments to Mr. Dupin. He also says that Mr. Thibault would have liked to have written but, because of his departure, was unable to do so and asked to be remembered to Mr. Roudez by the writer.

(No signature)

(1 page)

Not printed in Louisiana Historical Quarterly.

YEAR 1753FEBRUARY 151½ pages

PETITION

Plaintiff, Joseph Delille, surnamed Dupard, represents that, on January 30th, last, one named Terrebonne, killed a cow and its calf, both of which belonged to him. Wherefore, he prays for citation of said Terrebonne to appear and be ordered to pay Plaintiff damages and interest.

(Signed)

Dlle Dupart.

February 17, 1753.

ORDER

Petition for citation granted

(Signed)

D'Auberville

February 26, 1753,

SHERIFF'S RETURN

Undersigned Sheriff makes his return showing service of citation on Mr. Terrebonne, resident of Cannes Brusléés, to appear on March 1st, before the Council to answer Plaintiff's petition, copy of which was also served on Mr. Terrebonne.

(Signed)

Le Normand.

NO DATE
2 $\frac{1}{2}$ pages

ANSWER

Defendant, Jacques Dupré, surnamed Terrebonne, answering Plaintiff's Petition, alleges no cause of action and prays for dismissal of Plaintiff's suit, on the ground that the animals killed were not Plaintiff's and because he shared in their meat. Defendant admits the killing of a cow and calf but denies they belonged to plaintiff, alleging that they were stray, that they were unmarked and trespassing on his land where strays do a great deal of damage. Defendant further alleges that he will, in future, refrain from killing animals which trespass on his property, provided the owners reimburse him for the damage done by these animals.

(No signature)

YEAR 17531½ pagesFEBRUARY 21SHERIFF'S RETURN

Undersigned, Sheriff, makes his return showing service of Citation on Mr. Faussier, at Cannes Bruslées, to appear before the Superior Council to answer charges against him, and informing him that should he be present or absent, the Court will proceed to final judgment.

(Signed)

Le Normand.

Not printed in Louisiana Historical Quarterly.

YEAR 1753FEBRUARY 261st
1st pages

IN RE: PETITION OF MR. DELISLE; SURNAMED
DUPART, SR., PLAINTIFF ON PETITION.

Sheriff's Return.

Undersigned, Sheriff, makes his return showing service of citation on Mr. Rixner to appear on March 1st, before Mr. Lebretton, Judge, Commissioner in this case, to give his testimony at the investigation which is being conducted on petition of Mr. Dupart against André and Doré. The usual fee will be paid him in accordance with law. This citation was served pursuant to Decree of the Council rendered on January 13th, last.

(Signed)

Le Normand.

Not listed in Louisiana Historical Quarterly.

YEAR 1753FEBRUARY 26

5 pages

SHERIFF'S RETURN

Undersigned Sheriff, makes his Return showing that pursuant to Decree of the Superior Council, which was rendered January 13th, last, he served Citations on the below-named persons to appear at the Registry in New Orleans, before Mr. LeBretton, Judge, Commissioner in this matter, to give their testimony at the investigation conducted on petition of Mr. Delisle, surnamed Dupart, relative to facts therein contained:

Louis Collet, surnamed Jolicœur, Manager of Plantation belonging to Mrs. Picquery, at Cannes Bruslées.

Mr. Rixner, resident of Cannes Bruslées.

Mr. Vincent Boyan, " " " "

Mr. Crouville, Sergeant of the Company of

Mr. de Gourdon, domiciled at Cannes Bruslées.

Mr. Pitteau, Soldier in the Camp of Mr. de Morville, domiciled at the Barracks of said place.

Undersigned, also shows that he served Citations on Dore, living on Mr. Boré's plantation, five leagues from New Orleans, and on Andre, living at Cannes Bruslées, summoning them to appear before Mr. LeBretton, Judge, Commissioner, on March 1st., at the Investigation conducted on petition of Mr. Delisle, surnamed Dupart, for the purpose of answering charges made against them. Copy of the above mentioned Decree was also served on each.

(Signed)

Le Normand.

Not listed in Louisiana Historical Quarterly.

YEAR 1753

FEBRUARY 27

LETTER

The name of the person to whom this letter is addressed is not mentioned. The undersigned acknowledges receipt of a previous letter and declares that he will take 2,000 pounds for his mulatto, Joseph, not including his transportation. As to the robbery committed by him, he suggests that resort be had to the usual procedure, that he may be hanged.

In conclusion, the writer says that his wife will close the matter with the person addressed.

(Signed)

Chasteau

Not listed in Louisiana Historical Quarterly

YEAR 1753MARCH 1INVESTIGATION
against
ANDRE and DORE

This investigation was conducted before Mr. Cezare Le Bretton, Lateral Judge, Commissioner appointed in this matter, on petition of Pierre Delisle surnamed Dupare, against Andre and Dore, in execution of the decree rendered by the Council on January 13th last. The following persons, upon observance of the usual formalities, testified as follows:

Louis Collet, Overseer of the plantation belonging to the Widow Piquery, who testified that he went with Dupare to the home of Andre and there the negress, who had accompanied them, discovered a shin of beef cooking in Andre's house; that Andre had denied having been hunting and was unable to account for the way he had obtained this piece of meat. Collet also testified that they had gone to Mr. Bore's place where Andre lived and that Andre told them he had been hunting and had killed a roe-buck. This witness then concluded his testimony by declaring he knew nothing more. He further declared he could not sign because he did not know how.

(Signed) Le Bretton

The next witness was Leopold Pillau, soldier in the Company of Orville of the Detached Troops of the Navy in this Colony, on leave, and working on Mr. Dupare's plantation. Pillau testified that two months ago, he went in the company

(cont'd)

#1336 cont'd.

of Mr. Dupare to Andre's home to find out whether he had been hunting, whereupon he answered he was ill and unable to walk; that a negress, who had accompanied them, then showed them a shin of beef which she had discovered cooking in Andre's house; that Andre became speechless but finally declared he would account for the acquisition of the meat when it should become necessary. Pillau also testified having gone with Dupare to Mr. Bore's place where Dore lived and where they found fresh meat, that Andre told them, that while hunting, he had killed a roe-buck. Pillau declared this testimony was entirely true.

(Signed) Le Bretton
Leopold Pillod

The next witness was Clement Crouville, Sergeant in the Company of Gourdon in the Detached Troops of the Navy, maintained in this Colony, on leave and living at the place of the person named Faussier. Relative to the facts contained in petition of Mr. Dupare, this witness testifies that he at no time saw Andre and Dore hunting, nor did he see them handling any meat, which is all he can say.

(Signed) Le Bretton
Crouville

Vincent Boyan then testified to the effect that three months ago, while at home, he heard gun shots and that several days later, while hunting rabbits he discovered a place where either a cow or an ox had been killed and that the tail was still there. As to who did this killing, he does not know. He declared he did not know how to write and was therefore unable to sign his testimony.

(Signed) Le Bretton

(cont'd)

#1336 cont'd.

George Rixner was the last witness heard and he testified that he has no knowledge of any of the facts contained in Dupare's petition; that all he knows is that in the woods back of his place, there was a place showing evidence that a cow or an ox had been killed. He declared he was unable to write and hence could not sign his testimony.

(Signed) Le Bretton

(7 pages)

Not printed in Louisiana Historical Quarterly.

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YEAR 1753MARCH 1

IN RE: PIERRE de LISLE SURNAMED DUPARE,
PLAINTIFF, ON PETITION.

Proces Verbal of Default Rendered against
Andre and Dore.

Pierre de Lisle, surnamed Dupare, appeared before Mr. Louis Cezard Le Bretton, Lateral Judge, appointed Commissioner in this matter, and declared that, in the matter of the suit against Andre and Bore, Decree had been rendered by the Superior Council on January 13th last, permitting the investigation for which he petitioned, which investigation was to be conducted by aforementioned Commissioner, for which purpose witnesses had been summoned to appear. Whereupon, said Commissioner having waited due time and said Dupare and the witnesses having appeared, due cognizance was taken of their appearance; Default was then rendered against said Andre and Dore, who failed to appear, after having been duly summoned. The witnesses, present, were placed under oath, their testimony heard and duly reduced to writing.

(Signed) Delle Dupart
Le Bretton

Not printed in Louisiana Historical Quarterly.

YEAR 1753MARCH 1CERTIFIED COPY OF
POWER OF ATTORNEY

Appearing before Francois Carette, Missionary of the Society of Jesus at Arkansas in Louisiana, duly authorized to officiate as Notary, Squire Etienne de Vaugine de Nuysment, presently residing at this Post, and Dame Antoinette Pelagie Petit de Livillers, his wife, duly authorized by her said husband, both of whom here constitute and appoint Squire De Lahoussaie, Knight of the Royal & Military Order of St. Louis, Captain of a Detached Company of the Navy, at Louisiana, Commander at Arkansas, their Attorney, to ask for and obtain at law, or otherwise, the share devolving upon them and coming to them from the Succession of Squire Charles Petit De Livillers and from that of Dame Louise Etienne De Malbec, parents of said Dame Antoinette Pelagie Petit De Livillers, which share has been delivered to Squire Delfaux De Pontalba, Captain in Louisiana, Commander for the King at Point Coupee. Said Attorney is hereby authorized to do all things necessary and customary to accomplish the purpose for which this Power of Attorney was granted and they agreed to ratify all acts done under this authorization until it was expressly revoked.

(Signed) Francois Carette, Missionary
Vaugine de Nuysment
deKivillier de Vaugine

(SEAL)

(cont'd)

D. 53/25 cont'd.

1753

March 21,

Substitution

Because of constant
illness, Delahoussaye transmits the foregoing
Power of Attorney to Mr. Le Bretton, Judge,
in order that he be substituted to act in his
place.

(Signed) Delahoussaye

(1 page)

Not printed in Louisiana Historical Quarterly.

61/29

YEAR 1753MARCH 2

BILL DUE BY MR. BOYER TO THE CARGO
OF SCHOONER "Le HAZARD", COMMANDED
BY LAMARQUE.

This bill covers soap, wine, flour, brandy, whiskey, etc. and totals	665. 13. 6
Less payment on account	<u>182. 12. 6</u>

Leaving a balance of 483. 1.

1753

July 9, Certification as to correctness.

(Signed) Lamarquer

1753

July 12, Memorandum by Boyer saying he
owes the above amount of 483.
l s. to Sr. Lamarque.

(Signed) (X) mark of Boyer
Armone, witness
St. Thomal

Dated August 8, 1753

On reverse side is an order on Mr. Chantaloup
to pay to Lamarque, Captain of the Schooner
sailing in two days for Martinique, the sum
of 483 livres due by the Succession of
Francois Boyer. This sum is to reimburse
Lamarque when effects of Succession have
been sold.

(Signed) Raguet

(cont'd)

D. 53/26 cont'd.

Receipt for the above sum.

(Signed) Lamarquer

(2 pages)

Not printed in Louisiana Historical Quarterly.

61/29

YEARMARCH 2

RE: PIERRE GERMAIN Vs.
FRANCOIS BOYER

Petition

Plaintiff, Pierre Germain, alleges that he is ready to leave here to go to France; that Mr. Boyer owes him a debt of five thousand three hundred eighty-seven pounds, seven sols, covering two separate transactions; that Boyer has made but a small payment on the entire debt and has since refused to pay the balance due. Wherefore, plaintiff prays that Boyer be cited to appear before the Council and be ordered, under penalty of arrest, to pay the total amount due plaintiff and that the right be reserved to plaintiff to deduct the amounts, heretofore paid, from the total amount. Plaintiff also prays for costs.

(Signed) (X Mark of Pierre Germain)
By Garic

1753

March 2,

Order

Undersigned Judge grants petition for citation of Boyer.

(Signed) D'Auberville

1753

March 2,

Sheriff's Return

Undersigned Sheriff makes his return showing service of citation to appear

(cont'd)

#D. 53/27 cont'd.

before the Superior Council on March 8,
1753, on Francois Boyer to answer plaintiff's
petition, copy of which was also served on
said Boyer.

(Signed) LeNormand

Not printed in Louisiana Historical Quarterly.

61/29

YEAR 1753MARCH 5

5 pp.

MARRIAGE CONTRACT

This marriage contract is made and entered into by Silvain Philiosa, resident of New Orleans, and Marie Anne Fouquois, widow of Nicolas Dubunot, in presence of undersigned Notary, relatives and friends. This contract contains the usual stipulations relative to parties marrying each other at a Catholic ceremony; to debts, to community rights, to usual donations inter vivos to each other and also to the right of surviving spouse to renounce said community. Said contract contains the further stipulations: the dowry of the future wife is to consist of her share in the community which had existed between her and her late husband, future husband makes a settlement of 1500# on said future wife for which she furnishes the customary mortgage as security for same, 500# is to be inherited by the survivor in community, which amount is to be deducted before partition. Stipulations are also made relative to the child of each party by a former marriage which stipulations provide for the care, education and marriage requirements of said children. Said contract is to be duly registered in accordance with law. All parties present sign with the exception of Mr. Manciau and Ducret, who declare they do not know how.

(Signed) Silvain Philiosa
 Avignon Marie Anne Fouquois
 Lemelle Lenormand Tizoneau Songy
 Chantalou. Notary

Not listed in Louisiana Historical Quarterly.

YEAR 1753MARCH 5

f/p.

By request of Dame Marie Anne Fouquo, widow of the late Nicolas du Buneau, members of the Council and undersigned witnesses repaired to the house of said Dame Fouquo to proceed to inventory of all movables, and immovables amounting to 1,176 livres.

Said Dame Fouquo declares owing Widow Saint Louis 110 livres and Sr. Coupriet 15 piastres from notes of her deceased husband.

There being nothing more to inventory, we closed and signed with witnesses.

(Signed) Marie Anne Fouquo
Avignon
Le Merle
Le Normand
Philiosa

Not listed in Louisiana Historical Quarterly.

YEAR 1753MARCH 5

6pp.

INVENTORY

On the above date upon the request of Sieur Silven Philiosa, called Timballier, I, the undersigned LeNormand, repaired to the house of the said Timballier, with François Nauveau, Nicolas Pares, called Bel Humeur, François Lemerle, and Claude Renaud, called Avignon, his friends, to proceed with an inventory of all his property, who after pointing out the movables, immovables, etc., the said Messrs. Nauveau, Lemerle Avignon and Bel Humeur, appraised them conscientiously, amounting to about 12000 livres more or less.

Mr. Philiosa claims owing Messrs. Bel Humeur and de Moucette 800 livres, and that he is due from individuals 300 livres.

There being nothing more to inventory, we closed and stopped, the same in the presence of the above named persons and one clerk and signed the same on the said day, month and year as above. Bell Humeur and Nauveau declaring they could not sign.

(Signed) Philiosa
 Avignon Lemerle
 L eNormand

Not listed in Louisiana Historical Quarterly.

D. 53/28

YEAR 1753

MARCH 8

RE: MR. DELILLE SURNAMED DUPAR
vs.
MR. BERTRAND

Petition

Plaintiff, Mr. Delille, surnamed Dupar, alleges that, hearing shots near his place, two of his negroes discovered that a Spanish cow, property of plaintiff, had been killed and its tongue removed; that said negroes lay in ambush near said cow and saw Mr. Bertrand followed by his father-in-law, approaching said cow and that they were equipped with knives and a hatchet to cut up the carcass; Plaintiff further alleges that the presence of his negroes became known to said Bertrand through the latter's dog and that a quarrel ensued during which a gun, property of plaintiff, was taken from his negro and broken by striking said negro and that Bertrand also stole two more guns, property of plaintiff, which were in a pirogue nearby. Wherefore, plaintiff prays that Mr. Bertrand be cited to appear before the Council and be ordered to pay the value of the cow for the benefit of the Charity Hospital, also that he be ordered to pay for the gun broken by him. Plaintiff further prays that Bertrand be ordered to return the guns stolen by him from his negroes.

(Signed) Dlle Dupar

1753

March 8,

Order

Undersigned Judge grants
plaintiff's petition for citation.

(Signed) D'Auberville

(cont'd)

D. 53/28 cont'd.

1753

March 8,

Sheriff's Return

Undersigned Sheriff makes his return showing service of citation on Mr. Bertrand, resident of Des Allemands, who elected New Orleans as his domicile, to appear before the Council on March 10th to answer plaintiff's petition, copy of which was also served on him.

