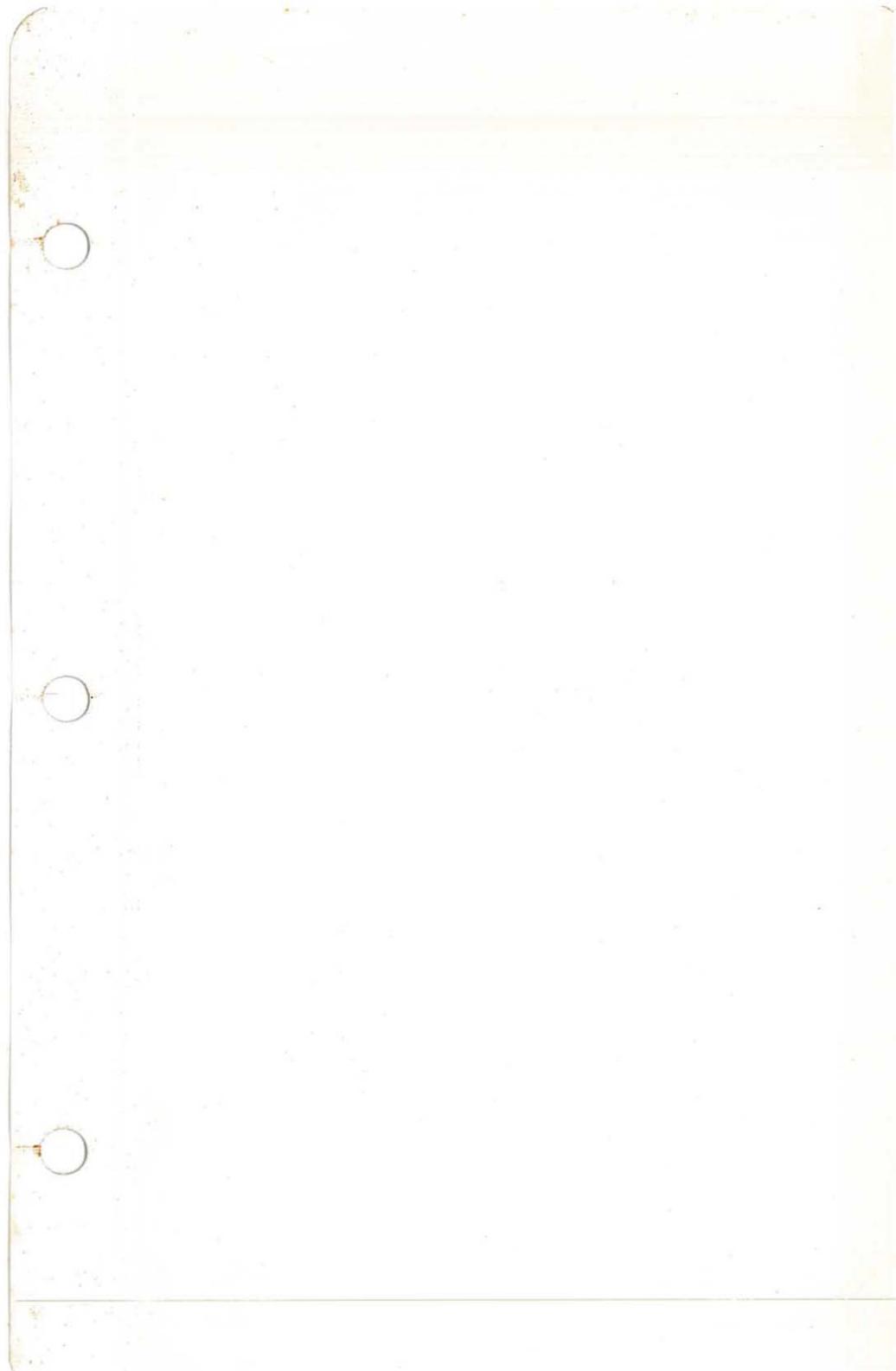
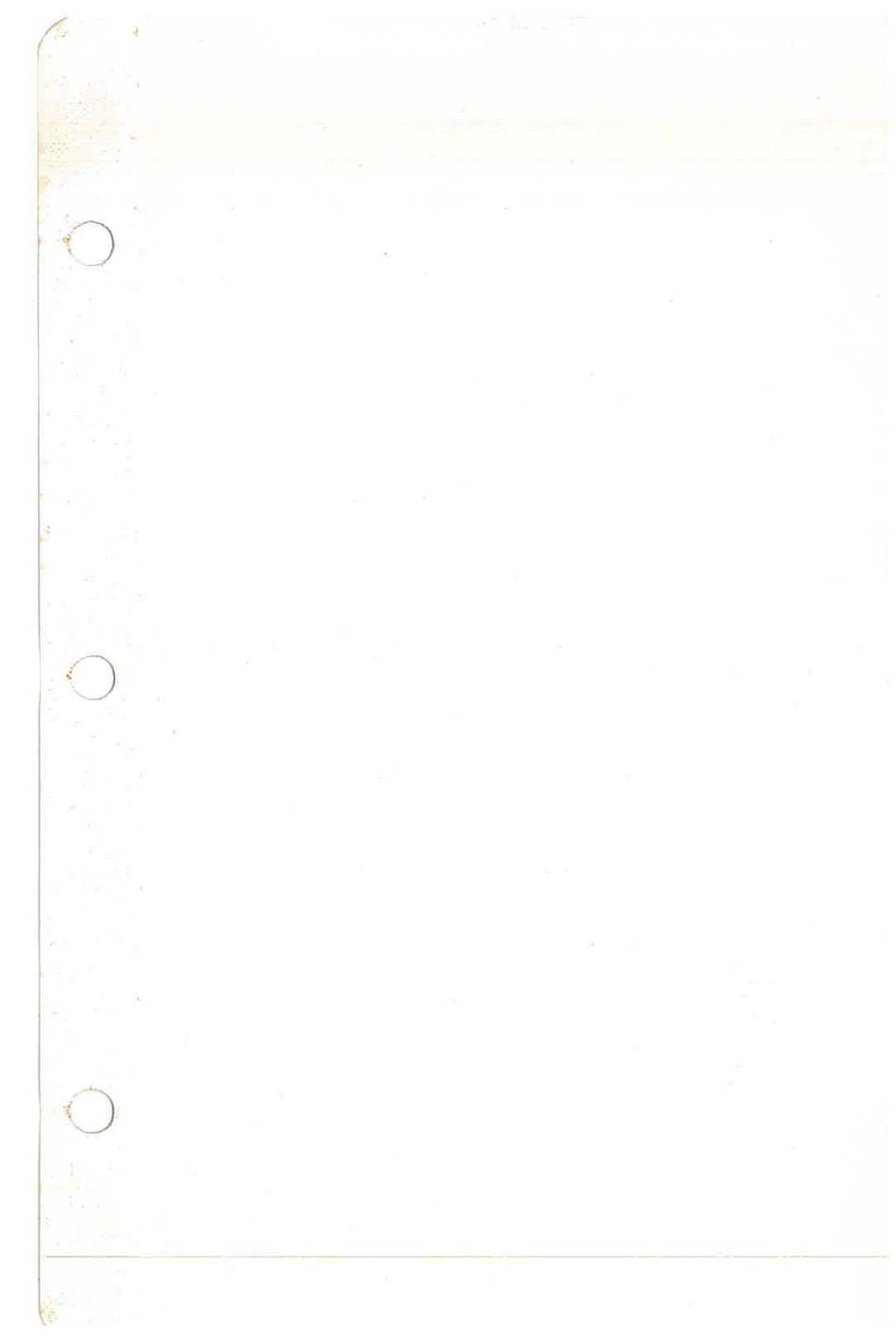


& PEASE "NOTE" ®

BOORUM & PEASE "NOTE"





1753

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Succession of Laprade & wife 8-4

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YEAR 1753MAY 2

4½ pages

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

SECOND EXAMINATION

Pursuant to the Order of the Superior Council, Joseph, accused Negro of Mr. Dubreuil, was brought before Mr. de Kernion, Lateral Judge, and before the Clerk of the Council, for the purpose of being examined a second time. Joseph was brought into the Criminal Court by his jailer and was placed under oath. To the various questions asked of him, Joseph then answered, in substance, as follows: That he belonged to Mr. Dubreuil and that he had stolen some turkeys from Mr. Hugon, and that he had also stolen from Mr. Darby's people, and in this he implicated another negro, also named Joseph. He then explained how the latter robbery was committed. He denies having struck his father, and he also denies having killed any cattle at any time. He also admits drinking, but only a little, and that on Sundays. He also admits having fled from jail, where he had been placed for stealing from the people of Mr. Darby, but states his Owner forgave him and set him to work. He says whenever his Master had him flogged it was for taking out horses from the pasture. His testimony was then read back to him, whereupon, Joseph persisted in the declaration that it was the truth. He says he could not sign because he did not know how.

(Signed) Huchet de Kernion
Chantalou, Recorder.

Not listed in Louisiana Historical Quarterly.

#1348

YEAR 1753

MAY 2

IN RE: JOSEPH, ACCUSED NEGRO SLAVE
BELONGING TO MR. DUBREUIL.