(Signed) LeNormand

(3 pages)

Not printed in Louisiana Historical Quarterly.

61/29

D. 53/29

YEAR 1753

MARCH 8

BUSINESS LETTER

This letter is addressed by Mr. Testa at La Rochelle to Mr. Chantalou, Chief Clerk of the Superior Council at New Orleans. The writer states that up to the moment of writing this letter he was ignorant of the fitting out of the vessel which will carry this letter. He confirms the shipment made on the "Constant" of all merchandise ordered, of arms and of a bale of Rouen linen. Testa says he will ship other things on the "Couronne", which will arrive before the "Constant" and that he is sending thereon one Roquefort Cheese and three of Gruyere. He then discusses financial matters, among which are that he not only expects remittance of proceeds of sale but also those to be paid personally by Mr. Chantalou. In conclusion the writer asks Mr. Chantalou to present the mantelets sent his wife by the writer and closes with the customary expressions.

(Signed) Testa

As a postscript, the writer adds that he has not forgotten the wigs, which are ready.

(3 pages)

Not printed in Louisiana Historical Quarterly.

61/29

YEAR 1753MARCH 9

MEMORANDUM OF INSTRUCTIONS,
TAKING THE PLACE OF ORDERS,
FOR DANIEL LAMBERT, COMMANDER
OF "THE MAGDELAINE", FOR THE
VOYAGE TO LOUISIANA.

These instructions, seven in all, treat of the time when the ship shall leave, the observance of prayers by the crew, the itinerary of the vessel and what is to be done at each port, of the handling of cargo, of the trading and selling to be carried on by Mr. Lambert, to whom cargo bought and shipped to La Rochelle is to be addressed, namely: to Mr. Delaire who is to be advised of such shipment by letter. Instruction No. 6 outlines what should be done by Mr. Lambert in the event of his illness and later by the person who shall take his place in the event of his death. The seventh and last instruction refers to the care and of the disposition of the ship itself.

(Signed) Gilbert, Senior
Lambert

Paraphed ne Varietur

(2 pages)

Not printed in Louisiana Historical Quarterly.

YEAR 1753MARCH 9

4 pages

RE: Succession of Daublin

Petition

Petitioner, Marianne Gracien, Widow Daublin, represents to the Court that she had petitioned for the appointment of a Tutor and an Under-tutor, for the eight minor children left by the late Daublin, her husband, because three of these minors are issue of the first marriage of said Daublin, which was to Marguerite Decuir, and that because there are two Communities involved, she could not manage both. Petitioner further represents that the Court, by Judgment of November 11, last, ordered the holding of a family meeting for the appointment of a Tutor and Under-Tutor to said Minors, which Order was executed, and she now prays that the appointments made at said meeting be homologated.

(Signed) Garic, for Petitioner.

1753

Petition

March 9,

Petitioners, Jean Pierre and Nicholas Daublin, assisted by Mr. Jean Pujeol, their Tutor and Guardian, represent to the Court that they have attained the age of 24 and 22 years, respectively, and should be entitled to emancipation in order to enjoy the usufruct of the irremovables, and the ownership of the movables, all of which property was left them by their parents, now deceased. Wherefore, petitioners pray that they be allowed to call a Family Meeting at which the Attorney General shall preside in order that the opinion of those present could be obtained concerning their Emancipation.

(Signed) Garic, for Petitioner.

1753,
March 10.

ORDER

Undersigned, Judge, permits Messrs. Daublin to call a Family Meeting in order to obtain an opinion from those present relative to their Emancipation. Said Meeting is ordered held before Mr. Raguet, Judge.

(Signed) D'Auberville.

Not listed in Louisiana Historical Quarterly.

(19)

YEAR 1753

3 pages

MARCH 9SUCCESSION OF VALENTIN JOSEPH
DAUBLIN (OR DOBLIN) , TOOLMAKER.Petition to be allowed to render account.

Petitioner, Marie Anne Gracien, Widow of Valentin, Joseph Daublin (or Doblin), through Mr. Garic, represents that said Valentin Joseph Daublin married twice: the first time to Marguerite de Guir, (now deceased) of which marriage there are three children, who are now of age to enjoy the rights of Emancipation; and the second time to Petitioner, of which marriage there are five children, all minors. Petitioner also represents that there being two Communities involved she prayed the Court to order a Family Meeting, at which a Tutor and Under-Tutor could be appointed; all of which was done.

Petitioner was appointed Tutrix of her minor children, and Mr. Belisle Dupare, their Under-Tutor; and Mr. Pujeol was appointed Tutor and Guardian of the children of the first marriage of said Daublin.

Petitioner further represents that the second community is more prosperous than the first, and at said Family Meeting it was recommended that in order to liquidate and portion all of the property of the succession, judicial sale should be made of said property and the claims of the respective communities duly liquidated, upon her rendering an account of her administration of the persons and property of the Minors - Jean Pierre, Nicolas and Marie Jeane, issue of the first marriage of said

(cont'd)

D 53/32

YEAR 1753

MARCH 9

Daublin, said Minors assisted by their Tutor, Mr. Pujeol, together with that of her administration of the Succession of Daublin, her late husband; all in accordance with the requirements of law; and that, after liquidation, the property be sold judicially.

(Signed) Garic, for Petitioner

1753
March 10,

ORDER

Undersigned, Judge, allows the Widow Daublin to file her account to the Tutor of the said Minors, as prayed for.

(Signed) D'Auberville

Not listed in Louisiana Historical Quarterly.

(19)

YEAR 1753

MARCH 10

HEARING OF MARCH 10, 1753

Presiding: Messrs. de Kerleroe, Governor; D'Auberville, Commissioner of the Navy, performing function of Ordainer & Associate Judge; de Membrede, Lieutenant of the King, performing functions of Attorney General; de Bellisle, Major; Le Bretton, de Lalande and de Lafreniere, Lateral Judges.

Decisions rendered in the following suits:

Pierre Germain, Plaintiff, vs. Francois Boyer,
Defendant

Suit to collect 5,387 French Pounds 7 sols, less a credit of 1,522 French Pounds. Defendant pleads lack of execution of terms and conditions as specified in his contract with Plaintiff. The Council duly considering Plaintiff's petition setting forth the obligation on which he sues, namely a sale of cattle for 5,000 French Pounds, subject to aforementioned credit, and also on notes amounting to 387 French Pounds, 7 sols due on a contract entered into by him with Defendant, and the Council further considering the answer of Defendant, pleading failure of execution of all the terms and conditions of said contract on the part of Plaintiff, decrees that Defendant pay petitioner 3,865 French Pounds 7 sols, subject to a deduction by Defendant of 400 French Pounds, amount awarded him as damages.

D. 53/33 cont'd.

for failure of executions of all the terms of the aforementioned contract on the part of Plaintiff. Defendant is ordered to pay all costs.

Pierre de Lisle, surnamed Dupard, Plaintiff, vs. Dupre Terrebonne, Defendant. Suit to collect value of a cow and calf, together with damages and cost from Defendant, which animals Plaintiff alleges were killed by Defendant. Defendant pleads no cause of action and prays for dismissal of said suit on the ground that the animals killed by him were strays, as shown by the ears which failed to show an owner's mark. The Council duly considering Plaintiff's petition, Defendant's answer and the evidence herein, together with the Conclusions of the Public Prosecutor, renders judgment dismissing Plaintiff's suit and condemning Defendant to pay a fine of twenty French Pounds for the benefit of the Charity Hospital, for having killed cattle which did not belong to him, which fine he must pay under penalty of imprisonment, and he is warned that, in case of a second offence, he will suffer a severe penalty.

Pierre Dellisle, surnamed Dupard, Plaintiff, vs. Antoine Bertrand, Defendant. Suit to obtain judgment condemning Defendant to pay value of a Spanish cow, killed by him, to the Charity Hospital, the cost of a gun broken by Defendant when he struck a negro, property of Plaintiff and for the return of two other guns, which were taken away from two other negroes, also property of Plaintiff, when the latter surprised Defendant approaching to cut up the meat of said cow. The Council duly considering Plaintiff's petition, Defendant's answer, together with the conclusions of the Public Prosecutor renders judgment ordering

(cont'd)

Defendant to pay Ten French pounds as damages for the guns broken by him by striking Plaintiff's negro; Defendant is further ordered to pay a fine of Thirty French Pounds for the benefit of the Charity Hospital and he is warned that in the case of a second offence, he will suffer a severe penalty.

Pierre Delisle, surnamed Dupard, Plaintiff, vs. Andre Labranche, resident of Cannes Brulees, and Gaspard Dore, resident of Plantation of Bore, at Cannes Brulees, Defendants.

Suit to collect damages for cattle stolen and killed by Defendants, which cattle was the property of Plaintiff. Plaintiff filed petition alleging that since the last harvest he had lost forty-three animals, among which were eight pairs of oxen; that he suspected Defendants as being guilty of this stealing and after going to their respective homes, accompanied by witnesses, and finding fresh beef there, for the acquisition of which Defendants could not account, he therefore prayed the Court to file an Information against said Andre Labranche and Gaspard Dore before Judge Le Bretton, after due citation of said Labranche and Dore to appear to answer the charges against them. Said petition being granted, the Information was made and testimony heard, after which the Public Prosecutor delivered his opinion in the matter. The Council duly considering the facts and the evidence herein together with the opinion of the Public Prosecutor renders Judgment condemning Andre Labranche and Gaspard Dore to pay One Hundred French Pounds for the ox which they have been convicted of killing; and further condemning them to a fine of Twenty-five pounds, each, for the benefit of the Charity Hospital, under penalty of imprisonment, and also condemning them for all costs herein. Defendants are

D. 53/33 cont'd.

warned that in the case of a second offence, they will suffer a severe penalty.

Alexandre Bore, Plaintiff, vs. Jacques Faussier, Defendant.

Suit instituted for the purpose of obtaining permission to make an Information disclosing the illicit trade carried on by Faussier with negroes belonging to said Bore, and thus encourages stealing by said negroes to whom he gives rum in payment for stolen goods. In his petition, plaintiff represents that 200 chickens have been stolen from his plantation lately and that his warehouse has been broken into and that upon his having one of his negroes flogged, plaintiff thus learned that Faussier gave rum in return for stolen goods. Plaintiff further represented that said negro later went off with one of Plaintiff's guns, which he gave to Faussier who refused to return said gun to Plaintiff. Plaintiff's petition was granted, the Information was made and testimony heard before Judge Le Bretton and the Public Prosecutor, after due citation of Defendant. The Council, after duly considering the facts and evidence herein, together with the opinion of the Public Prosecutor, rendered judgment declaring that Faussier has been found guilty of having sold rum to the negroes of plaintiff for which he is condemned to pay a fine of Fifty French Pounds and orders said Faussier to return to Mr. Bore, Plaintiff, the gun which he took from Mr. Bore's negro for which act, he is further condemned to pay a fine of Twenty French Pounds, payable to the Clerk of Court; he is also condemned to pay all costs and is warned that in the case of a second offence, he will suffer severe punishment.

(cont'd)

D. 53/33 cont'd.

Marianne Gratien*, widow of Valentin Joseph Daublin, Plaintiff (Succession of Daublin). Plaintiff prays for order permitting her to render account of her administration to Mr. Jean Pujol, tutor and guardian of the Daublin minors, issue of the marriage between said Daublin and Marguerite DeCuir, his first wife now deceased. She alleges that she has observed all formalities required by law and because there are two communities involved in this Succession and that for the benefit of all concerned she desired to file her account of administration of the property of said Succession, upon hearing the opinion of the Attorney in this matter, plaintiff's petition and the facts herein duly considered, the Council renders judgment ordering Plaintiff to render her account of her administration of the property of said Succession, within one month from date, to Mr. Pujol, tutor and guardian of the minors.

* - while this part of the name is missing, knowledge of this case enables translator to add the missing part of said name.

Marianne Gratien, widow of the late Valentin Joseph Daublin, Plaintiff.
Plaintiff prays that the family meeting held before the Attorney General, Mr. Raguét, be homologated. The Council, after hearing the opinion of the Attorney General relative to the deliberations made of said family meeting, renders an order homologating said family meeting according to its form and tenor.

Jean Pierre and Nicolas Daublin, assisted by Jean Pujol, their tutor and curator, Plaintiffs on Petition.

(cont'd)

D. 53/33 cont'd.

Plaintiffs represent that they have reached the age of 24 and 22 years, respectively, and consequently entitled to the privileges of emancipation in order to enjoy the property left them by their deceased parents. Wherefore they prayed for order permitting the calling of a family meeting to be held in the presence of the Attorney General in order to obtain the opinion of those present in this matter. Council renders order allowing the minors to call said meeting in the matter and for the purpose set forth in this petition.

Marie Jeanne Douviller, widow of Jacques Chauvin, tutrix of the minor children born of the marriage between her and said Jacques Chauvin, now deceased, Plaintiff on petition. Plaintiff represents that, as tutrix of her said minor children, she found it would be advantageous to make an exchange of a house and lot situated on Chartres Street, for another on the same square, the latter house would be put in good condition in the event of said exchange; that, as tutrix of her minor children, she obtained an order for the holding of a family meeting at which the members were to render their opinion on this matter of exchange, in the presence of the Attorney General. That said order was granted and the meeting duly held. Wherefore plaintiff now prays that the recommendations and opinion rendered at said meeting be duly homologated. The Council considering the opinion of the Attorney General herein orders the homologation of the opinion rendered at said meeting and further orders its execution according to its form and tenor.

Mr. Olivier de Vezin, Grand Surveyor, Plaintiff on Petition.
Suit to collect 1100 French Pounds, due on note,

(cont'd)

Doc. #53/33 cont'd.

through judicial sale of a negro belonging to debtor and left with Plaintiff. Plaintiff represents that aforementioned amount is due him by Mr. Cazelare to whom he lent said amount and who was to deliver said amount to Mr. Duplessisse, residing in Canada, according to his note of March 10, 1751; plaintiff further represents that according to note of said Cazelare, dated November 6, 1752, permission is given him to sell the negro left with him by said Cazelare. Wherefore he prays for order to sell said negro judicially to the highest bidder and to pay himself from the proceeds, together with interest and costs, upon observance of the requirements of law. The Council, after due consideration renders judgment granting Plaintiff's petition.

Messrs. Francois Trepagnier, De Makarty, Captain, Commandant at Illinois in the name and as husband of Dame Francoise Trepagnier, Alexandre Vill in the name of and as husband of Miss Marianne Trepagnier, Joseph Carriere in the name of and as husband of Margueritte Trepagnier, Guilleaum Dubuisson, in the name of and as husband of Miss Ursule Trepagnier, all co-heirs in the Succession of the late Ignace Trepagnier, plaintiffs on petition. Plaintiffs pray that judgment be rendered permitting judicial sale of five slaves, property of said Succession in order to arrive at the partition of the property between the co-heirs. The Council, after duly considering said petition, grants same and orders that said sale be conducted in the presence of the Attorney General and of Mr. Le Bretton, Lateral Judge, and further orders that the proceeds be partitioned among the co-heirs.

(14 pages)

Not printed in Louisiana Historical Quarterly.

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YEAR 1753MARCH 10

HEARING OF MARCH 10th.

Presiding: Messrs. de Querlerec, Governor, ^{Ke!} Dauberville, Commissioner of the Navy, performing functions of Orderer, Demembrede, Lieutenant of the King, Raguét, Dean of the Council, performing functions of Attorney General, De Bellisle, Major, Lalande, Lateral Judge, Le Bretton and Lafreniere.

Judgments Rendered

In re: Pierre Germain vs. Francois Boyen.
Judgment for plaintiff against defendant condemning him to pay plaintiff the amount due, less four hundred pounds, which deduction is to take the place of damage and is an indemnity for the lack of care by plaintiff for the cattle, which matter the Council is going to subject to arbitration. Boyen is ordered to pay costs.

In re: Mr. Dupare vs. Dupre Terrebonne.
Judgment dismissing plaintiff's suit and condemning defendant to a fine of twenty-five livres for having killed the cattle in question, and giving him customary warning relative to a second offence. Costs applicable to the poor.

In re: Pierre Delisle surnamed Dupare vs. Antoine Bertrand.
Judgment in favor of plaintiff and against defendant commanding him to return to plaintiff guns taken by him from plaintiff's negroes, also condemning him to a fine of thirty livres,

#1338 cont'd.

applicable to Charity Hospital, and to an additional fine of ten pounds for gun broken by him. Defendant is given customary warning relative to a second offence and is ordered to pay costs.

In re: Pierre Delisle, surnamed Dupare, vs.
Andre and Bore.

Judgment in favor of plaintiff and against defendants condemning them to pay one hundred livres to plaintiff for the ox of whose killing they have been convicted. Each is fined twenty livres for said offence, which fine is applicable to the Hospital, and they are given customary warning relative to a second offence and are ordered to pay all costs.

In re: Bore vs. Fossier.

Judgment declaring that Fossier is found guilty of having sold rum to negroes of Bore in violation of the Law for which he is condemned to a fine of fifty pounds. Defendant is ordered to return the gun of plaintiff, which he has in his possession. He is further fined ten livres payable to the Clerk and ordered to pay all costs.

In re: Mr. Olivier vs. Mr. Cazelard (no remarks).

(Signed) D'Auberville

(2½ pages)

Not printed in Louisiana Historical Quarterly.

61/23

YEAR 1753

MARCH 19

HEARING OF MARCH 19, 1753.

Judgment

In Re: Nicolas Henry vs. Tourmier
Gravembert, surnamed Flamand.

Presiding: Messrs. D'Auberville, Commander of the Navy, performing functions of Orderer, Raguët, Judge, performing functions of Attorney General, Le Bretton and Kernion, Lateral Judges, Demembred, Lieutenant of the King.

Plaintiff's petition and the compulsory sale of February 13th, 1752, together with defendant's answer, all duly considered: the Council renders judgment whereby defendant is ordered to pay plaintiff ten thousand livres, the amount due on his obligation, plus costs.

(Signed) D'Auberville

(1 page)

Not printed in Louisiana Historical Quarterly.

YEAR 1753

MARCH 23

PROMISSORY NOTE

Undersigned promises to pay, at
St. Pierre, six hundred livres in
currency to the order of Mr.
Daubermyn, within fifteen days,
for value received from said gentle-
men in form of receipt for Mr.
Laneuville.

(Signed) Roudest

(On reverse of the document the
following is found)

Receipt

Paid at St. Pierre, April 10th, 1753.

(Signed) Daubermin

Not printed in Louisiana Historical
Quarterly.

YEAR 1753MARCH 20COPY OF PROTEST FOR NON-EXECUTION
OF CONTRACT.

Appearing before the Clerk of the Registry of the Superior Council at New Orleans, Mrs. Charlotte Julie Moreau, wife of Mr. De Chamfret, Judge and Sub-delegate at Pointe Coupee, duly authorized by him, declares that she left Pointe Coupee February 8th last, for the purpose of settling differences arising between her and Mr. Dubreuil relative to repairs to be done on a house in New Orleans under a contract with him under private signature; that up to this time, no satisfactory settlement has been reached and she here protests all expenses resulting from this failure of Dubreuil to comply with his contract: said expenses cover her trip here and those of her sojourn here, to date. She also states that she will be forced to institute suit against Dubreuil in order to obtain justice.

Original signed: Trenaunay and by undersigned Clerk.

(Signed) Chantalou, Clerk

Not printed in Louisiana Historical Quarterly.

YEAR 1753

MARCH 21

4 Pages

Dame Charlotte Julie Moreau,
wife of Sieur Trenaunay, Judge
at Pointe Coupee, by him authorized,
vs.
Sr. Dubreuil.

Suit alleging non-performance of
contract.

Petitioner alleges that by virtue of contract under private signature, dated June 22, 1748, between Sr. Trenaunay and Sr. Dubreuil, the latter bound himself to repair two houses belonging to the former; that defendant was paid the full sum stipulated for the work, but that he failed to repair the large house; that petitioner has made two trips to New Orleans to try to induce defendant to comply with his obligation, but he has refused to do so. Petitioner alleges that owing to lack of repairs for four years, said house has greatly deteriorated and petitioner has not been able to rent it advantageously. She prays that defendant be ordered to pay to her the sum of 1000 livres a year for four years, plus the expenses of her two trips to New Orleans, and all other costs.

(Signed) Trenaunay

YEAR 1753

MARCH 21

Order to serve notice on defendant.

(Signed) D' Auberville

Return of clerk showing service.

Not printed in Louisiana Historical Quarterly.

YEAR 1753MARCH 22

6 Pages

Re: Vessel "L'Elizabeth"
Notice of Seizure

Pursuant to judgment rendered at the Seat of the Royal Jurisdiction of Fort St. Pierre, Isle of Martinique, and to the Order rendered on March 2nd, last, by the Lieutenant General of the Navy at the Borough of St. Pierre, on petition of Mr. Laycotid surnamed Jonas, Merchant of this Borough, through Mr. Cambon, his Attorney, resident of this Borough, Parish of Notre Dame de Bon Port, I, Claude Joseph Lapanishe, assisted by Charles Francois Liesse and Jean Richard, all Sheriffs attached to this Seat of the Navy, repaired on Board the Vessel "L'Elizabeth" anchored in the Roadstead opposite Fort St. Pierre, for the purpose of seizing said vessel, its rigging, equipment and cargo, in order to satisfy a judgment rendered against its owner, Mr. Malveyin, heretofore Merchant of the Borough of Fort St. Pierre, the amount of said judgment being Thirty thousand, one hundred twenty pounds, two "Sols" six "Deniers" plus interest and all costs.

Mr. Jourdan, Boatswain, confirmed the fact the said vessel was the property of Mr. Malvezin - Whereupon "L'Elizabeth", a vessel of fifty tons, together with all its rigging, equipment, furniture and cargo, (the latter estimated to be worth Seven hundred fifty thousand pounds), was duly seized and a

keeper placed in charge of said vessel. Mr. Jourdan and the crew were then ordered off the vessel, and occupancy prohibited them unless said judgment was duly satisfied. Said Sheriffs then signed this notice of seizure and a copy of same was affixed to the Main Mast of said vessel "L'Elizabeth" and another was served on Mr. Malveyin, its owner.

(Signed) Lapaniche *
Liesse *

Witnesses:
Roudest
Richard

(* Although there are letters missing in these two signatures, the context of the document indicates that the names as filled out are correct.)

Not listed in Louisiana Historical Quarterly.

YEAR 1753

MARCH 22

3 Pages

In Re: Mr. Goudeau, Surgeon,

vs.

Mr. de Caüe.

No date

Petition

Mr. Goudeau, Surgeon, through his Registered Agent, undersigned, petitions for citation of Mr. de Caüe that Judgment may be rendered against him for the total amount which Mr. Goudeau alleges is due by Mr. de Caüe on : two undated vouchers, on his notes and on one check. The notes and check are dated respectively, June 30, September 12, 1750, and January 25, 1753. The individual amount of said papers total Two thousand, one hundred fifty livres, Twelve "Sols", Six "Derniers". Petitioner also prays for interest and costs.

(Signed) Le Normand,
Registered Agent.

March 22, 1753. Order.

Petition for Citation granted by undersigned
Jugé.

(Signed) D'Auberville.

March 23, 1753. Sheriff's Return.

Undersigned, Sheriff, makes his return showing service of citation on Mr. de Caüe to

appear on the first Saturday of the month of April, to answer Plaintiff's Petition, copy of which was also served on him.

(Signed) LeNormand.

August 21, 1753. Sheriff's Return.

Undersigned, Sheriff, Makes his Return showing service of citation on Mr. de Caue to appear on the first Saturday of September, to answer Plaintiff's Petition, copy of which was served on him.

(Signed) LeNormand.

Not printed in Louisiana Historical Quarterly.

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YEAR 1753MARCH 24

1 Page

BILL OF LADING

Undersigned Jn. Bt. Paradis, Captain and Master of the Vessel "Le Marquis de Coufland" ("The Marquis of Confland") anchored at La Rochelle, shows that there is being shipped on his vessel three boxes of weapons, two of drygoods, and one containing three cheeses; the whole bearing the Mark: " C * T * N 17 a 21 and N 23. This merchandise is shipped by Mr. Testar, under usual terms and conditions, to Mr. Chantalou of Louisiana, who is to pay all shipping charges due on said merchandise.

(Signed) Paradis.

Not listed in Louisiana Historical Quarterly

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YEAR 1753MARCH 25, April 1 and April 8

In Re: SUCCESSION OF IGNACE TREPAGNIER.

Pursuant to judgment ordered March 10th by the Council, undersigned Sheriff, advertises the judicial Auction Sale of a plantation on March 25th, April 1st, and 8th, 1753, said sale to be conducted, at the office of the Registry. The plantation, property of the Succession of the late Ignace Trepagnier, is situated at Cannes Bruslees, six leagues from New Orleans, and measures six acres front by ordinary depth and adjoins property of Mr. Noyon on one side and that of Mr. Dupart on the other. Said sale is for cash to the highest bidder, plus cost and is to be held on March 31st, April 7th, and April 14th, 1753.

Final adjudication is to be made in presence of Mr. LeBreton, Judge, and of the Attorney General. Said advertisements were duly published and posted.

(Signed) LeNormand.

Not listed in Louisiana Historical Quarterly

61/29

YEAR 1753MARCH 24

1 Page

REQUEST FOR SALE OF LAND

Sieur Claude Joseph Villars Dubreuil, church warden of this city, declares that at a meeting of various church wardens it was resolved and agreed to sell at public auction, a certain piece of land, which had been donated to the church for the purpose of erecting a school thereon, as church is very much in need of repairs, they petition the superior council to grant request, and order sale advertised in the customary way and places.

(Signed) Garic

Sieur Dauberville, orders sale of above after usual formalities have been observed, sale to take place in the presbytery of the church.

(Signed) by Dauberville.

YEAR 1751SEPTEMBER 12

REPORT OF ENGINEER

Sieur Duverges, having been appointed by the church wardens to determine amount of damages, and propose a way to get funds for repairs of church, reports that it has become necessary and indispensable to have work done on said church, the roof threatens to fall, the supports have sunk about 8 inches, and winter

weather will still further damage building, Sieur Diverges suggests selling land donated to church by the Company as a means of realizing funds.

(Signed)

Barbin -

F. Dagobert, Capuchin Superior
Dreix

Devergesi,

E. Voisin,

Prewost

Barbe

Father Martin.

1753 YEAR

MARCH 25

NOTICE OF SALE

Sheriff LeNormand, in execution of orders of Sieur Dauberville, advertises for three times sale and adjudication to the last and highest bidder, a piece of land measuring 10 toises front, by 25 toises depth, land belongs to the church having been given by the Company for erecting a school house thereon, but must be sold in order to make repairs to church, and is located on _____ Street, having on one side property of Sieur Destrehan, and on other Sieur Kernion, and is opposite the Reverend Fathers-Capucien. Purchaser to pay cash, and must also pay all costs of above sale.

(Signed) by LeNormand.

Not listed in Louisiana Historical Quarterly.

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YEAR 1753MARCH 272¹/₂ pages.

RE: FRANCOIS GOUDEAU, SURGEON

vs.

JOSEPH CHAPERON

NO DATE

PETITION

Francois Goudeau, Surgeon, represents that Joseph Chaperon is indebted unto him in the amount of Four thousand one hundred fifty pounds, as evidenced by his two notes, dated September 24th and November 5th, 1752, respectively. Wherefore he prays, for citation of said Chaperon that he appear and be ordered to pay petitioner said amount due, plus interest and costs.

(Signed) Goudeau.

March 27, 1753. ORDER

Undersigned, Judge, grants petition for citation.

(Signed) D'Auberville.

March 28, 1753 SHERIFF'S RETURN

Undersigned, Sheriff, makes his Return showing service of citation on Joseph Chaperon to appear before the Superior Council on the first Saturday of April to answer plaintiff's petition, copy of which was also served on him.

(Signed) LeNormand.

Not listed in Louisiana Historical Quarterly

YEAR 1753MARCH 27

LETTER BY THIBAUT de CHANVALON
to
MR. ROUDES, MERCHANT AT ST. PIERRE

Nothing indicates whence this was written. The writer thanks Mr. Roudes for the candles and other articles sent him by his brother. He asks for a price on a quantity of candles. He informs him that he planted the seeds sent him - but says he finds the cotton no better than that which already grows here. The writer also says he would like to obtain further information relative to the oil of the seed of which he speaks.

He then refers to the baptism of his son and asks Mr. de Chanvalon to visit him prior to that time, because after that it shall be Holy Week, Easter, and almost following the Council shall convene. The writer states that this letter will reach Mr. de Chanvalon through Mr. Fontanne.

He brings the letter to a close with customary courteous expressions.

(Signed) Thibault de Chanval

Not listed in Louisiana Historical Quarterly

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YEAR 1753MARCH 28

1 Page

BUSINESS LETTERS

Writing from La Rochelle, Mr. Testa informs Mr. Chantalou, Chief Clerk of the Superior Council of Louisiana, at New Orleans, that he is shipping him the below mentioned merchandise on the Vessel "Le Conflan":

One box of weapons;
Three small boxes, each containing one Gruyere cheese;
One bale of English cloth;
A quantity of wax in short bars;
A quantity of gold braid;
Some buttons, ribbon, his wigs and the mantelets for his wife, and one box coming from Mr. Chantalou's sister.

The writer states that the bill will be sent to Chantalou, together with the Bill of Lading.

(Signed) Testa

Not listed in Louisiana Historical Quarterly.

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YEAR 1753MARCH 28

4 pages

BUSINESS LETTER FROM LAROCHELLE

This letter is written from LaRochele and addressed to Mr. Chantalou, Friend and Very Dear Brother, by the Undersigned, and it treats of a Partnership which is a fraternal as well as a commercial one. The writer states that he is glad the shipment of May and June, made by him, reached Mr. Chantalou in good condition, and was satisfactory. He also expresses the satisfaction he will experience upon receiving the funds therefor. The writer then discusses financial matters and states that he has advanced the partnership thirteen thousand and ten pounds.

He also stresses why he values cash transactions in this business. The writer then enumerates what he is shipping Mr. Chantalou on the vessel "The Constant", describes how the articles are packed and how marked. He mentions that there is a roquefort cheese (not shown on the bill) from Friend Bettremeux, who was instrumental in having this shipment taken over on the above-mentioned vessel in preference to shipments belonging to others. The writer asks that he be promptly informed of the receipt of this shipment and that due credit be given him in accordance with invoice, bill of lading, and bill which show a total value of four thousand two hundred and one pounds, two "sols" one "deniers".

The writer also discusses the salability of certain articles of merchandise, such as lace and looking glasses.

In conclusion, he says he is sending the wife of Mr. Chantalou two mantelets which he hopes she will like. He closes with the expression of his best wishes for the health of both Mr. & Mrs. Chantalou.

(Signed) Testa

Not listed in Louisiana Historical Quarterly.

(19)

YEAR 17 ⁵³ --
(Torn)

MARCH 28

SUCCESSION OF
SR. NICOLAS HENRY
(CLERK OF THE SUPERIOR COUNCIL)

Sr. Jean Baptiste Garic,
Agent and Attorney in fact of
Dame Poussin,
widow of decedent
vs.
Sr. Charles Le Sassier,
Testamentary Executor.

Opinion of Judge de Kernion.

The Judge, after having examined the olographic will of decedent, the power of attorney executed by his widow, authorizing said Sr. Garic to act as her agent and attorney in fact for the purpose of demanding an accounting from the testamentary executor, as well as the account rendered by said testamentary executor, is of the opinion that Chapter I of Expenser, shown on said account, covering funeral expenses and costs of last illness of decedent, and amounting to 2996 livres 10 sols, as well as certain other items, should not be deducted from the "mass" of said Succession.

The Judge approves the payment of the sum of 1600 livres to Sr. Chantalou, to cover any deposits which may have been made with Sr. Henry (in his official capacity), on the condition that Sr. Chantalou, after due advertising, reimburse such persons as may have made such deposits.

The Judge further approves the payment of 3541 livres 15 sols, leaving net receipts of 43,943 livres 3 sols.

The Judge further approves the payment, from the share of the heirs, of 200 livres for the widow's mourning apparel.