Confrontation of Accused with Witnesses.

Pursuant to order of the Superior Council, dated April 30th last, confrontation of Joseph, accused negro slave, property of Mr. Dubreuil, with witnesses, previously heard in this matter, was conducted in the presence of Mr. Jean Francois Hushet de K/nion, Lateral Judge at the Superior Council, and in presence of the Clerk of said Council, before whom said prisoner was brought by his jailer.

The witnesses were confronted in the following order:

Maturin Simare - First witness

Accused admitted that he and several of his companions had stolen turkeys belonging to Mr. Hugon and that when he finds horses he goes riding on them, but denied ever having enticed the other negroes.

Both the witness and the accused being illiterates, do not sign.

(Signed) Huchet de Kernion
Chantalou, Clerk

Mathurin - Second witness

Accused denied having beaten his father, but admitted he argued with him and wanted to run away; also that he and

(cont'd)

his friends stole turkeys from Mr. Hugon and sometimes used horses to go promenading.

Witness said that he saw accused grab his father by the throat, heard him arguing and saw him cut a stake from his father's cabin, but he does not know why.

(Signed) Huchet de Kernion
Chantalou, Clerk

Jean Baptiste Maroteau - 4th witness

Accused admitted that negresse of Mr. Darby found him in the cabin of witness, but denied having taken anything, or that he forced the door that probably it was Joseph who forced the door; that neither of them stole anything.

(Signed) Jean Baptiste Maroteau
Chantalou, Clerk
Huchet de Kernion

Louis Maroteau - 5th witness

Accused denied having taken anything from cabin.

(Signed) Louis Maroteau
Huchet de Kernion
Chantalou

Negresse Marion, belonging to Sr. Darby,
3rd witness

Accused said witness testified truthfully.

(Signed) Huchet de Kernion
Chantalou, Clerk

YEAR 1753MAY 3

1 page

RECEIPTED BILL

Mr. Thibeaud Dechauvalon owes Mr. Mercie

For one pair of shoes	7 - 10
For excess due on breakage and charged for merchandise on the vessel "Captain Cartaigna"	
	<u>11 - 4</u>
	18 - 14

Received by Mr. Roudes at St. Pierre,
May 3, 1753.

(Signed) P. M. Mercie
M^{ce} Gauf on Fleury

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753

MAY 5

CRIMINAL HEARINGS OF MAY 5, 1753.

In re: Demand of Public Prosecutor,
Plaintiff and Accuser,
vs.

Joseph, Negro Slave Belonging
to Mr. Dubreuil, Defendant and
Accused.

Arraignment

Presiding were: Messrs. de Kerlerec, Governor,
D'Auberville, Navy Commander, acting as
Ordainer, Demembrede, Lieutenant of the King,
Debellisle, Major, Descloseaux, Navy Com-
mander, Judge at Mobile, Raguet, acting as
Public Prosecutor, LeBretton, Delalande,
K/nion and Lafreniere, Lateral Judges.

Upon being placed under oath, the accused
answered in substance as follows to the ques-
tions addressed to him:

That his name was Joseph; that he was about
twenty-five years old and professed the Holy
Catholic Faith and belonged to Mr. Dubreuil.
He admitted stealing nine turkeys from Mr.
Hugon to whose place he had gone with another
negro named Joseph in a "piroque". However, he
denied having committed robbery on Mr. Darby's
property. He also denies having struck his father
or laid hands upon him. He does admit having
taken horses to ride but explains they were his
Master's or Mr. Darby's, as the latter gives him

(cont'd)

YEAR 1753MAY 5

CRIMINAL HEARINGS.

Presiding were: Messrs. de Kerlerec, Governor, D'Auberville, Commander of the Navy, acting as Ordainer, Demembrede, Lieutenant, Debellisle, Major, Descloseaux, Commander of the Navy, Judge at Mobile, Raguet, acting as Public Prosecutor, LeBretton, Delalande, K/nion and Lafreniere, Lateral Judges.

Sentence

In re: Demand of Public Prosecutor, plaintiff
and accuser,

vs.

Joseph, negro slave of Mr. Dubreuil,
defendant and accused.

The proceedings in this suit, the testimony and evidence together with the demands and opinion of the Public Prosecutor, all duly considered, the Council declares defendant guilty of and convicted of robbery, of taking and riding horses nightly, and of debauchery for several years in reparation for which he is condemned to being flogged in the public places of the town by the Public Executioner, after which he shall be hamstrung and imprisoned for fifteen days, at the conclusion of which time, he shall be delivered to his owner.

(Signed) Kerlerec

D'Auberville, Bobe Descloseaux, Demembrede
Delalande, Bellisle, Hushet de Kernion
LeBretton

(1-1/2 pages)

Not listed in Louisiana Historical Quarterly.

horses to break. He denies having insulted or having been impudent to Mrs. Mandeville. In conclusion, he declares that all his answers are the truth but he is unable to sign them because he can neither read nor write.

(Signed) Kerlerec
D'Auberville

Demembrede,	Bobo Descloseaux,	Delalande
Hushet de K?nion,	LeBretton,	Bellile

(2-1/4 pages)

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753

4 pages

MAY 5,HEARING OF MAY 5, 1753.

Presiding were: Messrs. De Kerlerrec, Governor, D'Auberville, Commander of the Navy, acting as Ordainer, Demembrede, Lieutenant of the King, de Bellisle, Major, Descloseaux, Commander of the Navy, Judge at Mobile, Raquet, Dean of the Council, acting as Attorney General, LeBretton, Delalande, K/nion and Lafrenière, Lateral Judges.

FINAL JUDGMENT.

IN RE: Dame Charlotte Julie Moreau, wife of Mr. Trenaunay de Chamfret and by him authorized by Act passed before Mr. Benoit, acting as Notary at Pointe Coupée, June 30th, last, Plaintiff,

vs.

Claude Joseph Dubreuil, Sr., Defendant.

The Council considering plaintiff's petition praying for judgment against Defendant for damages amounting to 1,000 livres per annum, for four years, in satisfaction for loss of rent of a house, which loss was due to the failure of Defendant to carry out all the terms of the contract to repair two houses in New Orleans, which contract Defendant had entered into with plaintiff's husband on June 22, 1748; and, the Council further considering Defendant's Answer as well as its own Order commanding that the claims of the parties be arbitrated, and the Arbitrators' Recommendations, the Council now renders Final Judgment in this matter, and, without regard to said Arbitration Recommendations, orders Mr. Dubreuil, Defendant, to pay Plaintiff

Sixteen Hundred Pounds in settlement of all her claims, and further orders said Defendant to carry out all of the terms of said contract and to repair the house in question according to the plan of said contract, and this within three months from date, and on his failure to do so, plaintiff is hereby authorized to do so at Defendant's expense. Defendant is condemned for all costs.

INTERLOCATORY DECREE.

IN RE: Jean Fromentin, in charge of the management of the vessel "LeFortuné" de Bord'x, Plaintiff,

vs.

Mr. de Pontalba, Captain of Troops in this Colony, in the name of, and as being in charge of the property of Mrs. de Gouyon, absent, Defendant represented by Mr. Le Normand, Sheriff.

The Council considering Plaintiff's petition, praying for judgment in the sum of 810 pounds, which amount is to be paid by Defendant from funds in his hands belonging to Mrs de Gouyon, and is in settlement of purchase price of 4 hogshead of wine, and some dry goods, (part of the cargo of "Le Fortuné de Bord'x"), which were purchased by said Mrs. de Gouyon, who gave two orders, dated August 19, 1752, drawn on Mr. de Pontalba; The Council having heard all parties, herein, Mr. Le Normand representing the Defendant, and duly considering the Opinion of the Attorney General in this matter, renders judgment dismissing plaintiff's suit against Mr. de Pontalba, but orders the Attachment of the funds in the hands of Mr. de Pontalba belonging to Mrs. de Gouyon, up to the amount due plaintiff, as well as anywhere else such funds can be found. Costs are reserved.

cont'd.

FINAL JUDGMENT

IN RE: Mr. Lagrange, Merchant of New Orleans,
Plaintiff,

vs.

Mr. Dutillet, Captain of Troops in
this Colony, Defendant.

The Council duly considering plaintiff's petition for Judgment against Defendant for 3017 pounds, which amount is due plaintiff on Order of Mr. de Vaugine for merchandise sold, and which was accepted for payment by Mr. Dutillet, eight months from date of his acceptance, but which remains unpaid, notwithstanding expiration of said eight months; and, the Council having also considered said order and acceptance under judgment against Defendant for said amount, which is to be paid within three months from date, and reserving his right of recourse in said matter. He is also ordered to pay costs.

SECOND DEFAULT AND FINAL JUDGMENT.

IN RE: Nicolas Henry, former Clerk of the
Council, Plaintiff,

vs.

Mr. Tixerant, Sr., Defendant.

The Council considering Plaintiff's petition, praying for Judgment against Defendant in the sum of 364 pounds, being balance due on purchases made by him at auctions, and which debt is evidenced by Defendant's note of March 18, 1749; and, the Council further considering Defendant's note, and the First Default Judgment rendered against said Defendant for failing to appear before the Council now renders the Second Default against said Defendant for which he is fined, and ordered to pay plaintiff's claim of 364 pounds, plus interest and costs.

Not listed in Louisiana Historical Quarterly.

YEAR 1753MAY 5

5 pages

EXCERPTS FROM THE REGISTER OF
HEARINGS OF THE SUPERIOR COUNCIL
OF THE PROVINCE OF LOUISIANA,
DATED MAY 5, 1753.

IN RE: Jean Fromentin, in charge of the manage-
ment of "LaFortuné de Bordeaux" (The
Happy One of Bordeaux) Plaintiff,
vs.
Mr. de Pontalba, Captain of Troops
in this Colony, in the name of, and as
having charge of the property belonging
to Mrs. de Gouyon, Defendant.

JUDGMENT

The Council, duly considering the petition of Mr. Fromentin, for citation of Mr. de Pontalba, and for Judgment against him, alleging that Mrs. de Gouyon had purchased some wine and dry-goods, which was part of the cargo of "Le Fortuné de Bordeaux" and in payment of said purchase, amounting to 810 livres, had given him two orders drawn by her on Mr. de Pontalba, who was to pay it out of the funds in his hands, belonging to said Mrs. de Gouyon; and, the Council, further considering the Orders themselves, the answer of Mr. de Pontalba, and the Opinion of the Attorney General on the entire matter, renders judgment, dismissing plaintiff's suit against Mr. de Pontalba, and orders that an attachment be issued against the funds in his hands belonging to Mrs. de Gouyon, as well as against any which can be found elsewhere belonging to said lady. Costs are reserved.

(Signed) By the Council
Chantalou, Clerk.

Sheet #2

SHERIFF'S RETURN

May 19, 1753.

Undersigned Sheriff, makes his return showing service of Writ of Attachment on Mr. de Pontalba, Captain of a Detached Company of the Navy, maintained in this Colony, who elected New Orleans as his domicile, in order to guarantee the payment of eight hundred and ten livres, and for which Mrs. de Gouyon gave two drafts on Mr. de Pontalba, hereby seizing all property and income in his hands, which he owes or shall owe to Mrs. de Gouyon, and commanding him to turn these over to said Mr. Fromentin. Mr. LeNormand also shows that he also served citation upon Mr. de Pontalba to appear on the first Saturday of June to show cause, if any, why this Writ of Attachment should not be executed.

(Signed) LeNormand.

July 5, 1753.

SHERIFF'S RETURN.

Undersigned Sheriff makes his return showing service of Citation to appear on July 7th to answer in the matter of the Writ of attachment served on him on May 19th, last, and notifying him that Final Judgment will be rendered in this matter on July 7th whether he is present or not.

(No signature)

cont'd.

YEAR 1753

MAY 5

EXCERP OF CRIMINAL HEARINGS
BY THE SUPERIOR COUNCIL,
DATED MAY 5, 1753, TAKEN FROM
RECORD OFFICE.

In re: Demand of the Public Prosecutor,
plaintiff and accuser,
vs.
Joseph, negro slave belonging to
Mr. Dubreuil, defendant and accused.

Sentence

The testimony and evidence duly considered together with the conclusions of the Public Prosecutor relative to this suit, the Council declares defendant guilty of and convicted of robbery, of taking and riding horses nightly and of debauchery for several years in reparation for which he is hereby condemned to being flogged in the public places of the town by the Public Executioner, after which he shall be hamstrung and imprisoned for fifteen days, and then he shall be delivered to his owner. Given at the Council Chamber.

(Signed) Chantalou, Clerk

Collated.

(1-1/4 pages)

Not listed in Louisiana Historical Quarterly.

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YEAR 1753MAY 5

The subject matter contained in this Document is a summary of that contained in Document No. D.53/66. However, the order of the title of the suits is changed and, in this document, the suits appear in the following order:

1. Mr. Fromantin, plaintiff, vs. Mr. Depontalba, defendant, represented by Mr. LeNormand.
2. Mr. Lagrange, plaintiff, vs. Mr. Dutillet, defendant.
3. Mr. Henry, plaintiff, vs. Mr. Tixerant, defendant.
4. Mrs. Trenaunay, plaintiff, vs. Mr. Dubreuil, defendant.

Not listed in Louisiana Historical Quarterly.

D.53/69

YEAR 1753

MAY 10

LETTER WRITTEN FROM PARIS BY MR. SONGY
TO MR. TESTA, MERCHANT HATTER OF THE
DISTRICT OF CALEI OF La ROCHELLE,
AT La ROCHELLE.

Mr. Songy writes to Mr. Testa requesting a loan of ten pistoles (20 dollars) which he needs in order to pay some debts. He says that he has been ill for over a month during which time he has not worked. He also says that he intends to leave Paris as soon as he receives an answer to this letter. Mr. Songy then goes on to say that work is becoming scarce; that Parliament has been banished with the exception of the Grand Chamber. In conclusion, he says he still continues to go to Mr. Landry's place and closes with the expression of the hope that Mr. Testa will be able to render the favor requested.

(Signed) Songy

(1-1/4 pages)

Not printed in Louisiana Historical Quarterly.

61/29

SHERIFF'S RETURN

May 19, 1753.

Undersigned Sheriff, makes his return showing service of Writ of Attachment on Mr. de Pontalba, Captain of a Detached Company of the Navy, maintained in this Colony, who elected New Orleans as his domicile, in order to guarantee the payment of eight hundred and ten livres, and for which Mrs. de Gouyon gave two drafts on Mr. de Pontalba, hereby seizing all property and income in his hands, which he owes or shall owe to Mrs. de Gouyon, and commanding him to turn these over to said Mr. Fromentin. Mr. LeNormand also shows that he also served citation upon Mr. de Pontalba to appear on the first Saturday of June to show cause, if any, why this Writ of Attachment should not be executed.

(Signed) LeNormand.

July 5, 1753.

SHERIFF'S RETURN.

Undersigned Sheriff makes his return showing service of Citation to appear on July 7th to answer in the matter of the Writ of attachment served on him on May 19th, last, and notifying him that Final Judgment will be rendered in this matter on July 7th whether he is present or not.

(No signature)

cont'd.

YEAR 1753MAY 102 pages

LETTER BY MR. VA CHI ADDRESSED TO
MR. TESTAS AT LA ROCHELLE BY WAY
OF THE VESSEL OF THE KING "LE
CHARIOT ROYAL". ("The Royal Chariot")
CAPTAIN: MR. BRENOTO

In the opening paragraph, and in the three which follow, the writer discusses financial and commercial matters. He informs Mr. Testas that he attaches two letters of exchange, the total of which is 3,500 livres, which amount is to be carried on their partnership account. The account is then discussed in detail.

He then asks Mr. Testas to purchase a lace ornament for him, for which purchase is attached a third letter of exchange for 150 livres.

The balance of the letter is taken up with reference to friends and their interest. He informs Mr. Testas that Mr. Henry is sending him his funds, which will arrive by another vessel, and adds that Mr. Henry is in bad health, also saying he has little hope for his recovery. He says he is expecting news any day from Mr. Riday of Illinois. He is also expecting news of Mr. Dabin. The writer also says that although he has written twice, he receives no word from Mr. Popinet.

In conclusion the writer sends his regards to Mrs. Testas and to Mr. Crespin, and states that he wishes the latter would come, as did Messrs. Bettremieux and Milhet. He closes with best wishes.

(Signed) Va Chi

In the form of a Postscript, the writer states that his wife is constantly clamoring for him to purchase her a pair of earrings of fine garnets, mounted in gold.

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753
YEAR 1754

MAY 21,
JUNE 6,

EXCERP FROM THE RECORD OF THE ADMIRALTY
 OFFICE OF THE FRENCH CAPE.

Registration of Act of Sale of One-third
 Interest of Schooner "La Perle".

On May 21, 1753, appearing before Jean Francois, resident Counsellor of the King, Lieutenant of the Admiralty at the Cape before the Attorney General at this seat, Joseph Clauzel, owner of a two-thirds interest in the Schooner "La Perle" ("The Pearl"), commanded by Mr. Bruninck, now anchored in this roadstead, declares that he sells and transfers a one-third interest in said schooner, together with its furnishings and equipment, with all warranties, to Mr. Guillaume Bourgeat in accordance with Act of Sale under private signature, passed this same day, for the price stipulated in said act, which sale and transfer is duly accepted by said Bourgeat. All parties duly signed together with the Attorney General and undersigned. Signed at the Registry of the Cape: Clauzel, G. Bourgeat, Ducassre, resident, and Auriol, Clerk.

(Signed) Desfonse, Clerk

1753,

November 29, Approval.

Approved by the Registry Office
 of the Admiralty of Port au Prince, Coast of
 St. Domingo.

(Signed) Amouru,
 C. Clerk

#1353 cont'd.

1754

June 6, Sale of Two-thirds Interest in
the Schooner "La Perle du Cap"
("The Pearl of the Cape").