The widow's claim for one-half the appraised value of the negress Venus and her child is dismissed.

The widow's share of the receipts, herein approved, amounts to 22,171 livres 11 sols 6 deniers.

(Signed) Huchet de Kernion.

YEAR 1753

MARCH

DEFENSE OF ANTOINE BERTRAND
AGAINST SR. DE LISIE DUPART

A long preamble follows in arguments and charges against Dupart.

Bertrand claims Dupart has no proofs against him, his witness being an insolent negro slave.

We ask Court to condemn Dupart for all costs and even for reparation of his honor.

(Signed) Helo representing
Antoine Bertrand

Not entered in Louisiana Historical
Quarterly.

R/r

YEAR 1753

March NO DATE

DEFENSE OF: ANDRE LA BRANCHE,
RESIDENT OF CANNES BRULÉE AND GASPARD DORÉ
OVERSEER ON THE PLANTATION OF S. BORÉ AND S. BORE
ALL THREE DEFENDANTS IN THE SUIT OF
PIERRE JOSEPH DE LYSLE, CALLED DUPART.

To the charge of plaintiff that he saw
André and Boré return from the hunt loaded with
prey they answer this is impossible because:

- 1 - He cannot prove what they had.
- 2 - That André has been laid up with
a backache.
- 3 - Plaintiff cannot prove he saw
defendants hunting together.

That the testimony given by the
negroes and people hired by plaintiff is false
and untrue; the meat testified to by witnesses
as found on premises of defendant André, was
meat from cattle belonging to plaintiff.

Defendant can on the contrary prove
it was meat from the city by his man Couture,
who sees to it that a supply is sent defendant
whenever a killing is made.

That suit brought by de Lysle was
one of spite because on several occasions Doré

DOC. NO.
(Cont'd.)

had caught de Lysle's negroes chasing a herd of the widow Sigry's cattle and had confiscated their guns.

Defendant wind up their defense by asking for compensation for defamation of character by plaintiff.

(Signed) La Branche
Gaspard Dore

(The name of S. Boré is cut off Document)

Not printed in Louisiana Historical Quarterly.

R/r

YEAR 1753April 2

1 Page

LETTER TO MR. SARRAZIN, Sr.,
OF NEW ORLEANS - BY HIS WIFE

Mrs. Sarrazin writes from Pointe Coupée. She acknowledges receipt of a letter from Mr. Sarrazin, her husband, and informs him that she has been unsuccessful in her search for the Marriage Contract of her daughter, and suggests that a copy of it be obtained at the Registry. In conclusion she expresses her hope for his speedy return.

(Signed) La Sarrazin

Not listed in Louisiana Historical Quarterly

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YEAR 17531½ pagesAPRIL 3

RE: MR. NICOLAS HENRY,
 vs.
 MR. TIXERANT, SR.

NO DATE

PETITION

Petitioner, Mr. Nicolas Henry, heretofore Clerk of the Superior Council, represents that Mr. Tixerant, Sr., is indebted to him in the sum of Three hundred sixty four livres, which is the balance due on his note, dated March 18, 1749, petitioner alleges amicable demand without avail. He therefore prays for citation of said Tixerant and for judgment against him, commanding Tixerant to pay said balance due, together with interest and costs.

(Signed) Henry.

APRIL 3, 1753

ORDER

Undersigned, Judge, grants petition for citation.

(Signed) D'Auberville.

cont'd

SHERIFF'S CITATION.

UNDERSIGNED, Sheriff, makes his return showing service of Citation of Mr. Tixerant, Sr. to appear before the Council on April 7th, to answer Plaintiff's petition, copy of which was also served on him.

(Signed) Le Normand.

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753

APRIL 3

2 pages

M. LE BRETON vs DELFAU DE
PONTALBA.

Petition.

Mr. Le Breton, assessor at the Superior Council, proxy for Mr. Etienne de Vaugine de Merisment and Mrs. Pelagie de Villiers, his wife, states that Mrs. de Villiers de Vaugine wishes to be put in possession of her share, in the succession of her father and mother, Mr. and Mrs. Petit de Villiers, amounting to 7000 livres and more, said frozen assets (fonds arrêtés) now being in custody of Mr. Delfau de Pontalba, her tutor.

(Signed) Garic, attorney for plaintiff

Permit to issue citation.

(Signed) Dauberville

Citation issued and delivered by Sheriff Marin Le Normand to Mr. Delfau de Pontalba to appear in court and answer petition of Mr. Le Breton.

(Signed) Le Normand

Not printed in Louisiana Historical Quarterly.

YEAR 1753APRIL 4,1½ pages

CONVICTION DEMANDED BY PUBLIC
PROSECUTOR, COMPLAINANT AND
ACCUSER OF JOSEPH, CREOLE NEGRO
SLAVE, BELONGING TO MR. DUBREUIL,
DEFENDANT AND ACCUSED.

The Criminal Suit instituted, the charges made, the inquiries held, all relative to the accused prisoner, which proceedings are listed in detail, beginning with the letter written by Mr. Dubreuil, owner of the accused, lodging an Information against said negro, and concluding with the Confrontation of the Accused with witnesses, all duly considered: the Public Prosecutor demands that said accused negro be convicted of robbery, of taking horses at night and riding them away, and of debauchery for several years in reparation for which he shall be sentenced to be flogged by the Public Executioner at the usual public places of the town, after which, said negro shall be hamstrung and warned that, in case of repetition of the foregoing offences, he shall suffer death. His master is to be ordered to pay for the things stolen from Messrs. Hugon and Darby by said negro.

(Signed)
Raguet, acting as Public Prosecutor.

Not listed in Louisiana Historical Quarterly.

YEAR 1753

1 Page

APRIL 6

SECOND DRAUGHT

Undersigned at New Orleans, Louisiana, draws on Mr. Boullougne , At Paris, for Fifteen hundred pounds, payable August 7, 1753, and informs him that this is his second draught; that his first was on Mr. Testar for 1500 livres, value received, cash, from Mr. Chantalou in bills of the Colony, for which amount he says he will credit Mr. Boullougne on the account of funds, which funds Mr. Boullougne is to deliver him for the fiscal year of 1752.

(Signed) Denrenau,

Approval of the Commissioner of the Navy
at Louisiana.

(Signed) D'Auberville

Not listed in Louisiana Historical Quarterly.

YEAR 17532½ pagesAPRIL 7

EXCERPS FROM THE RECORDS OF
HEARINGS OF THE SUPERIOR
COUNCIL OF THE PROVINCE OF
LOUISIANA.

First Default Judgment.

In Re: Mr. Nicolas Henry, former Clerk of
the Council, vs. Mr. Tixerant, Sr.

The petition of Mr. Nicolas Henry, former
Clerk of the Council, praying for Citation of
Mr. Tixerant that he appear and be ordered to
pay petitioner four hundred eighty-four
livres, balance due on Note given him by
Tixerant on March 18, 1749, in payment for
effects obtained at Auctions, and which
balance Tixerant has refused to pay: all duly
considered by the Council, together with said
Note, the First Default Judgment is rendered
against said Tixerant for his failure to
appear and it is Ordered that he be again
Cited to appear on the next day of hearing.

(Signed) By The Council
Chantalau, Clerk.

April 26, 1753 SHERIFF'S RETURN.

Undersigned, Sheriff, makes his Return show-
ing service on Mr. Tixerant, Sr., of Copy of
the Default Judgment rendered against him,
together with Citation to appear before the
Council on the First Saturday of May, for fur-
ther Orders herein.

(Signed) LeNormand.

YEAR 17532 1/2 pagesAPRIL 7

RE: MRS. TRENAUNAY de CHAMFRET
 vs
 MR. DUBREUIL.

ANSWER

Answering plaintiff's petition asking for damages for loss of rent occasioned by non-execution of contract, Defendant prays for dismissal of plaintiff's suit on ground of no cause of action. Defendant bases his prayer on the terms of the very contract sued on, alleging that it was stipulated in the Contract for repairs on a house, entered into by him with plaintiff's husband, that should Defendant fail to repair the house within the time stipulated in said contract, said repairs were to be made at Defendant's expense, which was not done, he having subsequently done the work, himself. Defendant admits, however, that plaintiff is entitled for any diminution of the amount of work stipulated in the specifications, and also claims that he is entitled to collect for whatever work was done over and above said specifications.

He, therefore, prays for judgment, commanding plaintiff to reimburse him accordingly. This matter he is willing to settle, in accordance with the decision of Mr. Duvergiers, Engineer of the King in this Colony. Among Defendant's pleas for no cause of action is: that of having been ordered, by his Superiors, to work on the Warehouse of the King and other projects, and the fact that all material was reserved for such work during that time.

(Signed) Garic, Authorized by
 Power of Attorney

YEAR 17534 1/2 PagesAPRIL 7

HEARINGS OF APRIL 7, 1753.

Presiding were; Messrs. de Kerlerak, Governor, Dauberville, Commissioner of the Navy, De Membrede, Lieutenant of the King, Debelleisle, Mayor, Raguet, Dean, performing function of Attorney General, LeBretton, de la Lande, K/nion and Lefreniere, Lateral Judges.

JUDGMENTS RENDERED.

IN RE: Marie Anne Gratien, Widow of the late Valentin Joseph Daublin, plaintiff on petition.

The petition of plaintiff setting forth that by Decree, of March 10th, last, she was ordered to render her account of the Succession of Daublin, as well as that of Marguerite Decuir, Daublin's first wife, to Mr. Pujol, Tutor and Guardian of the children of Daublin's first marriage, which petition also sets forth that she complied with said Decree and there being no judge to receive said reports and hear the discussions thereon, she prayed that the Court order the matter set on the Docket for immediate hearing. Said petition duly considered, together with the opinion of the Attorney General relative thereto, the Council renders judgment appointing Mr. LeBretton, Judge to hear and examine this matter and to submit his findings thereon, whereupon final judgment will be rendered.

IN RE: Mrs. Charlotte Julie Moreau,
wife of Mr. Trenaunay de
Chamfret, authorized by her
husband by Notarial Act passed
before Benoit at Pointe Coupée,
January 30th, last, plaintiff,
versus Claude Joseph Villard
Dubreuil, Sr., defendant.

Plaintiff's petition consists of a prayer for damages in the sum of 4,000 pounds, being at the rate of 1,000 pounds per year for four years, said amount being compensation for loss of rent for that length of time, which loss results from Defendant's failure to carry out the contract under Private Signature, entered into with plaintiff's husband, under date of June 22nd, 1748, the purpose of which was to have Dubreuil repair a house in New Orleans. In said petition, plaintiff further alleges that she was put to considerable expense for trips to New Orleans, where the property was situated, and where she went to confer with Mr. Dubreuil in an effort to settle this matter amicably. The Council after duly considering plaintiff's petition, the Contract under Private Signature, dated June 22, 1748, as well as Defendant's answer, made by Mr. Garic, acting for said Defendant, orders the matter arbitrated and further orders the immediate appointment of arbitrators by said parties. Mr. Desvergers, Engineer of the King was named Umpire by the Council. The Arbitrators having been appointed, were ordered to estimate the rights of the parties herein, and to then submit their conclusions, whereupon final judgment would be rendered by the Council. Costs were reserved.

IN RE: Francois Goudeau vs Joseph
Chapron.

Plaintiff having prayed for citation of Defendant and for judgment against him in the sum of 4150#, amount due plaintiff, as evidenced by 2 notes, dated respectively September 24th and November 5, 1752, and Defendant having been duly cited, but failing to appear, the Council renders a Default Judgment against him, and orders that he be again cited to appear. Costs reserved.

IN RE: Mr. Nicolas Henry, former Clerk of
the Council, versus Mr. Tixerant,
Sr.

Plaintiff having petitioned for citation of Defendant and for Judgment against him for 366 pounds, plus interest, being balance due on Defendant's note in favor of Plaintiff, for 481 pounds, the Council duly considering said petition, the Citation of Defendant and Defendant's failure to appear, renders a Default Judgment against said Defendant and orders that he be again cited. Costs reserved.

IN RE: Mr. Le Bretton, Lateral Judge in
the name of and as Substitute
Attorney of Mr. Etienne de Vaugine
and of Dame Pelagie de Livilliers,
his wife, versus Joseph Delfau de
Pontalba, in the name of and as
Widower of Dame Petit de Livilliers.

Mr. LeBretton, in his capacity, petitioned for order commanding Mr. de Pontalba, former Tutor of Plaintiffs, to deliver into their hands the share coming to them from the Succession of the late Mr. and Mrs. Petit de Livilliers, father and mother of Mrs. de Vaugine, which amount is 7,000 pounds, plus

interest, as set forth in the Act of Partition, and according to which said amount was delivered to Mr. de Pontalba as Depositary. The Council duly considering the Power of Attorney of Mr. LeBretton, the Opinion of the Attorney General, together with plaintiff's petition renders Judgment commanding Mr. de Pontalba to deliver to Mr. de Vaugine said amount, who is then ordered to invest one-third of the principal in real estate for the benefit of the Minors, the other one-third is decreed to belong to the Community, in accordance with a stipulation of the Marriage Contract, and the balance is ordered invested as Mr. de Vaugine shall deem fit.

IN RE: Henry Duplanty, plaintiff
praying for homologation of
a donation made by Marriage
Contract, entered into by
Plaintiff and Magdeleine
Brayilier, his wife.

The Council duly considering said Donation made in aforementioned Marriage Contract, the Opinion of the Attorney General in this matter, orders said Donation registeres at the Office of the Registry Office, which was done forthwith in Folio 8, Volume 54.

IN RE: Simon Chevreuil and Pierre
Charpentier in the name of
and as having married Helene
and Janette Moutard, plaintiffs
on petition.

The Council having duly considered plaintiffs' petition praying that Mr. Marette be ordered to deliver to petitioners the 325 pounds in his hands, property of Janique Moutard, believed to have been

recently killed by the Indians, together with the opinion of the Attorney General on said matter, orders said Murette to deliver said amount, plus interest, to petitioners on their furnishing proper bond that they will pay the revenue from said amount to the Minor, whereupon said Murette is to be discharged from all liability.

Not listed in Louisiana Historical Quarterly.

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YEAR 1753

2½ pages

APRIL 7

EXCERPS FROM RECORD OF THE
HEARINGS OF THE SUPERIOR
COUNCIL OF THE PROVINCE OF
LOUISIANA. APRIL 7, 1753.

JUDGMENT.

IN RE: FRANCOIS GAUDEAU, MERCHANT
VS.
JOSEPH CHAPERON

The Council, after duly considering plaintiff's petition asking for citation of Joseph Chaperon, Defendant, and, for Judgment against him for four thousand one hundred fifty livres, amount due on two notes given by him to plaintiff, together with said notes, rendered the First Default Judgment against said Chaperon on his failure to appear and answer, and orders that he be again cited to appear before the Council on the first day of hearing. Costs are reserved.

(Signed) By the Council
Chantalou, Clerk.

July 27, 1753. SHERIFF'S RETURN.

Undersigned, Sheriff, makes his Return showing service on Joseph Chaperon of Citation to appear and answer plaintiff's petition on the first day of hearing and also for the purpose of being present to hear of the disposition of the fine of the Decree of First Default.

(Signed) LeNormand.

Not listed in Louisiana Historical Quarterly.

YEAR 1753
(2-1/2 pages)

APRIL 7

DECREE OF THE SUPERIOR COUNCIL.

The Superior Council, taking in consideration the petition of Simon Chevret and Pierre Charpentier husbands of Helene and Jeannette Moutard, in behalf of their wives, decrees that the sum of 325 livres now in possession of one Murette, and belonging to their brother, Jacques Moutard, believed to be killed by the Indians, be turned over to petitioners, his heirs; said petitioners to give good and solvent bond in case of the said Jacques Moutard's reappearance.

(Signed) Chantalou
Clerk

YEAR 1753

APRIL 11

Notification of Judgment.

Sheriff Marin Lenormand issues and delivers to Sieur Murette, notification of decree issued by the Superior Council, on petition of Simon Chevret and Pierre Charpentier.

(Signed) Lenormand

Not printed in Louisiana Historical Quarterly.