Appearing before undersigned Royal Notary at New Orleans, and two witnesses, Francois Bruninck and Guillaume Bourgeat, interested with Joseph Clauzel in the Schooner "La Perle du Cap" ("The Pearl of the Cape"), who declare that by these presents they have agreed to sell and convey to said Joseph Clauzel the share which each owns in said Schooner for the price agreed upon and received cash from him by them, both of whom discharge him from all further obligation. It is expressly stipulated that nothing in this Act shall derogate from the Partnership entered into previously by all of the parties here present and that said Partnership shall continue in full force and effect.

(Signed) F. Bruninck
Clauzel
G. Bourgeat

Witnesses:
Songy
Tizoneau

Chantalou, Notary

(2-1/2 pages)

Not printed in Louisiana Historical Quarterly.

61/29

YEAR 1753MAY 22

2 pages

INVOICE OF MERCHANDISE.

This invoice shows a shipment of merchandise made by Mr. Testar at La Rochelle, the total value of which is Four Thousand Five Hundred, Eighty-One livres, Thirteen "Sols", Ten "Derniers". This shipment is made to Mr. Chantaloup of Louisiana, on the Ship "Le Marquis de Couflaud", Captain Parades, going to Louisiana.

Said merchandise is owned in partnership by Testar and Chantaloup, and is to be sold by Chantaloup, and the profits shared on basis of one-half to each.

Mention is made that certain articles were delivered to Mr. Beltrelemieux, who is interested in the ship's cargo, among those articles was a little package wrapped up in oilcloth. These articles are to be delivered to Mr. Chantaloup.

The box, marked 18, which is also to be delivered to Mr. Chantaloup, contains 2 mantelets and two wigs, having black and white hair. This box also contains some jewelry, and about 18 fine shirts, which Mr. Testar placed in said box for account of his wife. Said box further contains three boxes of Gruyere Cheese.

(Signed) Testar.

Not listed in Louisiana Historical Quarterly.

YEAR 1753

MAY 24

LETTER ADDRESSED TO MR. CHANTALOU
BY MR. CRESPIN ON REQUEST OF
MR. TESTAR.

The letter is written from La Rochelle. The writer informs Mr. Chantalou that, at the request of Mr. Testar, he has secured a Roquefort cheese which he is now sending him by Mr. Paradis, Captain of "The Confland" in the name of Mr. Courtableau. He adds that the box is marked C. T. N. 22 and bears the address of Mr. Chantalou which is written on a card that is nailed on. The writer closes with customary courteous expressions.

(Signed) Crespin
for Mr. Testar

(1 page)

Not printed in Louisiana Historical Quarterly.

YEAR 1753

MAY 29

IN RE: MR. LOUIS ALEXANDRE
vs.
MR. COLMARD.

Petition

Petitioner, Louis Alexandre, Soldier in the Company of Populus garrisoned in New Orleans, represents that Mr. Colnard is indebted unto him in the sum of Two Hundred and Three Livres, Fifteen Sols, as evidenced by the certificate which he attaches to his petition, which amount Colnard refuses to pay. Wherefore, petitioner prays for citation of Colnard and for judgment in favor of petitioner for said amount due him by Colnard.

(Signed) Alexandre

1753

May 8,

Order.

Petition for citation granted
by undersigned Judge.

(Signed) D'Auberville

1753

June 19,

Sheriff's Return

Undersigned Sheriff makes his return showing service on Mr. Colnard, Master Saddle Maker, of citation to appear before the Council on the first Saturday of July to answer petition filed by Mr. Louis Alexandre, copy of which petition was also served on him.

(Signed) LeNormand

(1-1/2 pages)

Not listed in Louisiana Historical Quarterly.

MAY 30

IN RE: SUCCESSION OF GERBE

No date.

Petition

Mathieu Desclaux, Ship Captain, authorized by power of attorney of Joseph Mallac, Merchant at Bordeaux, represents that there is due Mr. Mallac by the late Mr. Gerbe ten thousand two hundred and seventy-six livres fifteen sols, as evidenced by his notes dated November 7, 1748; that amicable demand has been made for payment on Mr. Lessassier, Testamentary Executor of the Succession of the late Mr. Gerbe, but he has refused to satisfy said demand. Wherefore, petitioner prays that Mr. Lessassier, Testamentary Executor of the Succession of Mr. Gerbe, be cited to appear before the Council and ordered to pay said aforementioned amount, together with interest and costs.

(Signed) Desclaux

1753

May 30,

Order

Citation is ordered by undersigned Judge, as prayed for.

(Signed) D'Auberville

1753

June 5,

Sheriff's Return.

Undersigned Sheriff makes his return showing service of citation on Mr. Charles

(cont'd)

D.53/76 cont'd.

Lessassier, Merchant of New Orleans, Testamentary Executor of the late Mr. Gerbe, former Ship Captain, to appear before the Council on the first Saturday of July to answer the petition of Mr. Desclaux, copy of which was also served on him.

(Signed) LeNormand

(3 pages)

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 17532½ pagesJUNE 1

ORDER PROHIBITING THE POSSESSION OF
FIRE-ARMS BY NEGROES, MULATTOES
OR INDIAN SLAVES, WITHOUT WRITTEN
AUTHORIZATION OF OWNERS, ISSUED
BY LOUIS de KERLEREC, GOVERNOR,
OF LOUISIANA, AND VINCENT
GUILLAUME D'AUBERVILLE,
ORDAINER OF SAID PROVINCE.

Because of the numerous complaints by residents that, despite Orders heretofore issued, their cattle is being killed daily, not only in the woods but in the pastures, and that there is reason to believe that this is being done by negro hunters, or others belonging to neighboring plantations, who have possession of fire-arms; Order is hereby issued that all residents of the City, as well as those of the Country, shall, within twenty-four hours, after the publication of this Order, have all cabins or other premises of their negroes searched for the purpose of removing all fire-arms and side-arms therefrom, which weapons shall be taken over by the owners of said slaves. Included in this Order are arms belonging to negroes, Mulattoes and Indian slaves, none of whom shall be allowed to possess arms except, on written permit of their Master.

All persons are hereby authorized to seize and cause the arrest of any negro carrying arms without such permit. All residents failing to obey this Order shall suffer confiscation of all arms found in the cabins and the premises of their negroes upon Official search, which shall be made pursuant to this order.

Given at New Orleans under our hand and Seal and
the Counter-Seal of our Secretary, this First
of June, 1753.

Kerlerec (Signed)

(Seal)

By his Lordship
Chiton de Silegne

D'Auberville

(Seal)

By Sir Dausseville.

Not listed in Louisiana Historical Quarterly.

61/29

JUNE 2, 1753.DEMANDS OF THE ATTORNEY GENERAL

Undersigned, Attorney General, demands that a family meeting be called to deliberate upon the matter of the sale of the property in question, that following said Meeting that the property be inspected by the expert Carpenters, appointed at said meeting, and that all of these proceedings be reported to undersigned for further consideration

(Signed) Raguet.

JUNE 4, 1753.ORDER

Undersigned, Judge, orders execution of the demands made by the Attorney General and appoints Mr. de Kernion to preside at the Family Meeting.

(Signed) D'Auberville.

JUNE 26th, 1753SHERIFF'S RETURN

Undersigned, Sheriff, makes his Return showing service of citation on the below-named person to appear the day following before Mr. de Kernion, Commissioner appointer in this matter, and of the Attorney General for the purpose of holding a Family Meeting to deliberate upon the sale of the house and lot belonging to the Succession of the late Mr. Dupré:

Mr. Wils, Contractor,

Mr. Dusingue, Merchant.

Mr. Guenon, Master Gunner.

Mr. Nicolas Ducret, surnamed Belhumeur, Master Gunner

Mr. Aime Roujot, employee at the Office.

(Signed) Le Normand.

JULY 7, 1753.PETITION.

Petitioner, Jean Baptiste Blaise and Jacques Mathieu Dupré, respectively Tutor and Under-Tutor of the

YEAR 1753
7½ pages

JUNE 2
 JUNE 4
 JUNE 26
JULY 7

IN RE: SUCCESSION OF JACQUES du PRÉ,
 MASTER JOINER, AND OF MARIE MADELAINE
 MERCIER, HIS WIFE.
PETITION.

Jean Baptiste Blaise, Tutor of the Minor Children of the late Jacques de Pré, and of Marie Madelaine Mercier, his wife, and of Jacques Matieu du Pré, Under-Tutor of said Minors, represent that by order of the Council (date not given), inventory was ordered of the property of the above-mentioned Succession; petitioners further represent that the estate consists of little of value and that the immovable property is in a dilapidated condition, necessitating extensive repairs, and that it would be more advantageous to the Minors in question that all of said property be sold, and the proceeds used for their benefit. Wherefore petitioners pray for order permitting the sale of the property of said Succession, and the investment of the proceeds for the benefit of the Minors.

Petitioners further pray that a Family Meeting be ordered for the purpose of deliberating upon this matter in the presence of the Attorney General.

(Signed) Jacques Duprey
 Mark X of
 Jean Baptiste Blaise

cont'd.

Minor children of the late Jacques Duprè and Marie Magdelaine Mercier, represent that the order for Family Meeting held to deliberate upon the Sale of the house and lot belonging to the Succession of the late Duprè and for the inspection of Carpenters had been duly carried out, and they now pray for the homologation of said Meeting in order that an Order may be rendered for the sale of said property, and the proceeds may be invested for the benefit of said Minors.

(Signed) Jac. Duprey.

JULY 7, 1753

ORDER

Upon duly considering the opinion and recommendations of the Attorney General, undersigned, Judge, homologates said Family Meeting and orders it executed according to its form and tenor. It is further ordered that the sale of the house and lot take place before the Attorney General and Mr. K/nion, Lateral Judge.

(Signed) D'Auberville.

JULY 7, 1753. RECOMMENDATIONS OF ATTORNEY GENERAL.

The Attorney General, having duly considered petition filed by Jean Baptiste Blaise and Jacques Mathieu Duprè, respectively, Tutor and Under-Tutor of the Minor children of the late Jacques Duprè, for homologation of Act of Family Meeting, held June 27th, last, consents to the homologation of said Family Meeting and to its execution according to its form and tenor. The Attorney General outlines in detail how the sale shall be conducted, how purchase price shall be made and how the proceeds shall be used.

(Signed) Raguet.

Not listed in Louisiana Historical Quarterly.

YEAR 1753JUNE 3,

4 pages

LETTER TO CLEMANT RONDES, SR.,
AT MARTINIQUE, FROM MONEREAU,
HIS BROTHER-IN-LAW, AT
BORDEAUX.

Acknowledging letter of Rondès, written from Martinique, after Rondès' return from Mississippi; Monereau informs him that through Mr. Truchanon he received the letter in which he stated he had undertaken an enterprise with the Intendant of Mississippi, and that the sudden death of the latter has greatly upset his plans, for which Mr. Monereau now offers Mr. Rondès sympathy and exhorts him to patience. The writer then goes into detail relative to the existing scarcity of money resulting from lack of public confidence in business, which lack is creating a standstill in commerce.

He says he is daily expecting the arrival of Monereau. Also, that in a letter received from him from St. Louis, he understands that the brother of Rondès will return to France on the same vessel on which he left Bordeaux. That, Mr. Monereau writes, he should not do, because, due to the sudden death of Mr. Jung, that vessel will be sold judicially, and, therefore, his son-in-law, Mr. Delpech, who has an interest in that boat, would no longer continue to outfit it. Mr. Monereau suggests that the gentleman in question return on one of the 4 or 5 boats in which his friends have an interest. He advises him to look for no help relative to passage from his rich parents, because it is the writer's experience that these are of little help in time of need.

With assurances of his best wishes, those of Rondès' sisters, and of the writer's family, the letter is brought to a close.

(Signed) Monereau.

YEAR 1753JUNE 4th.

1½ pp

Promissory note by Bouyer (butcher) to the order of Pigeaud for the sum of eleven hundred and fifty livres, as payment for a negro, June 4, 1753.

(Signed) (X) Bouyer's mark.

Cadin, Maxent.

Said note endorsed (on reverse) on same day, June 4, 1753, by said Pigeaud to the order of Depas.

(Signed) (X) mark of Pigeaud.

Maxent.

YEAR 1753AUG.8th.

(First page) Depas, being ready to sail, and being, in a sense, a privileged creditor. Sieur Raguet requests payment of this note from Sieur Chantalou instructing him to pay out of the proceeds of sale of effects of said Francois Bouyer.

(Signed) Raguet.

YEAR 1753AUG.9th.

(On reverse) Receipt of Depas for the above.

(Signed) Depas.

Not printed in Louisiana Historical Quarterly.

YEAR 1753
pages 2 $\frac{1}{4}$

JUNE 4

EXCERPTS FROM THE RECORD OF HEARINGS
BY THE SUPERIOR COUNCIL OF THE
PROVINCE OF LOUISIANA.
DATED JUNE 4, 1753.

IN RE: PETITION OF MR. PIERRE COUTURIER,
TUTOR OF THE MINOR CHILDREN OF
THE LATE MR. JOSEPH (SURNAMED DUPONT).

After duly considering the petition of Mr. Couturier, Tutor of the Minor Children of Mr. Joseph, surnamed Dupont, wherein petitioner represented that the only property belonging to the Succession of the late Mr. Joseph, surnamed Dupont, is a house and several lots; that due to the dilapidated condition of the house, its location and that of the lots, which adjoin said house, no tenants can be secured, and it is petitioner's belief that said property should be sold and the proceeds invested for the benefit of said minors, inasmuch as there are no funds available for repairs of said house, and the minors have no funds for their upkeep. Wherefore, petitioner, jointly with François Flaugny, an heir to said Succession, prays that a Family Meeting be ordered held to deliberate upon the sale in question, in presence of such Judge as the Council shall appoint, and of the Attorney General. It was decreed by the Council that the Meeting prayed for in said petition be convened and appointed Mr. K/nion, Judge Lateral, to preside at said meeting, together with the Attorney General.

The Council also decreed that two Carpenters are to be appointed, Experts, at said Meeting, who shall examine the house in question. It further decreed that Mr. Couturier file his account in said Succession, and that all proceeding had be duly submitted for further consideration by the Council.

(Signed) By The Council

YEAR 1753JUNE 8th.

1 page

LETTER ADDRESSED TO MR. RONDES,
MERCHANT, AT ST. PIERRE,
by
THIBAUT de CHANVALON.

Undersigned states that this letter will reach him through the Courier of Mr. Fourniol, to whom he is addressing this letter.

He asks Mr. Rondès to see that Mr. Vannaus sends him the marble which he promised the writer, it now being the season when he can make use of it.

He, further, asks him to request Mr. Dupin to have a copy made of the Act of Partition between the writer and his brothers, in order that he may use it when at St. Pierre.

With customary courteous expressions Mr. Chanvalon closes.

(Signed) Thibault de Chanvalon.

In the form of a postscript Mr. Chanvalon requests Mr. Rondès to ask for the box of seed which Mr. Monereau was to send him.

Not listed In Louisiana Historical Quarterly.

D 53/82

YEAR 1753

JUNE 10th.

1 p

Receipt of Mr. Jaquemin to Mr.
Rodes for the sum of 18 livres
for repair of Mr. Tibaut's watch.

Signed,

Jaquemin.

Not printed in Louisiana Historical Quarterly.

YEAR 1753JUNE 20.3 pages

NOTE BY MR. NOUGUES
TO
MR. GARIC.

Undersigned requests Mr. Garic to institute suit for him against Mr. Durand in the matter in which undersigned holds Power of Attorney. Undersigned states that he herewith hands him all necessary papers.

(Signed) Nougues.

IN RE: PIERRE NOUGUES vs MR. DURAND.

JUNE 28, 1753PETITION

Pierre Nougues, Merchant of this City, represents that he is holder of Power of Attorney authorizing him to collect 1280 pounds, 5 "sols", value of a Letter of Exchange, dated July 12, 1749, drawn by Mr. Durand, Merchant of New Orleans, on Joseph Durand, in favor of Therese Barbier, widow of André Peyron; that said letter was duly protested October 6, 1749, for lack of acceptance and, again on January 9, 1750, for lack of payment; and that in addition to costs of protest, of travelling, and of Power of Attorney, there is due on said Letter, 33 livres, interest for four years; all of which amounts make a total due of 1569 livres, 5 "Sols", which amount Mr. Durand refuses to pay, notwithstanding repeated demand. Wherefore, petitioner prays for citation of Mr. Durand that he appear and be ordered to pay petitioner said total amount due, plus costs, and, petitioner further prays for right of Execution on said judgment.

(Signed) Garic,

Holding Power of Atty.

JUNE 30, 1753

ORDER

UNDERSIGNED, JUDGE, GRANTS PETITION FOR
CITATION.

(Signed) D'Auberville.

JULY 2, 1753

SHERIFF'S RETURN

Undersigned, Sheriff, makes his Return, showing
service of citation on Mr. Durand, to appear before
the Council on July 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 17532 pagesJUNE 26th

IN RE: SUCCESSION OF MR. JOSEPH
le KINTRECK - SURNAMED
DUPONT.

SHERIFF'S RETURN.

Undersigned, Sheriff, makes his Return showing service of citation on the below-named persons to appear the following day before Mr. de Kernion Judge appointed in this matter, and before the Attorney General for the purpose of deliberating on the sale of a house and lots belonging to the Succession of the late Dupont:

- Mr. François Flogny, brother-in-law of the Dupont Minors.
- Mr. Dennerville, employee at the Office.
- Mr. Gauvin, Merchant.
- Mr. Macsan, Merchant.
- Mr. Ducros, resident of New Orleans
- Mr. François Durant, Merchant.

A separate copy of this citation was left with each of the above-named persons.

(Signed) Le Normand.

Not printed in Louisiana Historical Quarterly.

YEAR 1753JUNE 27

4 pages

IN RE: SUCCESSION OF THE LATE MR.
JOSEPH LE KINTREK,
SURNAMED DUPONT.

PROCES-VERBAL OF FAMILY MEETING.

Family meeting was held in presence of the Attorney General and of Mr. Danneville, Mr. Couturier, Tutor of the Dupont Minors, together with the undersigned friends or relatives of said Minors, children of the above-named deceased, were all present.