YEAR 1753APRIL 7

1 Page

IN RE: SUCCESSION OF DAUBLIN

PETITION

Petitioner, Marianne Gratien, Widow of Daublin, in the name of and as Tutrix of her five minor children, represents that she has complied with the Order of the Council requiring her to file her account in the Succession of Daublin and of Marguerite Decuir Daublin, first wife, to Mr. Pujol, Tutor and Guardian of the children, issue of said first marriage of Daublin; but that there was no judge appointed to examine said account and to hear the discussion thereon. Wherefore, petition prays that the Court will order this matter placed upon the Docket for an immediate hearing.

(Signed) Garic, for Plaintiff.

Not listed in Louisiana Historical Quarterly.

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YEAR 1753APRIL 7

2½ pages

EXCERPS FROM THE RECORD OF HEARINGS OF
THE SUPERIOR COUNCIL OF THE PROVINCE
OF LOUISIANA. APRIL 7, 1753.

JUDGMENT

IN RE: DAME CHARLOTTE JULIE MOREAU, WIFE OF
TRENAUWAY de CHAMFRET, AUTHORIZED BY
HIM BY NOTARIAL ACT BEFORE BENOIST
AT POINTE COUPEE, ON JANUARY 30, LAST,
PLAINTIFF, VERSUS MR. CLAUDE JOSEPH
VILLARD DUBREUIL, SR., DEFENDANT,
REPRESENTED BY MR. GARIC.

The petition of plaintiff praying for damages
in the amount of One thousand livres per year
for four years, representing loss of rent of
a house which Defendant failed to repair,
although he had entered into a contract with
plaintiff's husband to do so, as evidenced by
Contract under Private Signature, dated June
22, 1748, and her claim for costs of trips to
New Orleans relative to said contract, together
with the Answer and pleadings of Defendant in
this suit: All duly considered, the Council
renders judgment herein commanding that said
matter be subjected to Arbitration, whereupon
Mrs. de Chamfret appointed Mr. Cantrelle,
Arbitrator to represent her interest, and Mr.
Garic appointed Mr. Darby to represent the
interest of his client, Mr. Dubreuil, these
two Arbitrators then appointed Mr. Desvergers,

Engineer of the King, Umpire. Said Arbitrators were then ordered by the Court to estimate and settle this question of non-execution of contract and of damages prayed for, and to submit their opinion to the Court for Final Judgment. Costs reserved.

(Signed) By the Council
Chantalou, Clerk.

Not listed in Louisiana Historical Quarterly

61/29

YEAR 1753
1½ pages

APRIL 7th.

IN RE: SIMON CHEVREUIL AND
PIERRE CHARPENTIER
VS.
MR. MARETTE.

PETITION

Petitioners, Simon Chevreuil and Pierre Charpentier, represent that Janique Moutard, their brother-in-law, is believed to have been killed by the Indians; that petitioners believe it proper that the amount of 325 livres plus interest thereon, now in the hands of Mr. Marette, and belonging to said Janique Moutard, should be turned over to them in the name of and as husbands of Elaine and Janette Moutard, respectively, who are sisters of said Janique Moutard.

Wherefore, petitioners pray that said Marette be ordered to deliver to them, in their respective capacity, the 325 pounds, plus interest, which money belongs to said Janique Moutard.

(Signed) Simon Cheuvey
Pierre Charpentier.

April 7, 1753 ORDER.

The Council having heard the opinion of the Attorney General on this matter, hereby orders Mr. Marette to deliver the funds in his hands belonging to Janique Moutard to petitioners one month from date upon their furnishing sufficient bond therefor, and plaintiffs are

ordered to pay over to the minor* the revenue
from said amount.

(Signed)

D'Auberville.

(* Note: There is nothing in the Document to
indicate who this Minor is.)

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753

APRIL 7.

2 pages

HEARINGS OF APRIL 7, 1753

Presiding were: Messrs. De Kerlerék, Governor Dauberville, Commander of the Navy, Demembrede, Lieutenant of the King, Debelleisle, Major, Raguet, Dean, performing functions of Attorney General, Legretton, Delalande, K³inion and Lafreniere, Lateral Judges.

JUDGMENTS RENDERED.

IN RE: THE WIDOW DAUBLIN,
PLAINTIFF ON FILING
OF ACCOUNT.

The Council appointed Mr. Lebretton, Judge, in this matter, and on hearing his report, judgment will be rendered.

IN RE: SAME TRENAUNAY, PLAINTIFF
VERSUS MR. DUBREUIL?
DEFENDANT.

The Council having duly considered the demands and answers of the parties hereto, ordered the matter submitted to Arbitration. Arbitrators appointed were Mr. Castette who was appointed by plaintiff; Mr. Darby, who was appointed by defendant, and Mr. Duverges, Engineer of the King, who was appointed Umpire by the Court to estimate and settle the rights of the parties herein.

IN RE: MR. GOUDEAU, PLAINTIFF,
VS. JOSEPH CHAPRON,
DEFENDANT.

Default Judgment was rendered against defendant for failure to appear. The Council ordered that he be re-summoned to appear at the next hearing day. Costs Reserved.

Cont'd

IN RE: MR. HENRY, PLAINTIFF
VS. TIKERANT, DEFENDANT

Default Judgment was rendered against Defendant who was ordered re-simmoned to appear on the next day of hearing. Costs reserved.

IN RE: MR. LEBRETTON, AUTHORIZED
BY POWER OF ATTORNEY,
PLAINTIFF, VS MR. de PONTALBA,
IN HIS CAPACITY, DEFENDANT.

The Council having duly heard this matter, renders Judgment commanding Mr. de Pontalba to pay the money in his hands, belonging to Dame de Vaugine, on condition that two-thirds of said amount, forming part of her dowry, shall be invested in real estate as security for the minors, and the other one-third to be used by Mr. Vaugine as he shall deem fit.

IN RE: MR. DUPLANTY, PLAINTIFF
ON PETITION.

The Council orders that the Mutual donation made by Marriage Contract between him and Magdelaine Brazilier shall remain intact to be carried out according to its form and tenor, and orders that it be duly registered at the Registry Office of the Council .

(Signed)
D'Auberville.

Not listed in Louisiana Historical Quarterly.

LETTER TO F. RONDES, SR.,
AT NEW ORLEANS, FROM
R. DUBERIER, SON, & COMPANY,
AT BORDEAUX.

The writer acknowledges receipt of a letter, written him from Martinique, by his Cousin, Mr. Rondés, together with two packages for Mr. Roussillon, which packages he informs him were delivered to Mr. Roussillon.

The writer then expresses his regret at learning of the death of Mr. Michel and offers sympathy to Mr. Rondés for the loss of his dear friend. The balance of the letter is taken up with exhortations to honesty and with assurances of affection, in which the writer and his family hold Mr. Rondés and of appreciation for his letters.

(Signed) R. Duberier, Son,
& Company.

The postscript consists of Marriage announcements and of remarks concerning the prospective grooms, and concludes with expressions of affection for Mr. Rondés and his family.

(No signature)

The list on the page bearing the superscription is that of underwear, handkerchiefs, stockings, and 5 pairs of breeches for a negro.

(With Document #53² bearing no date, written by the same person.)

Not listed in Louisiana Historical Quarterly.

YEAR 1753UNDATED EXCERPTS OF ROUGH DRAFTS
OF LETTERS SELECTED AND ASSEMBLED.

The writer, addressing his son and some friends, relates how, after losing all he possessed in another Colony, probably Martinique, he made up his mind to come to Louisiana to start anew, and if possible recuperate his losses.

After being cordially received by the Governor, officials and prominent colonists, he was especially befriended by Mr. Michel, the Intendant Commissary. With his financial help, he was able to purchase a fine plantation, near the city, in partnership with Mr. Roussillon, Mr. Michel's secretary.

While everything seemed to be prosperous, fortune smiling, with every hope of success and recuperation, Mr. Michel died of an apoplectic fit on December 18, 1753, which would set the date of these letters at about the latter part of 1754.

Many pages are devoted to an exuberance of sincere regrets at the loss of such a good friend and protector, which caused him to abandon once more such good undertakings and prospects, and to sail away.

Arriving at the passes, a violent storm broke out and the vessel ran aground, causing him to be on the verge of losing whatever he still possessed.

cont'd.

with #53/56-

A vivid description is given of the geographic, physical and economic conditions of the country, of the richness and fertility of its land, its wonderful resources, and the prospects for developing and improving them; last but not least, an interesting treatise on the life, the customs, the morals and the character of the Indians, especially relating to the rebellion of the Natchez and its causes, the massacre of the French and other episodes.

NOTE: The only signature affixed to one of those copies is blurred and torn.

(From other letters and judicial papers it appears that those letters were written at Martinique, by one Clement Rondés.)

YEAR 1754
100 pages.

EXCERPT FROM ROUGH DRAFTS OF
LETTERS SELECTED AND ASSEMBLED,
PERTAINING TO GEOGRAPHIC AND
ECONOMIC CONDITIONS IN THE
PROVINCE OF LOUISIANA; PROSPECTS
OF THE COLONY AND LIFE, CHARACTER
AND MORALS OF THE INDIANS.

After the stunning blow I received here last year, I speak of the conflagration of which I was the first victim, losing 18,000 livres, all I possessed, I made up my mind to see if the Mississippi Colony would not be more propitious than this one, where, since my arrival, I have encountered nothing but misfortunes.

Entering into a partnership with a friend, who had chartered a vessel to go to that New World; we expected to leave in May, but we only sailed in July. After a good voyage of thirty days, we arrived safely at Balize. Leaving the vessel we took to a small boat for New Orleans, ascending the rapid river current in eight days, the ordinary time.

Going up the river there are only thirty-six leagues (90 miles) from the passes to the city, but that voyage is very long and inconvenient. The river is about as wide as the Garonne at low tide, with this difference, there is no visible tide; if there is any, it is absorbed by the current much swifter when the river is high; consequently, harder to ascend.

I do not think that the Nile, which inundates Egypt regularly, can be compared with this river. It rises every year at the melting of the snows. It would overflow, but is kept in its channel by good levees (dykes). Once built you only need to maintain them, then you have the amount of water you need to irrigate the lands. You leave it stay as long as you want, and you drain it by little trenches and gutters, dug for that purpose.

The lands cannot deteriorate, because the river improves them by depositing over them the ooze and mud, giving them the fertility of which I speak.

The run of the thirty-six leagues is made in more or less time, according to winds. The vessels take twenty, thirty, sometimes forty days. When the winds are not propitious, they use a tow-line, tied to trees on shore, on which they pull.

Light boats, such as pirogues, generally used to go from the Passes to the city, take seven to eight days, camping every night on land. On the first eighteen leagues, the river shore consists only of alluvial land. As no building can be set there, on account of its softness, you have to sleep on the open air in the green plots, even in bad or in cold weather, preyed upon by insects called maringoin (mosquitoes). They are in such great multitude they attack and surround you like small clouds. To get under shelter you must provide yourself with some good mosquito bars tightly closed. There are other species, especially a very small one, which never hums and which sting is much worse. They call them hrulots. There is also a sort of fly called Frappe aboard.

When arriving at New Orleans it is customary to render homage to the Honorable Governor and to the Intendant Commissary. We were received with much kindness. I was introduced and was granted permission to pay my court to them during my stay, which I did punctually. By so doing I had the advantage of getting acquainted with the most prominent inhabitants of the Colony, and was most assiduous in waiting on them: then I was invited to eat soup with them.

✓ Mr. Michel, Intendant Commissary, was especially very kind to me. I was introduced to him by Mr. Roussillon, his Secretary, the Royal Notary's brother, my countryman. In the beginning I did not visit him as much as I should have liked to; he upbraided me for it and kindly told me that there would be a cloth and cover for me whenever my business would permit; from then on I was more punctual.

These kindnesses increased, and I would have greatly benefited by his protection, had not Fate inhumanly banished him from his designs on me. That is the way destiny made a fool of me, and thus in a moment crumbled the foundations of my hopes in the New World.

The poor Roussillons, they also have good reasons to keenly resent their loss.

Such is our situation to-day:

We are in partnership in a plantation, paying 1400 livres rent annually for the term of five years; after which we will have to pay 28,000 livres in ready money.

Had Mr. Michel lived, our obligations would have amounted to very little. It is quite different now: it is a great difficulty. If I had foreseen such an event I would have planned differently to get a plantation - we would not have bought such expensive land when we could have had one for nothing. I will admit we paid dear for the privilege of being near the city.

It is true those plantations have some great resources and produce a revenue of fifty percent, but you need many negroes and a great capital to start; without it you cannot make any headway.

If Mr. Michel had lived he wanted to purchase fifty negroes, which, with the fifteen we already had, would have given us at least 30,000 livres annually. With all these advantages I would have been above all reverses of fortune.

The colony lost Mr. Michel on December 18th; he died from an apoplectic fit, to which he had been subject, without even recovering his mind, from the moment he fell; which, yet to-day, causes me to give deep and ardent regrets to his memory. I was devoted to him. I learned from him everything he knew, and, in a friendly way, told me all about the country and the savages, which was not the least subject to attract my attention.

I was just beginning to learn all about the country, and the advantages offered to those who planned to establish a settlement. To that effect I visited several plantations, especially the Honorable Jesuits, which, I need not tell you, is the finest plantation in the colony.

I would go to their house every day to relax and refresh myself from my occupations. The Government Mansion, which is the last building, separates them from the city, and they have a large frontage of the best, the finest and richest land I have ever seen. They live well, and their visitors are well received. In the afternoon, during recreation, the games of chess and backgammon are played, and they give you the free use of their garden and their plantation. I was very much pleased and satisfied in their Company. They all have been in the different posts and consequently they are acquainted with every colonist, and from what I have heard and seen in New Orleans, they are acquainted better than anyone else with the exposure and value of lands. I never believed that there could be any finer and better lands, but they disabused me; they assured me that they were nothing in comparison to those further up the river, where the finest productions of nature could be found. Why then had the site of New Orleans been so ill selected?

There answer was that the first consideration had been the proximity of the passes and the convenience of the river current, which could be re-ascended with the help of horses. It was not even known that those fine lands were alluvial lands, which had been deposited by the river, and gained firmness with the ages, notwithstanding the work and trouble to clear them properly. There is not a single rock, and have no doubt of it.

These lands were granted with a depth of 40 arpents; that depth diminishes going down the river on account of the narrowness of the land, but above the city they have the standard depth, and are very expensive.

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Within, and often beyond the 40 arpents limit, there are valuable cypress forests, from which immense revenues are derived. Some plantations have a sawmill as there is a great demand for planks for building houses. The trees being felled every year the supply will soon be exhausted, as it cannot last forever. It is a great advantage to a colonist to have a sawmill; once started, a sawmill with ten or twelve slaves will result in a net revenue of ten to twelve thousand livres per year. The cypress logs are brought to the mill through a canal dug for that purpose. It takes sometimes ten years for ten or twelve negroes to dig the canal, but the sawmill would be useless without it. Some of the cypress logs are monstrous and have to be hauled overland by the strength of arms; three or four pair of horses dragging them.

There is sometimes as much as twelve feet of water in the cypress swamps, which is a great inconvenience to the cultivated lands, as they sometimes are overflowed; the least sudden squall or spurt of wind coming from the sea, or the near by lakes, causes the water to rise and to inundate the lands, if the colonists would not take the precaution to maintain some good drainage ditches the year round.

You can judge for yourselves as to the other products of the country. I am sending you a sample of a sort of cotton plant, native of this country, which grows without cultivation. Wax is also native and requires no care. Little shrubs, ten feet high, bear those berries you see hanging along the branches; the greatest trouble is to pick them up. It is done by tapping on the branches with little sticks, which loosens them up and they drop on a large cloth stretched on the ground to gather them.

This operation done, the berries are stored. When ready to be manufactured into wax they are plucked as needed, (some use them green), put into a mass like the rough wax in France, and melted in lukewarm water. Some manufacture it in small lozenges others in small pieces.

It is the same color as beeswax, but requires no boiling to bleach it like the latter; only the sun gives it that degree of whiteness, even when it is manufactured into candles. It bleaches in proportion to the time it remains exposed - improves and becomes beautiful when continually exposed, I mean the finest kind, which appears to me not to be inferior to beeswax at first glance.

It differs, however, very much in the quality of its oily juice; its luminosity is a great deal dimmer.