The purpose of the meeting was to deliberate upon the question of selling the house and the site belonging to the Succession of said Joseph Le Kintrek, surnamed Dupont.

After reading the Order of Court decreeing that this meeting be held, the members present at this meeting appointed Mr. Louis Wiltz, Contractor, and Mr. Bertrand, Carpenter, to examine the house and make a report of their examination. Those two gentlemen being present accepted the appointment and all present signed these presents as shown below:

(Signed)

Gauvain	Maxent	Danneville
Couturier	Deflogny	Ducros
Durand	Durand	

On the afternoon of the same day, all who were present in the morning again assembled to receive the report of the experts appointed at the morning session. The report was to the effect that if approximately twelve hundred livres were expended for repairs, the house in question could be made quite habitable. This report was signed: Wiltz.

After the submission of this report, Mr. Couturier, Tutor of the minor children of said decedent, then submitted statement showing that the debts of the Succession equal the assets.

Those presents, after due consideration of all facts presented, reached the conclusion that the house

cont'd.

in question be sold and the proceeds invested for the benefit of said minors.

(Signed)

Couturier	Gauvain	Courtableau
Deflogny	Maxent	Wiltz
Durand	D'Anneville	Ducros

The presiding Judge, upon the consent of the Attorney General, orders that a report of the foregoing proceeding be submitted to the Council for further action.

(Signed) Hushet de Kernion
Raguet.

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753JUNE 27th3 $\frac{1}{2}$ pages

IN RE: JEAN PIERRE HARDY, SURNAMED
 LaVIERGE
 vs.
 JEAN BAPTISTE BOYER.

Petitioner represents that Boyer is indebted to him in a total sum of 211 livres, 2 "sols", which amount is made up of balance due on annote given by Boyer for various loans made him, and of certain other amounts lent him.

Petitioner further represents that he has made repeated demand for payment of said total amount but receives only insults in return. Wherefore petitioner prays that Boyer be cited to appear and that he be ordered to pay petitioner said total amount; plus interest and costs.

(Signed) Jean Pierre Hardy.

June 27, 1753 ORDER

Undersigned, Judge, grants petition for citation

(Signed) D'Auberville.

July 3, 1753 SHERIFF'S RETURN

Undersigned, Sheriff, makes his Return showing service of citation on Jean Baptiste Boyer to appear before the Council on July 7th, to answer plaintiff's petition, copy of which was also served on him.

(Signed) Le Normand.

August 3, 1753. SHERIFF'S RETURN.

Undersigned, Sheriff, makes his return showing service of citation on Jean Bte Boyer to appear before the Council on the following day to answer petition filed against him by Jean Pierre Hardy, cont'd.

sumamed La Vierge, copy of which was served on
Boyer on July 3, 1753.

(Signed) Le Normand.

Not printed in Louisiana Historical Quarterly.

61/29

YEAR 1753JUNE 30.2 1/2 pagesIN RE: SUCCESSION OF ETIENNE PETITPETITION

Petitioner, Jean Baptiste Garic, Attorney in Fact by substitution for Michel Chertel, Sieur de Rouville, who was given Power of Attorney by Louis and Jean Petit to represent them in the Succession of their brother Etienne Petit, who died in the service of Mr. Disilet and left a considerable amount in wages, movables and furs; petitioner represents that the Power of Attorney carries authority to accept or reject said Succession for the benefit of his Constituents. Wherefore petitioner prays that the Court will deliver him an officiel certificate of Acceptance of the Succession of Etienne Petit and will order citation of Mr. Desilet that he appear and be ordered to render an account of the movables, immovables, wages and salary, which Etienne Petit left at the time of his death, which took place in the home of said Mr. Desilet, which account is to then be duly verified.

(Signed) Garic, Attorney in Fact

June 30, 1753 ORDER

Undersigned, Judge, grants petition for citation.

(Signed) D'Auberville.

July 3, 1753. SHERIFF'S RETURN

Undersigned, Sheriff, makes his return showing service of citation on Mr. Desilet to appear before the Council on July 7th to answer plaintiff's petition, a copy of which was served on him with copy of Baptismal certificate, and copy of Power of Attorney, attached to said copy of petition.

(Signed) LeNormand.

YEAR 1753JUNE 302 1/2 pages

IN RE: CLAUDE AVIGNON, MERCHANT,
 vs.
JEAN BAPTISTE BEAUDREAU.

PETITION

Petitioner represents that Jean Bte. Beaudreau is indebted unto him in the sum of 1278 livres, 10 "Sols", that as evidence of said debt petitioner holds notes given him by Beaudreau on August 17th, September 10th and October 29th, 1742, in return for loans made him, the total amount is as shown above.

Petitioner further alleges that Beaudreau refuses to pay said amount due. Wherefore petitioner prays that Beaudreau be cited to appear and be ordered to pay petitioner the 1278 livres, 10 "Sols" due him, plus interest and costs.

(Signed) Garic, for petitioner.

June 30, 1753 ORDER

Undersigned, Judge, grants petition for citation of Beaudreau.

(Signed) D'Auberville.

July 3, 1753. SHERIFF'S RETURN

Undersigned, Sheriff, makes his return showing service of Citation on Jean Baptiste Beaudreau to appear before the Council on July 7th, to answer petition filed by Claude Renaud, surnamed Avignon, Merchant, copy of which petition was also served on Beaudreau.

(Signed) LeNormand.

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753
2½ pages.

JUNE 30th.

RE: SUCCESSION OF GERBE,
 PETITION.

Petitioner, Louis Antoine de Callongne, represents that through a Power of Attorney given him by Mr. Joseph Pascaud, Honorary President of the Bureau of Finances of the District of La Rochelle, he is authorized to collect from the Succession of Gerbe the sum of 1054 livres, 17 "Sols" 7 "deniers", balance due on Note of Gerbe, dated October 13, 1749, for 5716 livres, 9 "Sols", 7 "deniers"; that Mr. Gerbe, to secure said note granted Mr. Pascaud a Mortgage, on his ship, and that therefore petitioner prays that the Court recognize this claim as a privileged one, and that Mr. Lessassier, Testamentary Executor of Mr. Gerbe's Succession, be cited to appear and be ordered to pay said aforementioned balance, together with interest and costs.

(Signed) L. DeCallongne.

June 30, 1753 ORDER.

Undersigned, Judge, grants petition for citation.

(Signed) D'Auberville.

July 3, 1753 SHERIFF'S RETURN.

Undersigned, Sheriff, makes his Return showing service of citation on Mr. Charles Lesassier, Testamentary Executor of the late Mr. Gerbe, to appear before the Council on July 7th, to answer plaintiff's petition, copy of which was also served on him.

(Signed) LeNormand.

Not printed on Louisiana Historical Quarterly.

YEAR 17532 pagesJULY 1,

IN RE: TUTORSHIP OF LAPRADE MINORS.
PETITION

Alleging that he is Tutor of the Laprade Minors, and of Children, issue of his three marriages, undersigned petitioner, Laurent Le Rable, surnamed St. Laurens, prays that he be allowed to call a Family Meeting of the relatives and friends of said Laprade Minors in the presence of such Judge as the Court shall appoint, for the purpose of electing a Tutor for Louis Laprade, and a Guardian for the three sisters of Louis Laprade, all of whom are married, which Tutor and Guardian s shall receive the account of petitioner's Tutorship of said Laprade Minors, which account petitioner now wishes to render in order to be relieved of the Tutorship of said Laprade Minors because he now wishes to devote himself entirely to the Tutorship of his own children, born of three different marriages.

(Signed) Laurent Lerable

July 7, 1753. CONSENT AND REQUIREMENTS OF
ATTORNEY GENERAL.

Undersigned, Attorney General, consents to the holding of the Family Meeting for the reason set forth in plaintiff's petition and requires that the entire proceeding be duly reported to him.

(Signed) Raguet.

cont'd.

D 53/90

YEAR 1753

JULY 5th.

1 page.

PROMISSARY NOTE

Sieur Coquelin promises, on his return from Mobile, to pay Mr. Bougros the sum of 247 livres, 10 sols, for value received in merchandise.

(Signed)

Tiolasi Coquelin.

Not printed in Louisiana Historical Quarterly.

57/29

YEAR 1753

4 pages

JULY 6,

LETTER BY MR. TESTA AT LA ROCHELLE
TO MR. CHANTALOU.

Undersigned acknowledges receipt of remittance of two thousand pounds made by Mr. Chantaloup in Letters of Exchange on the Treasury General of the French Colonies, for which Mr. Testa credits Mr. Chantaloup.

Mr. Testa also acknowledges receipt of list of articles requested and says that he will send said articles at the first opportunity.

Referring to guns, Mr. Testa says that he will have to send a larger caliber than that requested, if he is to send the number of guns listed.

Mr. Testa tells Mr. Chantaloup he is depending upon him to secure the commission business of his friends for him. He says that if he could secure the business of the Treasurer, that of others will follow.

The balance of the letter is taken up with miscellaneous matters, and reference to friends and their interests.

Mr. Testa closes with customary courteous expressions on his part and that of his wife.

(Signed) Testa.

Not printed in Louisiana Historical Quarterly.

YEAR 1753
2-1/8 pages

JULY 7th.

RE: SUCCESSION OF MRS. BOYER
PETITION

Petitioners: Francois Boyer, Widower of the late Marie Jacobé, Widow of André Cresmanne, Jean Henry Cresmanne, son of the late Mrs. Boyer, and Lionard La Seanne, husband of Marie Jacobé, granddaughter of the late Mrs.

Boyer, all of whom represent that as heirs of the late Mrs. Boyer they had endeavored to reach an amicable agreement in the matter of settling the estate of said deceased, but had failed; that they wished to pay all the debts of said Succession from the proceeds of the sale of the property of said Succession, and to partition the remainder among themselves.

Wherefore, petitioners pray that they be allowed to sell all of the property belonging to the Succession of Mrs. Boyer, including that belonging to the Community which had existed between the late Mrs. Boyer and her husband, Francois Boyer, upon condition that the proceeds will be used to satisfy the debts of said Succession and that the remainder will be partitioned among the heirs.

(Signed) LeNormand,
Agent in Charge.

cont'd.

JULY 7, 1753

RECOMMENDATIONS OF ATTORNEY GENERAL.

Mr. Raguet, Attorney General, consents to the sale as prayed for, and recommends that the debts of said Succession be satisfied from the proceeds of said sale, and that the remainder of said proceeds be partitioned between Mr. François Boyer and the heirs and descendants of the late Mrs. Cresmann Boyer, his wife.

(Signed) Raguet.

JULY 7, 1753

ORDER

Undersigned, Judge, after considering the Recommendations of the Attorney General, grants order permitting sale prayed for and orders that it be held before Mr. de K/nion, Lateral Judge, and of the Attorney General.

(Signed) D'Auberville.

Not printed in Louisiana Historical Quarterly

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YEAR 17532¹/₂ pagesJULY 7,

SUCCESSION OF JOSEPH VERRET
PETITION

Petitioner, Alexandre Boré, through Mr. Garic, represents that upon his marriage to Marguerite La Branche, widow of the Late Joseph Verret, he took charge of the Tutorship of the seven minor children left by said Deceased; that he has been diligent in the exercise of his duties.

Petitioner also represents that the Deceased left twenty-four acres of land, but, due to lack of necessary means, it was not possible to cultivate said land and that, therefore, it would be more profitable for the heirs if said land were sold, and the proceeds invested for their benefit.

Petitioner further represents that several persons have obtained possession of some of said land through fraudulent representations; wherefore, petitioner prays that those occupying said land be ordered to leave and that the Court will then permit petitioner to sell said land and to invest the proceeds for the benefit of said Minor.

(Signed) Garic, for Petitioner.

July 7, 1753. RECOMMENDATIONS OF ATTORNEY GENERAL.

Undersigned, Attorney General, recommends that a Family Meeting be convened for the purpose of deliberating upon the sale petitioned for by Mr. Boré and that the whole proceeding be duly reported to him.

(Signed) Raguet.

cont'd.

July 7, 1753

ORDER.

Undersigned, Judge, orders the execution of the Recommendations of the Attorney General, and further orders that said meeting be held in the presence of Mr. K~~u~~nion, Lateral Judge, and of the Attorney General.

(Signed) D'Auberville.

Not listed in the Louisiana Historical Quarterly.

61/29

YEAR 1753JULY 7th.

RE: SUCCESSION OF NICOLAS HENRY,
FORMERLY CHIEF CLERK OF THE
SUPERIOR COUNCIL.

PETITION

Petitioner, Mr. Lessassier, Officer of Militia, Merchant of this City, represents that by Holographic Will, dated April 27, 1753, the late Nicolas Henry, formerly Chief Clerk of the Superior Council, constituted him, his Testamentary Executor; that on May 9th, of the same year, Mr. Henry added a codicil to his said Will. Petitioner further represents that he is of the opinion that said Will and Codicil should be homologated.

Wherefore, he now prays that said Will and the Codicil thereto be homologated in order that it may be executed according to its form and tenor.

(Signed) Lessassier.

July 7, 1753. RECOMMENDATIONS OF
ATTORNEY GENERAL.

Undersigned, Attorney General, consents to the reading of the Will and Codicil of the late Mr. Nicolas Henry, and requires that privileged and legitimate debts be paid upon being proven; that pious donation be made the Church and that the Widow and heirs be informed of the other dispositions.

(Signed) Raguet.

Not printed in Louisiana Historical Quarterly.

July 7, 1753

ORDER

The Council permits that the Family Meeting
prayed for be held before Mr. de K/nion, Lateral
Judge in order that its members may deliberate
upon the facts set forth in plaintiff's petition
in presence of the Attorney General.

(Signed) D'Auberville.

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753JULY 7th,

6 pages

EXCERPTS FROM THE RECORD OF HEARINGS
BY THE SUPERIOR COUNCIL OF THE
PROVINCE OF LOUISIANA ON JULY 7, 1753.

IN RE: LAURENT LERABLE, SURNAMED LAURENT.
JUDGMENT.

The Superior Council duly considered the petition of Laurent Lerable, surnamed Laurent, in which he represents that he, by reason of his several marriages, is in charge of the following four communities:

Of the community existing between Angelique Gerardy and the late Jean Baptiste Laprade; of whose children, he is also the Tutor.

Of the community existing between said Angelique Gerardy, Widow Laprade and petitioner, of which marriage there are also children.

Of the community existing between Jeanne Dupré and petitioner, of which marriage there are two children.

And of the community existing between petitioner and Jeanne Asselin, of which marriage several children were born.

Petitioner alleges that he wishes to relieve himself of the Tutorship of the Children born of the Community existing between Laprade and Angelique Gerardy, of which community there are now three married daughters and one son, Louis Laprade; and, as there is some property belonging to that community, he believes that a Family Meeting should be held for the appointment of a Tutor to Louis Laprade, and of a Guardian for the Married daughters in the event this should prove necessary, in order

that said Tutor may receive the account of Tutorship which petitioner wishes to file. The Superior Council also duly considered the recommendations made by the Attorney General relative to said petition. Whereupon The council rendered judgment permitting the calling of the Family Meeting prayed for and ordered that it be held before Mr. K/nion, Lateral Judge, for the appointment of a Tutor ad hoc to Louis Laprade, and of a Guardian to the three married daughters, should that necessity arise; said Tutor ad hoc is to receive the account of Tutorship to be filed by said Lerable, and on the recommendations of the Attorney General, the entire proceeding shall be submitted in accordance with law.

(Signed) By the Council
Chantalou, Clerk.

July 27, 1755. SHERIFF'S RETURN.

Undersigned, Sheriff, makes his Return, showing service of citation on the persons below named, to appear next day before Mr. de Kernion, Commissioner appointed in this matter, and of the Attorney General for the purpose of deliberating and appointing a Tutor ad hoc to Louis Laprade, and of a Guardian to the three married daughters of Laprade, before whom Laprade may file his account of Tutorship:

Estienne Degle, surnamed Malbrou, husband of Angelique Laprade;

Andre Louese, husband of Catharine Laprade;

Antoine Duvernay, husband of Louise Laprade;

Joseph Gerardy, Grandfather of Laprade Minors;

Jean Baptiste Garic, Attorney, Under-Tutor of Laprade minors.

Louis Duvernay; and Francois Boyer.

(Signed) Le Normand.

YEAR 1753

JULY 7

Louis Alexandre
vs
Jean Baptiste Colmar

Answer of defendant to
plaintiff's suit for pay-
ment of 203 livres, 15
sols,
and
Demand in Reconvention.

Defendant avers that plaintiff's contention is based only on a certificate of Sr. Cibot, a former partner of defendant, who furnished said certificate a long time after said partnership had been dissolved.

Defendant submits a detailed account of his former indebtedness to plaintiff amounting to 611 livres, 17 sols, 6 deniers, and shows that he paid to plaintiff the sum of 645 livres, 4 sols, leaving a balance due to defendant by plaintiff of 33 livres, 6 sols, 6 deniers, for which defendant makes a reconventional demand.

(Signed) Colmar.

Not printed in Louisiana Historical Quarterly.

3 pages.

YEAR 1753

JULY 7

EXECUTIVE SESSION OF THE
SUPERIOR COUNCIL.

Were present: Messrs. Dauberville, Intendant Commissary of the Marine, Demembrede, Lieutenant of the King, Debellisle, Major, Raguét, Attorney General, Lebretton, Delalande, K/nion and Lafreniere, Lateral Judges. Judgment was rendered in the following cases:

In re: Petition of Jean Bte. Blaise, Tutor of the minor children of Jacques Dupré, deceased, and of Mathieu Dupré, their under-tutor, praying for homologation of family meeting.

Judgment rendered homologating said family meeting and ordering that the sale recommended at said meeting be carried out and that the proceeds be invested for the benefit of said minors.

In re: Petition of Pierre Couturier, Tutor of the minor children of Joseph Le Kintrek, surnamed Dupont, and of Gilbert Maxan, Under-tutor, praying for homologation

Judgment rendered homologating said family meeting and ordering that the sale therein recommended be carried out and that the proceeds be invested for the benefit of said minors.