They have experimented in New Orleans, without success, to overcome that defect by mixing it with beeswax, Deprived of unctuous juice. It is not malleable, however, but that will not prevent it from being a curious, precious and useful discovery, which may become an important branch of the colony's trade.

What pleases me most is its aromatic odor and the fact it does not stain, which makes it safe to use in candle making, with an over-proportion of tallow.

I also send a sample of indigo, manufactured as a trial by an officer, a San Domingo colonist's son, who flatters himself on improving it. It is better than the one made in San Domingo and could be manufactured in this colony. What you have seen previously was of an inferior quality.

Some unexpected news to hear is about the manufacture of sugar in the Mississippi Colony. I do not venture to say that they are making it yet, but I say it can be perfectly made, and very fine too. You can judge from that sample, which is not yet perfect having boiled too long. It is a trial which I have witnessed at the Honorable Jesuits' and at another colonist's. It is an attempt from which we hope much success and prosperity. If we have not manufactured a first class product this time it is because we ignored the correct degree for the baking and boiling, also the right process to reduce it. By next year I will become familiar with the proper method, and I will acquire all necessary utensils, as we will all be more skillful experts in sugar making.

You may say - can the sugar cane mature? Are they not frozen by the winter hoar-frost? I will say that the cold weather cannot hurt the cane since it is planted in March and is mature enough to be cut down in October, maybe not as ripe as in San Domingo, where they stand 15 to 18 months on foot, but they are finer, more beautiful, and have more sugar, which has been proved by our trial.

An arpent of land, which hardly pays 30 pistoles (60 dollars) in indigo, will give 100 (200 dollars) at low price. Finally what can I tell you about the fertility of the soil? All you have to do is to scratch with your finger nails and everything grows in it. We have all the vegetables known in Europe. The grape vine even is a native of this climate, and in the woods I have myself seen some vine stocks whose branches extend 60 to 80 feet up. It is not doubtful that some excellent wine could be made within a radius of 40 leagues (100 miles) from New Orleans.

You must not ignore the fact that wheat grows perfectly here. You may think with all these resources New Orleans must be a delightful place to live.

With all these crops the same Colonist, with 30 or 40 negroes, could make during the year at least 50 thousand livres of fine french money, and it would be better revenues than there are here, which are taken up by heavy expenses. The negroes board costs nothing over there - here it takes one fifth of the revenue.

You may be surprised that I suggest a colonist should undertake so much. Why not? If there are the possibilities and facilities of succeeding. In winter the negroes instead of resting could fell some trees, square and prepare them in the forest; as soon as the river rises, those having no mills could send them to the mills and keep them busy. The spring is sowing time; the indigo is planted - the cane can be planted at the same time. As soon as the last indigo is cut down and stored, it is time to cut the cane and start the grinding immediately.

As no cultivation is required for cotton, could'nt they have it picked by the negroes at night fall, or in the evening when they retire from work. All they would have to do is to order them to bring a hat full of cotton, a lot of wood, or rocks, which are useful for some building. Gradually the crops would be gathered, and certainly a colonist with 40 or 50 good negroes could at least, as I have already mentioned, clear 50,000 livres in good french money annually.

I repeat, with all these resources you must think that this colony is the most delightful place in which to live; every one must be exceedingly rich; on the contrary, there are no good managers and no one seems to know how to take advantage and derive profit from the resources. Most of the colonists, with the richest lands in the world, and a sufficient amount of

negroes, cannot conceive the idea that anyone could think of earning more than the necessities of life. They are as indolent as their negroes, and never endeavor to turn them to account, leaving them in winter to shiver in their cabins, instead of having some good barns, where they could work under shelter. The colonists, themselves, barely make a living.

I only know one man who never loses any of these advantages. He only handles wood and indigo; he clears 20,000 livres net every year. It is true that he does not leave work accumulate until it commands his attention. He was a carpenter to whom I sold a negro on my arrival, and who never loses a chance to buy any. He gave up his trade, seven or eight years ago, started with very little capital, and today is in comfortable circumstances.

It is a fine country; the farther up you go the better it is. I never saw anything to compare with it, considering all the resources, and besides that, it is so much finer, as it is intersected and irrigated by numerous small rivers, and other great rivers like the Mississippi, upon which one can travel 600 leagues (1500 miles); being unable to proceed further on account of the savages, of whom I will speak later.

A river, called the Missouri, upon which 600 leagues has also been ascended, is known to exist, after leaving the Mississippi. There are also numerous natural canals connected with the rivers.

In the western part of the country there are some roads which seem to have been built for us by Nature. We do not benefit by them as we neglect them. I cannot see anything more indolent and blamable.

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There is nothing known yet of that Western country; some savages have related to us that there is a sea where some vessels have been seen.

I would not be able to narrate to you everything related to me about the immensity of that New World, which some believe to be contiguous to Asia.

Some Canadians, traveling overland to New Orleans, found numerous elephant bones and brought some to the city. Mr. LeVerrier's son and Mme. de Vaudreuil, the Governor's wife, who were of the party, confirmed this fact to me. Where had these elephants come from? I will state that some historians, who have travelled, tell us that no such bones have been found in any other part of the world.

Considering what we know of the New World's territory, which is the smallest part, we can plainly say that the whole of it is yet to be discovered.

If the new discoveries, which could be easily made, would proportionally provide as many resources as our present possessions, nothing in Europe could compare to them, if not neglected.

Whatever we get from England and Holland, in fact from all foreign countries, we can find it there - flax, silk and hemp are products of the country. Some large factories could be built and a Dominion who could supply us with all our needs could be created.

What Empire in the world can flatter itself of such great advantages as rivers navigable for 800 and 1000 leagues (2000 and 2500 miles). I do not mean to speak about those unknown to me. Consider only the Mississippi through which we communicate with Canada - It is today a familiar voyage. The distance is so great; there are seven posts and few stopping places.

These voyages, through a bare uninhabited country are very tiresome, and you are exposed to winds and floods. The trip could be made more comfortably if there were a post or a village, or only a shed every 50 leagues, where you could relax and rest.

A large post called the "Illinois" is situated 500 leagues (1250 miles) from New Orleans, which about equally divides the trip to Canada. There are two or three other posts before you arrive at it, but they are not worth mentioning.

The "Illinois" is a good settlement, well fortified, with a garrison. The Canadians supply that post with provisions and dry merchandise. As they cannot always travel by water route, they use pirogues, which they sometimes have to carry overland. The liquids, such as wines and rum, are sent from New Orleans in small boats; twelve to fifteen boats leave with each convoy. The convoys, under the leadership of an officer, depart from New Orleans twice a year; the first one in February and another one during the month of June; never in winter on account of the ice. The trip takes from three to four months, but you can return in about 14 or 15 days. The voyage being risky and dangerous, on account of the savages, no one can depart from New Orleans except with one of the convoys.

We would not be in need of these fortifications in Illinois if we had not made enemies of the natives.

The nation we dread and fear the most, for the safety of the convoys, is called "The Chis". In the beginning they were neither friends nor foes—they became our enemies when two of their men, whom they had delegated, were held in New Orleans. One of them was sent to Balize, where he died. The other one made his escape and brought the complaint to his nation, who never did forgive us, and never ceased to demand the release of the other man. If we had kindly treated those two men, and sent them back loaded with presents, may be that nation would now be friendly to us, instead of being our worst enemy.

There are about five or six hundred of them; their superior power rests on some renegades, who are unknown and come to New Orleans to explore. They are always informed of the departure of the convoys.

Everything possible has been done to crush them; there was an open continual war, which cost the King not less than ten million livres. From New Orleans and Canada came over ten thousand men, some brought purposely from France, and some native savages; also some Canadian savages, called the "Iroquois", as brave and as good warriors as the "Chis".

Those ten thousand men were "Only clear water", and could not succeed in taking their forts, which are plainly built - only holes in the ground, in the shape of a vault surrounded and closed with stakes.

The French intended to conduct the war in their own style, in the open with artillery, but they soon were compelled to give up their plans.

The regular troops considered the campaign a pleasure trip, and thought they were going to a festival. The officers and men wanted to go in full attire, with uniforms, dress coats, shoes, gaiters, etc., They soon were compelled to discard and leave everything behind, even the cannons.

It is absolutely impossible to go into the woods except in Indian fashion, that is with moccasins, which is an Indian footwear, made out of skins, and knickerbockers (short breeches) which hardly covers their buttocks.

Some of the soldiers could not stand the fatigue and weariness of the march and retrograded, others arrived well enough at the savages far-away lands, but many perished on the way. They were often attacked by surprises and harassed by some scattered savages hovering continually around them.

The savages in general have a singular manner of concealing themselves, to keep out of the way. In the plains they never troop together, shoot while jumping and gamboling like monkeys. They are to be feared and dreaded just as much in the woods, where they lay flat on the ground and shoot accurately.

The French, on the contrary, gathered in platoons and dropped like flies.

Judge the astonishment of these soldiers, just arrived from Europe, accustomed to fighting facing the enemy. They receive the shots without knowing where they came from, and without knowing how to get their revenge.

Their scattered bands hold only one side of the river, giving us the opportunity of guarding against and avoiding their shots by crossing to the other side, as soon as we discover them.

One hundred savages would not attack ten Frenchmen, even if they were sure to kill them all, if they knew they would lose only one of their men.

I repeat, they know of no other way of waging war, than by surprise attacks, even among themselves. They lay in wait for one another; they try to take the enemies' villages by surprise attack, set their provisions on fire and knock those they catch in the head. As soon as they have knocked an enemy down they take a trophy of their victory.

Always armed with knives they make an incision on the forehead, pass their fingers in the incision, and with a knock of the knee in the nape of the neck promptly remove the scalp and hair. After that operation, they retire to their homes with that trophy of their victory, and are honoured according to their bravery, which is computed by the number of scalps secured.

Admirers of bravery, if any of their prisoners are good warriors, they have many attentions for them; treat them well, give them the best morsels while eating, until they arrive at their Nation's camp, where they execute the death sentence, by devising some new torture to test their endurance. If they are good warriors they are never affected; if on the contrary, their prisoners are poltroons, not noted for bravery, they scorn them and scout them on the way. On arrival at their camp they stun them with a blow or shoot them down with disdain.

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Arriving safely at the savage lands their only satisfaction was the voyage. They were compelled to retreat with dishonour and disgrace, after seeking peace, to which the savages agreed only when the French sent them, as hostages, some officers, whom they had demanded. That peace was only a truce, during which the French had time to retreat.

Their enmity is always the same; they never forgave us for the man we took away from them. Many other nations are our enemies, but that one is the most eager to fight. It is also the one to be most feared and dreaded by the convoys to Illinois, who are often attacked by them.

They have the constancy to follow these convoys three or four hundred leagues, until they have a favorable opportunity to take them by surprise. There is no night travel on account of the drifting logs that the river uproots and carries down. There are some monstrous ones 80 to 100 feet long, 30 to 40 feet in circumference. The convoys camp at night to cook meals. That is when the savages await their chance. The convoys would be trapped every night if they would not keep good guard. If the savages are discovered there is nothing more to fear; they withdraw and await another occasion.

It is fortunate for the French that the savages have no discipline, no strategy, and know of no better way to wage war than by surprise attacks. If they knew better it would be easy for them to prevent the passage of any convoy; they would only have to line both sides of the river, and sheltered from the boats, fire, by hiding behind the trees in broad day light and shooting from ambush. They have never thought of that.

Their scalping is a singular operation - We have in New Orleans three or four persons who have been scalped-it is very miraculous to survive. That operation is usually preceded by two or three blows with a club which knocks the victim down; however I have seen two women given up for dead, who escaped. It is the fate of anyone who has the misfortune of being caught by them. That is what has happened to many of our people, always by imprudence; as in the convoys when some one strays away from a camp.

When convoys are entirely destroyed it is through the neglect of careful watching; usually one half of the crew sleeps while the others do sentry duty.

The savages, in general, are untiring on the march, and of a sobriety which is not prudent; with a musket, some bullets, shots, powder and a small satchel of prepared corn meal, they make the voyage as easily as you could make the trip from the city to the Chartrons. During those voyages they only eat one meal a day; if they are hungry they gird their abdomens with a belt. They know of no sickness to which we are subject. Their perseverance is astounding. To accomplish his design, a savage watches, lays in wait constantly for eight days, if necessary, flat on the ground, to await the moment to overtake his enemy. That patience must be inborn with them; when out hunting you can see them stand for four or five hours motionless as a statue, watching for the moment when their prey will appear at a certain spot, where it can be set and cannot escape, especially when they are oxen or roebucks.

✓ They supply New Orleans, the whole winter, with wild beef, of which there is a prodigious multitude in that New World. On the west side there are immense plains where thousands of them are roaming; their hair is not smooth, like in the common oxen, but their meat has a better flavor.

All savages, in general, know of no other occupation than that of warring, hunting and fishing; the women attend to the rest. When their husbands have been out hunting, they return quietly home and tell their wives the place where they have left their prey. Sometimes the women are compelled to go and get a roebuck two leagues (5 miles) from their village and carry it on their backs. The husbands are highly respected. A wife never confines in the house, if the husband is there; she goes out into the woods to be delivered of the child, washes it in the first creek and brings it back home.

Nature teaches them many good qualities; it is a great subject of thought and reflection to us who, maybe, wonder what is the origin of the savage in the New World, as we are under no obligations to ourselves for our present state of civilization and our knowledge, of which we often make ill use.

What was our origin? What was our degree of civilization at the time of the flourishing Roman Empire? Were we not barbarians? Their knowledge, their learning, their laws, have been transmitted to us. What has become of those Romans? What has become of that ancient, vast Empire of the Greeks? Are they not barbarians today? Maybe worse - Could we not, like them, degenerate some day? And those who are savages today, only for want of principles and education, could not they acquire all this knowledge, our principles and education, by which we pride ourselves to be their superiors. Would not they make such use of it as would make them our superiors?

The savages are generally good-hearted; they are not tempted to carry off their brother's property; they own everything in common, partake and share alike in the necessities of life. If there are forty in a party, a piece, no matter how small is divided in equal portions, and the owner would feel offended, and would not eat any himself, unless every one would eat, and would consider themselves scorned if you refused to accept what they offered you.

I was a guest at a French Captain's home; there was also an officer who had been stationed for a long time at a post where he had gained the affection and good will of a friendly savage. A chief from that nation, whom he had not met in ten years, while in the city learned of his presence, and came to visit him. Some refreshments were served, some liquor passed around. After drinking the savage had the misfortune of breaking the glass; he was inconsolable; making a thousand excuses and apologies. As we were anxious to know what he was saying in his language the officer interpreted it, and told us he was saying - "Is it possible after ten years of separation, I, who was anxiously awaiting the moment of seeing you again, come to your home and break your furniture, and have no means of replacing it."

I was at Mr. de Vaudreiul, the Governor's home, when some delegates from a friendly nation, called "Iatos", came and brought to him as an homage of alliance, several scalps, which they had brought back from two expeditions against an hostile nation, the "Natchez". They laid them at his feet, and each one at his turn, made a speech. Their language is very limited. They overcome that deficiency by signs, which are only contortions, visible to those who do not understand them. Mr. de Vaudreiul understands some of their language, "the Iato". The superior of the Jesuits, who speaks it as well as themselves, was interpreting whatever he could understand.

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After they were through speaking Mr. de Vaudreuil dismissed them with many thanks and some small presents. That is the way we keep on friendly terms with them.

Every year Mr. de Vaudreuil goes to Mobile, forty miles east of New Orleans, which is our first settlement in this New World. It is a place well populated and very well situated, and is the regular meeting place of all the chiefs of the nations with which we are at peace, who come there to receive the customary presents provided by the King, which consist of some muskets, powder, bullets, shots, knives, brandy, and some cloth with which they make their knickerbockers (short breeches). They, in turn, present him with many valuable pelts, from which he derives great profits.

In general they all like to indulge in liquor. They are very often seen in the streets of New Orleans lying upon the bare ground like hogs, full of rum, quarrelling, fighting, and cutting one another's throats with knives, but the police never meddle with them. When they recover from their intoxication, if anyone reminds them of what they have done, they will readily admit they were not worthy and had not acted like men, having lost their minds and their good senses.

Those people are real objects of curiosity to anyone who wishes to consider or think of human nature.

✓ I have often heard of a nation called "Attakapa" whom it is said are anthropophagi. I could never believe it to be true, but it was asserted to me by Mr de Belisle, Aid Major at New Orleans, who told me he had lived four years with them. He came over from France in the vessel which brought Mr. de Bienville when he came to become Governor of this Province.

The vessel, caught by foul winds, landed further up on an unknown part of the coast. Mr. de Belisle, out of inquisitiveness, landed with seven or eight men, and was stranded. A sudden squall compelled the vessel to sail away and the ship never came back. Thus stranded, not knowing what would become of them, they were met by some men of that nation who had come to fish. His companions were all massacred and drowned. By a particular streak of destiny he was adopted by a good old squaw, who snatched him away, and saved him from their frenzy. It is a custom in that nation, when a woman has no children, and she adopts one, he is affiliated with the nation, and is considered on the same equality as the other savages. He was not furthermore ill treated, so he says. He did his best to please them, fearing he might suffer the same fate as his companions.

After spending four years among them he found the means, with the help of one of the savages, to let it be known that he was with that nation. He had written his name and Mr. de Bienville's on a stone, which he trusted to the savage. The savage brought that stone to New Orleans where it was understood that he was one of the stranded Frenchmen.

Not knowing the location of the coast where they had been left no search had been made for them. As soon as his whereabouts were known, a delegation, with troops, was sent immediately, and he was brought back.

As he had not been familiar enough with the woods to find his way out safely, he could never have escaped, may as well say, except by a miracle. He would have gotten use to them, said he, but always fearing the same fate as his companions. He certainly told me that nation ate their prisoners, which was often the cause of quarrels, because he always refused to eat some of their smoked meat, fearing it was human flesh. But one day having worked very hard, tormented

by hunger, he was offered a well-smoked piece of meat; he ate some. It was a trick they had played on him. He had only begun to eat some of it when the savages remarked it was human flesh, and reproached him, saying since he continually abhorred it, he could not make any distinction when hungry. When he looked at it more carefully, really it was a human hand, which he recognized by a finger joint.

The sojourn of Mr. de Belisle among the savages is mentioned by others in the reports of their voyages in this colony.

I think I have represented those savages as having excellent qualities of heart; they are nevertheless dissembled in their affections. Those who are slaves possess zeal and fidelity - proof against anything. The negroes are of a different disposition. They can only be held by fear of correction and punishment. They change masters as indifferently as they change shirts. The savages, on the contrary, beg not to change, want to be treated with gentleness and kindness.

They remember the freedom of their fathers; they brood and grieve so much over it that you cannot depend any more on their services, and soon die broken hearted.

Are they good workers? It all depends on the way you train them.

Out of curiosity, I have bought a savage, whom I have brought here with me. I had much to do to induce him to make up his mind to leave his officer, from whom I bought him, as he was coming down from Illinois. He is a boy, fourteen years old, who had been well treated by that officer, being in constant fear of losing him. Now I will be as grieved and sorry when I lose him as he was when he left that officer.

He has a wonderful intelligence; during the five months I have had him he had very well learned the French language, I mean enough to understand it and to be understood.

I brought him here to get rid of him. A negro boy I have since two years, and with whom I am satisfied, became very jealous. I do not know which one to part with.

✓ As stated before the savages are more affectionate and intelligent than the negroes, although they tell us in France that they do not differ from the animals. They are very wrong, I assure you. There are no men with a better mind that can plan and conceive better than they. We had occasion, a few years ago, to get acquainted with their character and their capacity, in an event, which was fatal to the colony. One hundred leagues, (250 miles) above New Orleans, we have a fort called Natchez, derived from the name of the nation which occupied that land for a long time. That nation was subjected to us, and had without a murmur abandoned their land to us, and moved far away. It is said they were very friendly to the French. If any colonist, having no slaves, would ask the chief to send him some of his people to help him cultivate his land, he was never refused. Some colonists had some lodging in their residences as house servants, or to go out hunting for them. Their salaries were very small, the colonists satisfying them with trinkets.

There is no doubt they would have continued the same service, if we had only gilded their bonds, but the French, being imperative, rather than being guided by policy in their habits of using them as slaves, took it into their heads to treat them as such, and to exact from them by force, what the savages were giving them in a grateful way.

The savages soon opened their eyes; the Natchez, apparently very rustic, very quickly felt the loss of their liberty, their only appanage, immediately planned the ruin of those oppressors, and meditated the means of shaking off the yoke of their tyranny.

To that affect, they agreed to select a day and to massacre them all on the appointed day. Their plans well-drawn their Chief repaired one morning to the Commandant's headquarters with some pelts and other small presents, usual homage of their alliance, (not to give him any cause of distrust), dues which the Commandant had taken upon himself to demand from them. The Chief presented his Calumet (pipe of peace) as usual.

The savages repaired to the houses where they were usually employed and took possession of their arms, pretending to go hunting for the colonists. They used the same manoeuvres at the guard house, where the soldiers were not cautious, and usually never kept watch, except by orders of their officers. It was an extraordinary imprudence, of which the whole post was the victim. It was not a difficult task for the savages, no one suspected them.

The Commandant had been informed of their purpose by a soldier, who had an intrigue with a female savage, who had warned him to flee and make his escape. The Commandant, more mindful of his cupidity, and always ready to avail himself of all the advantages he was deriving from those savages, than to attend to his duties, made light of him, not even believing that such awful things could happen, had him, as his reward, put in the dungeon, where he still was the day of the massacre.

The first shot fired at the Commandant's house was the signal for the savages to strike all at once. Then in an instant from the voluntary slavery into which they had fallen, they once more became their own masters, and in less time than it takes to write it, destroyed the finest post in the colony, which would today, without any comparison, be more important than New Orleans, which situation is far from being the same. Only seven or eight persons were saved from the massacre, most of whom are today in New Orleans.

Translator's Note:

On Easter Monday 1282, at the ringing of the Church Vesper bells, 8000 French were massacred in Sicily, to free the country from the rule of Charles of Anjou, brother of Louis IX. That event is called the "Sicilian Vesper".

cont'd.

A woman, who had lived with the savages, told me she always had a vivid remembrance of the day she saw her dear husband massacred by them. She could not recount the horrible tale without shedding a flood of tears. It was an act of brutality on the part of those savages, who apparently only saved her and two or three of her companions, to satisfy, without exception and respect, their worst extravagant passions.

Religious observers of the laws of wedlock, they give us the example of the faithfulness due the conjugal tie; while many, in this Colony, swerve from their duties; I mean in New Orleans.

A man and a woman caught in adultery in their houses are massacred immediately. They, however, do not treat the French in that manner. They provide for them and are the courtiers of their (Indian) daughters, from what I am told.

That woman gave me a detailed account of what she lost in that post, and told me, in the same breath, she would rather be among those savages, who know nothing of the necessities of life, than in the society of her compatriots, as she is in want of everything, after having been considerably well-to-do. With what was left of a beautiful complexion, already faded, I had no doubt of her feelings and sensitiveness after being convinced by her tales of those savages' brutalities.

That rebellion caused no changes in that post, and the savages lived there as before, and resettled themselves in their domains, which after all were their properties.

✓ The chief occupied the fort, which he found completely furnished; each savage selected a house as his residence; taking the name of the former owner, adopting their ways of dressing, and the women took charge of the households.

They were left to enjoy their tranquility under a queer government of their own, as they had begun to be partly civilized while working for the French by compulsion. Their peace was short-lived; they were at last caught up with, and a great many were taken prisoners and sent to San Domingo to be sold as slaves.

Thus ended the history of that nation, of which few vestiges can be found.

When that colony was settled it was the greatest, the most numerous and even the most flourishing nation; their chief had power of life and death, which was not a rule among the other nations, whose warriors were as brave and as respectful of their chiefs.

All things considered, what are our rights and privileges against some men we call savages? Are we less savage than them? How can we acquire the right of not being classed as savages? Will it be by acts of cupidity, seeking all means to exterminate them, who have never looked upon our possessions with an envious eye, and who certainly do not disturb us in the midst of our enjoyment of them? If they, no doubt, reason and discourse like ourselves, can we contend with them the right to call us Barbarians?

If they are savages, as we say, for lack of principles of education, does not barbarity spring from the heart? Knowledge by right belongs to Nature, as the animals only by instinct, which differs from reason, are repugnant to the destruction of their own kind. Fine lesson, nevertheless, we do not know how to turn it to account. Their knowledge must be clearer, as they like us, are endowed with an intelligent soul. Can't they see our frenzy? We arm them to exterminate one another; if we win them over is it not to make them victims of their honesty and their sincerity, by keeping them busy and prevent their increase?

United they may be much to fear. Invaders and usurpers of their lands, we are trying to take away from them their rights to contend for their possessions and the power to back their claims.

With our principles and our education are we any better than those men we call savages? Are we not more savage ourselves in our principles?

Should we, otherwise, assume principles so contrary to Nature, to Christianity, which we can neither overlook nor ignore, without violating the rules of Christianity and even of Reason? Can we consider ourselves superior to men who follow and respect the laws of Reason better than ourselves, though they seem to ignore them more than we do?

Drop for a moment the guise of ambition; where is our dissimilarity? We are born and perish alike; therefore what can be our rights to prominence?

The least portion of the earth suffices them; at most enough to enjoy a life which instability they must know, since they are not desirous of possessing it. Pursuing their careers with an indifference, far above our weakness, they no doubt are more familiar than ourselves with the fragility of life.

To convince ourselves, let us take a look at their firmness, at their resolution, to suffer to be despoiled of their lives. Let us consider them in their last moments in the hands of their enemies—they defy them to make them blench; even urge their executioners to devise some new torture.

As we are trembling at the least preparation, carry our ambitions beyond the grave, we cross the seas to satisfy ourselves, and disturb them in the heart, in the midst of their quietness and peace. These are, nevertheless, the results of those principles which make us so proud and so vain, and by

which we intend to adorn our injustices, our cupidity and our greediness.

That is the way, Oh you human weaknesses, you are clouding and darkening our minds.

You certainly do not understand them if you expound their precautions as attachment to what we call our lives.

As our cupidity renders us insensible to the loss of our benefactors, it would rather appear as a striking example of brotherly affection, to us. How many corrupted hearts among us, even some children have only convenient, decorous, seemliness regrets at the death of the best and dearest of fathers, and even, I would venture to assert, see that moment with contented, unnatural, ungrateful hearts. They may some day reproach themselves, their shame and their ungratefullness, and learn something from those men, savages as they are. They will see them grieve sincerely at the loss of those who have given them life, of their brothers, whom they follow to their grave, after their death. Ignorant of the indispensable necessities of their bodies, they furnish their tombs with flour, tobacco, in fact whatever they were using during their life time.

As a consequence of that same uncertainty it is a custom among them, when a beloved chief dies, that all the members of his household be buried alive to serve him if he needs it after his death.

Knowing the falseness of their prejudice, we should endeavor to win them over to our real, right and true principles, instead of seeking to exterminate them, which is a crime against humanity. On the contrary, victims of their honesty and their sincerity, we uphold and approve them, even foment

the hatred they may have against their hostile nations, entice them to tear one another to pieces, so we can take possession of their domains as soon as possible. Their intelligence does not enlighten them enough to understand our strategy and our secret plans.

Deceived and misled by outward appearances they receive, as trophies to their glory, the presents we give them, as a reward, when they win a victory over some hostile nation, and they are too narrow-minded to see that they are only the tools of our ambition.

All the other potentates of Europe, as ambitious as we are, eager to extend their conquests, watch with envious eyes our settlements in the New World, where all the different nations put a bar to one another's designs, as well as to others.

There is no such thing as a great Nation; the savages are divided into a great number of small groups, according to their inclinations. Some are our friends and tributaries, some are to the English and others to the Spaniards, so it is an open war; those different powers, opposing their views to the conquest of the others, would wage on one another through the medium of those savages.

If the wars between them are of an older origin, there are ancient enmities, hereditary hatreds and dissensions, which we have fostered among the families, instead of acting as their reconcilers.

False policy, it may be the greatest obstacle, but you may say the Europeans never knew much about the New World, although those nations were at war against one another among themselves, which were often caused by very light incidents and insults. Some families, wishing to avenge the death of some of their members, would induce some nation to take their part, therefore, those for whom you desire so much to be the apologist, are susceptible of revenge.

What richness, what treasure, what glory, and what satisfaction in those discoveries they could themselves put upon us. Of how much information they may be the depositaries; how many unknown natural curiosities are hidden in their lands. What material for the naturalists, the learned men, the scholars, the erudites of all classes, and finally how many rare plants are concealed within those same lands?

Then you could justly say that nature has surely turned out be a fairy in its productions. Can you consider and think of all those resources without being impressed with their state of neglect, and without trying to get possession of them. They are within our reach, and while we are in a better position than any other nation to get them, we neglect the opportunity. What to think of that oblivion, that lack of emulation? It is unbelievable that no correct and detailed memorial has ever been sent to the Minister, who must be ignorant of the interest of the State. I am just as surprised at that inaction as I am of the fruitless expenses caused by the Colony, which, for the last ten years without any prospect of improvement, they say costs the King seven to eight million livres annually.

Note: The only signature affixed to the 120 pages is blurred and torn.

(From other letters and judicial papers it appears that those letters were written at Martinique, by one Clement Rondes.)

It is in vain that we reproach them their weaknesses, we humans, the most revengeful on earth. If, they are easily offended, they do not conceal it.

The mania of war is so dominant in man's mind, it must be an attribute of his beginning and of humanity, to which we belong from birth, and which has always been a blend of good and evil.

Are the savages any worse criminals than ourselves? As we are fomenting their wars, inducing them to exterminate one another, can we blindly expect to benefit more by it than by acting as conciliators.? Those are the rules by which we should abide in our intercourse with them; shortly after they will give us right, admit those principles, and eventually give in to them. We should encourage the savages as they are human beings like ourselves.

As I have already stated, in that Empire from which we could get enough to suffice ourselves, there would be no better way for us to succeed than to work in harmony, and to act unanimously with those savages, reconciling them to one another. If we find nations opposed to our progress, try to win them over by humouring them, pleasing their inclinations, their tastes and their liking, and above all leave them to enjoy their lands in peace.

Would it not be easier for us, with their cooperation, to penetrate into the New World, of which they only occupy the smallest part; they may be of such help that we could not dispense with their services.

YEAR 1753APRIL 16

2 pages

LETTER TO MR. CHANTALOUPE,
CHIEF CLERK OF THE SUPERIOR
COUNCIL OF THE PROVINCE OF
LOUISIANA, AT NEW ORLEANS.

This letter is written by Mr. Testa at La Rochelle and treats of the shipment made to Chantaloupe on the vessel "Le Comflanc". He informs him that the "Comflanc" will be delayed because of a hurricane which diverted it from its course, causing it to run aground on the sand banks of Angoulême and that it was saved only by lightening it.

He says his insurance policies were ready for signature but because of some error arising as to the quantity of hogshead of goods shipped, he did not sign said policies. He was unable to rectify the error because he did not have the bill of lading showing exactly of what the shipment consisted. The writer says from now on, as soon as a cargo is placed on board, it will be insured, because had the foregoing shipment been lost, it would have meant the loss of 4000 pounds. He concludes with best wishes from himself and the members of his firm.

(Signed) Testa.

Not listed in Louisiana Historical Quarterly.
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YEAR 1753

LETTER OF TESTA TO _____
BEING A PART OF ONE OF 12 PAGES.

Since a few days the Compagnie des Indes have increased the price on Beaver.

This will increase to 40 on each beaver hat. I advise you so that you can sell the ones I delivered to you accordingly, and the ordinary ones 20 sols more.

Silk hose will rise again due to the freezing of the Mulberry which supplies the food for the silk worm. Silk has gone up 4 livres per pound.

The three cases of cheese are no longer tied together. When they were unloading the ship I had them opened to air and found that they had been injured by vapor. I had them painted red. The said three cases of cheese are marked No. 17 on each.

Herewith enclosed you will find a letter of Mr. Maurice Songi. He will be without work and prospect to get work because he did not cultivate Mr. Troquet as he should by recognition. He should stay in Paris if he is employed; furthermore there is no opportunity for your Colony.

You will oblige me by passing the enclosure to Mr. Ridday Bosocren in Illinois. Mr. LeBoeuf, owner of Manire Le Canfleur, gave me hope of taking two quarters of rum that I was sending to Sieur Bosocren, and one barrel of merchandise that had been sent to me by a relative, Mr. Fayolle, having been sent by Chevalier d'Habin.

D. 53/1 cont'd.

Mr. LeBoeuf admitted that he could not take any merchandise on his ship because it was filled, but would try to make arrangements with another ship belonging to Mr. Tresart Bonfils named Theodore Lacroix.

La Inquiet of Mr. Davis Giraudeau left in December. We are without any news from your colony for more than six months, we are awaiting the arrival of the King's boat by news from the Cap to Monsier Michel.

Testa

When you miss connection for La Rochelle, you have frequent ones at Van at the Cap, it will be advantageous to pass me letters of exchange, when you will have money to send me. Your friends will give you the address of some merchant of the Cap to whom you will address them who will put them in the bag of the ship and they will reach us.

Testa states that he is leaving for the country for a needed rest.

4 Pages

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YEAR 1753

7 pages

APRIL 16

RE: LEASE OF PLANTATION OF
MR. BIENVENU BY MR. DE
VANDREULL.

General Inventory.

This inventory was made by Mr. Chantalou in presence of the undersigned and shows everything appertaining to the plantation belonging to Mr. Bienvenu, now leased to Mr. De Vaudreuil, with the exception of the principal dwelling house which has heretofore been inventoried.

According to this present inventory the property consists of a quantity of poultry; of 189 "head" of livestock, which includes cows, horses, sheep, oxen and pigs; a total of seventy-five negro slaves, including adults and children; several out-houses, including poultry houses, stables, a sheep-fold, a dairy, and a kitchen. All of the effects contained in the principal dwelling house is here shown, room by room, and they are: household furniture and furnishings, kitchen utensils, garden tools and, finally, a quantity of surgical instruments.

It is herein stipulated that Mr. Jacob Kimblais, Manager, is in charge of said plantation.

(Signed)

Le Bretton
Jacob's X mark
Gassin
Genette
Chantalou

No. 2

#7187
(53147-56)
57-63

YEAR 1753

APRIL 16

COPY OF GENERAL INVENTORY.

IN RE: Lease of Plantation of Mr.
Bienvenu by Mr. De Vaudreuil.

The contents of this document is identical
with that of Document #7186.

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YEAR 1753APRIL 17th.

3 pages.

LETTER WRITTEN BY MR. FAUCHE
AT PORT AU PRINCE, AND ADDRESSED
TO MR. MERCIÉ, MERCHANT, FOR
DELIVERY TO MR. F. RONDES AT
MARTINIQUE.

This is a friendly letter by Mr. Fauché, who writes that last February he received the letter of Mr. Rondés on October 15th, and that fifteen days ago he received the one written on March 15th. He says he answered the first by a schooner, which departed shortly after for New Orleans, and that he addressed the letter to Mr. Roussillon.

The writer then goes on to express sympathy for the adversity with which Mr. Rondés has met, and offers his religious consolation. He also tells him that he too is suffering hardship, inasmuch as he left a well-established city for one which is just at its birth.

The writer expresses his hope that his friend and himself will see each other again, and encourages his friend toward optimism for the future, and asks that he will one day come to see St. Domingo.

In conclusion, he again expresses the hope that they will soon be able to embrace each other in this country, and assures him that nothing can destroy their friendship.

(Signed) Fauché

Not listed in Louisiana Historical Quarterly.

YEAR 1753APRIL 18.

1 page

IN RE: SUCCESSION OF MRS. BOYER,
NEE MARIE JACOBO KABAY.
REPRESENTATIONS MADE BY
ATTORNEY GENERAL.

Undersigned, Attorney General, represents to Mr. D'Auberville, Senior Judge at Louisiana, that he has just been informed that Mrs. Boyer died during the night and that her husband had gone to Pointe Coupée and would not return under fifteen days; that Mrs. Boyer has left children of several marriages. He further represents that Mrs. Boyer has left some movable and immovable effects, and that in order to conserve said property and to prevent deterioration, seals should be affixed in order that the property can be turned over to Mr. Boyer, husband of the Deceased, upon his return, and he, therefore, asks that an Order be granted, commanding that this be done.

(Signed) Raguet.

April 18, 1753. ORDER

Undersigned, Judge, orders that seals be affixed as requested by the Attorney General.

(Signed) D'Auberville.

Not listed in Louisiana Historical Quarterly.

YEAR 1753APRIL 23

2 Pages

Re: Joseph, negro
Property of Mr. Dubreuil.

Recommendations of Public Prosecutor.

Mr. Raguet, Public Prosecutor, represents to the Superior Council that, by letter, Mr. Dubreuil informs him of the fact that his negro, called Joseph, son of Jean Gora, is a professional thief, rascal and debauchee, who is incorrigible and deserving of punishment which will be an example to others, for which reasons Mr. Raguet now recommends to the Council that Mr. Dubreuil be allowed to present the facts contained in his letter in the form of an Information to be made before said Judge as the Council shall appoint. Mr. Raguet further recommends that said negro be enrolled on the Register of the prison to which institution his Master desires to bring him, after which said negro can be orally examined. Mr. Raguet, in conclusion, recommends that a report of the entire proceedings be submitted to him for further action.

(Signed) Raguet.

April 23, 1753. Order

Undersigned, Judge, renders Order commanding the execution of the Recommendations of the

cont'd

Public Prosecutor; Mr. de Knion is appointed
to preside at the Information.

(Signed) D'Auberville.

No date

Order

Undersigned, Judge, permits the imprisonment
and the enrollment of said negro on the
Register of the Prison.

(Signed) D'Auberville.

Not listed in Louisiana Historical Quarterly.

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YEAR 1753

4 pages.

APRIL 23rd.

LETTER TO MR. RAGUET, SENIOR
JUDGE OF THE SUPERIOR COUNCIL
AND ATTORNEY GENERAL, AT HIS
HOUSE.

This letter bears no date. The above date shows the day on which it was received, not written. The writer, Mr. Dubreuil, informs Mr. Raguet that he is sending him a negro, son of Jean Gora, together with a blacksmith to put him in irons. He asks Mr. Raguet to put this negro in jail and to have him ham-strung in order to disable him, for he is as quick as a roebuck and a fast swimmer, and, as a thief, he is incorrigible, and has caused a great deal of trouble, and should be kept in prison and disabled, for which the writer will be greatly obliged.

(Signed) Dubreuil.

Not listed in Louisiana Historical Quarterly.

D. 53/61

YEAR 1753

APRIL 23

RE: NEGRO, JOSEPH, SLAVE
BELONGING TO DUBREUIL.

Proces Verbal of Declaration by Sheriff.

Pursuant to order of the Council and to the request made by the Public Prosecutor at New Orleans, undersigned Sheriff states that he repaired to the City Jail where the negro, Joseph, slave belonging to Mr. Dubreuil was incarcerated and, after having had him brought to the wickets of said prison, declared to him that, by virtue of order of the Council, I had entered his name on the Jail Book and that it was to remain there until final judgment and that I enjoined the jailer to keep him in safe custody until the suit against said him was brought to a conclusion.

(Signed) LeNormand

Not listed in Louisiana Historical Quarterly.

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YEAR 1753

APRIL 24

5/4/10.

FIRST EXAMINATION OF JOSEPH, NEGRO SLAVE BE-
LONGING TO MR. DUBREUIL.

Examination conducted on Petition
of Raguet, Procurator General
by Jean Francois Huchet de Kernion.

The accused is imprisoned for theft.

Examination brings out that he is charged
with theft of chickens, and some turkeys
belonging to Hugon.

Of taking horses in pasturage at night,
to go on pleasure trips.

Of threatening some negroes who tried
to prevent him from using a pirogue
belonging to his master.

Of going to the Canteen at night to
drink brandy.

All of which he denies, except the theft
of the turkeys, which he did with the aid
of a negro named Francois and one named
Joseph. He admits they stole nine tur-
keys and divided them; for his share, he
got four, which he gave to a negro named
Pierrot to sell.

(cont'd)

1343

YEAR 1753

APRIL 24

Asked if he had broken jail. Said yes. His master had him imprisoned for theft committed at Mr. Darby, but he and Francois, another negro imprisoned for same crime escaped by jumping the wall.

(Signed)

Huchet Kernion

Chantalou, Clerk

Not printed in Louisiana Historical Quarterly.

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NO DATE.

IN RE: JACQUES EIRIET, RETAILER OF
RUM AND GRAIN

Vs.

MR. RAOULT, MANAGER OF THE SNOW -
"THE BRIDE OF La ROCHELLE".

Brief

In the matter of suit instituted by Eiriet against him, Raoult sets forth that this suit has no foundation at law but is a substantiation of the bad faith of Eiriet which can be proven by a disclosure of the facts and circumstances: all of which are as follows:

Mr. Raoult arrived in this City in December, 1752, and between that date and that of March 2, 1753, he sold Eiriet a bill of merchandise amounting to 531 livres 5 sols, on which Eiriet paid him 250 livres on account. On meeting Mr. Raoult on the levee on March 26th, 1753, Eiriet asked Raoult to come to his place of business to collect the balance due on his account. On this assurance, Mr. Raoult made out a bill showing the balance due and receipted it, all of which he dated as of March 27, 1753. It so happened that Mr. Eiriet failed to make this promised payment. Later, however, on April 25th of the same year Eiriet prevailed upon Raoult to cancel the debt by novation and Eiriet upon receiving the receipt heretofore made and dated March 27, 1753, from Raoult, gave him a new note, dated April 25th, for the amount which he still owed Raoult.

Upon leaving for France, Mr. Raoult placed this note in the hands of Mr. Goudeau for collection and six months after, Eiriet paid 180 pounds on account but two years later, he refused to pay the balance due on said note, claiming that Raoult was trying to make him pay twice and declared that he held a receipt showing full payment and that the note was fraudulent. When sued for payment of said note, Eiriet declared, on trial that said note was a fraud of which he knew nothing. The matter of the difference of dates was shown by Raoult to be as aforementioned and the Judge, Mr. D'Auberville, was satisfied that Eiriet was denying his signature and trying to profit by the good faith of Raoult for which he severely rebuked Eiriet. It is clear that when Eiriet asked Raoult to cancel the old contract and enter into a new one, he did so with no intention of fulfilling the new one but wanted to secure evidence of cancellation of the first in order to use it to his advantage and Mr. Raoult is able to affirm under oath that the note in question was made and signed by Eiriet on April 25th delivery to him of the bill marked paid and dated March 27th and he has not been made to pay twice on the same debt.

(Signed) Raoult

Not listed in Louisiana Historical Quarterly.

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YEAR 1753

APRIL 25

IN RE: JOSEPH, ACCUSED, NEGRO SLAVE,
PROPERTY OF MR. DUBREUIL.

Inquiry.

Complying with petition of the Public Prosecutor, plaintiff and accuser of the negro, Joseph, slave of Mr. Dubreuil, inquiry was held at which the below named persons gave their testimony in the presence of Mr. Jean Francois Huchet de K/nion, Lateral Judge at the Superior Council:

Maturin Sionot, a Foreman on the Plantation of Mr. Dubreuil,
Mathurin Aginot, residing upon and managing the Dubreuil Plantation,
Marion, a negress belonging to Mr. Darby,
Jean Baptiste and Louis Maroteau, working on the Darby Plantation.

After being placed under oath, each of the foregoing persons testified in turn to the fact that the negro, Joseph, was a notorious rascal, a wretch who stole anything anywhere, who took the neighbors' horses out at night and ran them to death on pleasure trips; that his master was constantly receiving complaints about the chickens, turkey and clothing stolen by Joseph. Particular mention was made of the thefts of clothing and poultry which he committed at Mr. Hugon's, Mr. Darby's and at the Maroteau's. The witnesses further testified that he lead the other negroes astray and that Joseph has

(cont'd)

been acting this way for five years notwithstanding the efforts of his master to correct him and that he has been repeatedly flogged and put in irons and it seems he is an incorrigible, deserving of being hanged. Upon hearing their respective testimony read back, each witness confirmed it as being the truth. Jean Baptiste and Louis Maroteau were the only ones who could sign, the others declared they did not know how.

(Signed) Jean Baptiste Maroteau
Louis Maroteau
Hushet de K/nion
Chantalou, Clerk

1753

April 30, Demands of Public Prosecutor.
Undersigned Public Prosecutor
demands in the name of the King that the accused be examined on the contents of the inquiry and that the above witnesses be re-examined on their depositions and confronted with the accused. He further demands that a report on the entire proceeding be submitted to him in accordance with law.

(Signed) Raguet

(8 pages)

Not printed in Louisiana Historical Quarterly.

YEAR 1753APRIL 26

IN RE: LAGRANGE vs. DUTILLET.

No date. Petition.

Mr. Lagrange, petitioner, Merchant of New Orleans, represents that Mr. Dutillet, Captain of Troops in this Colony, had accepted for payment within eight months, an order by Mr. de Vaugine for three thousand seventeen livres for merchandise which petitioner delivered him; that Mr. Dutillet had signed the acceptance but although said time had expired, he had failed to pay the amount due on said order. Wherefore petitioner prays for citation of Mr. Dutillet in order that he appear and be ordered to pay the amount due on said order, together with interest and costs.

(Signed) Lagrange

1753

April 26, Order.

Undersigned Judge grants petition for citation of Mr. Dutillet.

(Signed) D'Auberville

1753

April 27, Sheriff's Return.

Undersigned Sheriff makes his return showing service on Mr. Dutillet, Captain of Detached Troops of the Navy maintained in this Colony, to appear before the Council on the first Saturday of May to answer petition of Mr. Lagrange, copy of which was also served on him.

(Signed) LeNormand

2 $\frac{1}{2}$ pages

Not printed in Louisiana Historical Quarterly.

YEAR 1753

APRIL 30th

1 page

HEARING OF CRIMINAL MATTERS BY
THE SUPERIOR COUNCIL,
PRESIDING: MESSRS. D'AUBERVILLE,
COMMANDER OF THE NAVY; ORDAINER,
DELANDE, K/NION AND LAFRENIERE,
LATTERAL JUDGES.

IN RE: Demand of the Public Prosecutor,
Plaintiff and Accuser of Joseph, Negro
Slave, belonging to Mr. Dubreuil,
Defendant and Accused.

The complaint of the Public Prosecutor,
that made by Mr. Dubreuil, the arraignment
of Joseph, the Inquiry held and the Opinion
of the Public Prosecutor, all duly considered:
the Court orders the Accused re-examined on
the facts brought out at the Inquiry, and on
others resulting therefrom, and that the
witnesses also be re-examined on the facts
contained in their testimony, and that they be
confronted with the Accused.

This entire proceeding is ordered submitted
to the Public Prosecutor for further action.

(Signed) Dauberville,
Delalande,
Hushet de Kernion,
Lafreniere,
LeBretton.

Not listed in Louisiana Historical Quarterly

YEAR 1753

APRIL 30

IN RE: JEAN FROMANTIN

vs.

MR. DELFAUT de PONTALBA,
GUARDIAN OF MRS. de GOUYON.

Jean Fromantin, manager of the Vessel "Le Fortune de Bordeaux" ("The Happy One of Bordeaux") represents that Mrs. de Gouyon had purchased four hogshead of wine and other merchandise, which was part of the cargo of said vessel; that said purchase price amounted to 810 livres and in payment of which Mrs. Gouyon delivered to petitioner two notes signed by Mr. de Pontalba, Guardian of said Mrs. de Gouyon. Petitioner further represents that Mr. de Pontalba has refused to pay said notes.

Wherefore petitioner prays for citation of Mr. de Pontalba and for judgment against him for the amount of said notes, together with interest and costs.

(Signed) J. Fromantin

1753

April 30,

Order.

Undersigned Judge orders

citation prayed for.

(Signed) D'Auberville

1753

May 1,

Sheriff's Return.

Undersigned Sheriff makes his return showing service of citation on Mr. Delfaut de Pontalba, Captain of a Detached

(cont'd)

Company of the Navy, maintained in this Colony, who elected New Orleans as his domicile, to appear on May 5th to answer petition of Mr. Fromantin, copy of which petition was also served on him.

(Signed) LeNormand

(3 pages)

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