In re: Petition of Laurent Lerable, surnamed Laurent, praying for order to hold a family meeting for the purpose of electing a tutor to Louis Laprade and a guardian to the Laprade girls, should this be necessary, said tutor

to be elected for the purpose of receiving the account and tutorship of the Laprade minors which petitioner wishes to file in order to be relieved of that tutorship which now holds. Petitioner shows that by reason of his marriage to Angélique Gerardy, widow of Laprade (mother of the Laprade minors) and of his two subsequent marriages, he has charge of four communities, and that there were children born to each of the four communities.

Judgment rendered granting petition for the holding of a family meeting for purposes set forth in said petition.

In re: Petition of Alexandre Bore in the name of and as husband of Marguerite LaBranche, widow of Joseph Verret, praying that the 24 acres of land belonging to the seven Verret minors, of whom he is the tutor, be sold judicially in order that the proceeds may be invested for the benefit of said minors.

Judgment rendered decreeing that a family meeting be held for the purpose of deliberating upon the matter of selling the twenty-four acres of land belonging to said Verret minors.

In re: Petition of Francois Boyer, widower of the late Marie Jacobe, widow of Andre Cresman, praying that all of the property belonging to the community existing between petitioner and late wife, and the community which had existed between her and said Cresman, be sold judicially and that all the debts be paid from the proceeds, after which partition of the remainder of said proceeds will be made between said Boyer and the heirs of his said late wife.

Judgment rendered ordering the sale prayed for which shall be held before Mr. de K/nion, Lateral Judge, and of the Attorney General, and further ordering that the proceeds be partitioned between Mr. Boyer and the heirs of his deceased wife.

In re: Petition of Charles Lesassier, Testamentary Executor of Nicolas Henry, Chief Clerk of the Council, praying that the will of said Nicolas Henry, deceased, and the codicil, thereto be homologated.

Judgment rendered ordering the reading of said will and of the codicil thereto, the payment of debts and that the widow and heirs shall be informed of other dispositions made by the deceased.

In re: Louis Alexandre vs. Jean Etlar, surnamed Colmard, saddle-maker.
Suit to collect 203 pounds 15 sols.

Judgment rendered ordering that the parties hereto submit their differences to arbitration. Each party was ordered to appoint an arbitrator to represent his interest and the Council appointed Mr. Armand umpire. The conclusions reached by said arbitrators are ordered submitted to the Council for a final decree. Costs reserved.

In re: Pierre Nouges vs. Francois Durand.
Suit to collect 1280 pounds 5 sols value of a letter of exchange dated July 12, 1749, drawn by defendant on Joseph Durand, plus interest and costs.

The Council having duly considered said letter of exchange, its protest, refusal of acceptance and of payment of said letter, rendered judgment against said Francois Durand for failure to appear and condemns him to pay Nouges the value of said letter of exchange, namely 1280 pounds 5 sols plus interest and all costs.

In re: Claude Reynaud surnamed Avignon vs. Jean Bte. Baudreau. Suit to collect 1278 pounds 10 sols due on two notes dated August 17th and September 29, 1742, which were given by Baudreau to Reynaud, plus interest and costs.

Default judgment was rendered against Baudreau for his failure to appear and he was ordered re-summoned to appear on the next day of hearing. Costs reserved.

In re: Jean Lagrange vs. Jean Etlas. Suit to collect 238 pounds due on note of Etlas, dated August 21st last, plus interest and costs.

Judgment rendered ordering payment of the amount of said note, namely 238 pounds at the rate of fifty pounds per month, until paid, plus costs.

In re: Petition of Jean Baptiste Garic, in the name of and as substitute Attorney of Michel Chertel, Equerry of Mr. de Bouville, who had been granted power of attorney by Louis and Jean Petit, residents of La Pointe au Tremble in Canada, heirs of Etienne Petit, their brother, praying for certificate of acceptance of the Succession of Etienne Petit, deceased and for citation of Mr. Desillets to appear and render an account of the property and salary left by the deceased, who died at his home, and also praying for verification of said account.

The Council having examined the power of attorney granted Mr. Bouville at Montreal, which was authenticated June 18, 1750, and the substitution of June 25, 1752, as well as the recommendations of the Attorney General, rendered the first default against Mr. Desillets for his failure to appear and ordered that he be re-summoned to appear on the next hearing day. Costs reserved.

In re: Louis Antoine Decalogne, representing Mr. Joseph Paseaud of La Rochelle, through power of attorney, vs. Charles LeSassier, Testamentary Executor of the Succession of the late Mr. Gerbe, who died in New Orleans.

Suit to collect a balance of 1,054 pounds 17 sols 9 deniers, which is due on a note and mortgage amounting to 6,771 pounds 7 sols, given by defendant to Paseaud and seeking to have said claim recognized as a privileged one. Plaintiff also prays for citation of Mr. LeSassier, Testamentary Executor of the Succession of Gerbe, that he be ordered to satisfy said claim.

Judgment is rendered ordering that said claim be classed according to its rank among the debts of said Succession when the heirs and creditors meet to liquidate said Succession. Costs reserved.

In re: Mathieu Desclaux representing Mr. Joseph Mallac, merchant of Bordeaux, through power of attorney, vs. Charles LeSassier, Testamentary Executor of Mr. Gerbe.

Suit to collect 10,277 pounds 15 sols due on notes signed by Mr. Gerbe, dated November 7, 1748, plus interest on said notes, and all costs.

Judgment rendered ordering that said claim be classed according to its rank when the heirs and creditors meet to liquidate said Succession. Costs reserved.

(9½ pages)

Not listed in Louisiana Historical Quarterly.

YEAR 1753

JULY 7

HEARINGS OF JULY 7, 1753

Presiding were: Messrs. Dauberville, Ordainer, Demembrede, Lieutenant of the King, de Bellisle, Major, Raguet, Dean of the Council, Le Bretton, Delalande, K/nion and Lafreniere, Lateral Judges.

Judgments

In re: Mr. Lagrange, Plaintiff,
vs. Mr. Colmart, Defendant.

The parties having been heard, the Council, on the consent of the Attorney General, sentenced defendant to pay plaintiff the amount of 238 livres at the rate of 50 pounds per month, and all costs.

In re: Louis Alexandre, Plaintiff,
vs. Colmart, Defendant.

The parties having been heard, the Council ordered said matter submitted to the Arbitrators Lagrange and Helo and to the Umpire, Armand, for settlement by them. Costs were reserved.

In re: Mr. Decalogne, Plaintiff,
vs. Mr. Lessassier, Defendant.

The Council, having heard the parties and the opinion of the Attorney General, ordered that plaintiff will rank with the other creditors of the Succession, after the heirs or creditors will have presented themselves. Costs were reserved until the Succession is liquidated.

1354 cont'd.

In re: Mr. Garic, Plaintiff.

vs. Mr. Desillets, Defendant.

After hearing the demand of plaintiff and the opinion of the Attorney General, the Council rendered a default judgment against defendant for failure to appear and orders that he be re-summoned to appear on the next hearing day. Cost reserved.

In re: Rainaud surnamed Avignon,

represented by Mr. Garic, his Attorney,
Plaintiff, vs. Baudreau, Defendant.

The Council rendered a default judgment against defendant for failure to appear and orders him re-summoned to appear on the next hearing day. Cost reserved.

In re: Mr. Nougès, through Mr. Garic,

Plaintiff, vs. Mr. Durand, Defendant.

The Council having heard demands of plaintiff and the opinion of the Attorney General, rendered a default judgment against defendant for failure to appear and sentences him to a fine and ordered that he pay the sum of 1200 livres, plus interest and costs.

In re: Mr. Lesassier, Plaintiff on Petition.

The Council having heard the will in question read, ordered the pious legacy delivered; relative to the other dispositions, the heirs of the late Mr. Henry are ordered advised of them and of the debts, and that on the advice of the Attorney General.

In re: Mr. Desclaud through Mr. Ferran,
his clerk,

vs. Mr. Lesassier, in his capacity,
defendant.

The Council, after hearing the parties hereto, and the opinion of the Attorney General, ordered

1354 cont'd.

that plaintiff will be duly placed according to his rank, among the creditors of the deceased.

(Signed) D'Auberville

(2-1/2 pages)

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753JULY 7

RE: SUCCESSION OF JOSEPH LeKINTRECK,
SURNAMED DUPONT.

Petition for Homologation.

Petitioners, Pierre Couturier, Surgeon of the Swiss Troops, Tutor of the minor children of the late Joseph LeKintreck, and Antoine Gilbert Maxent, Under-Tutor of said minors, represent that on June 4th last, the Council ordered that a family meeting be held to ascertain the location and the condition of four lots and of a house belonging to the Succession of the late Joseph LeKintreck, and further ordered that two carpenters inspect the house and other buildings; petitioners further represent that these orders have been executed and reports submitted. Wherefore, petitioners pray that the deliberations made at said meeting be homologated and that all of said property be ordered sold judicially and that the proceeds be ordered invested for the benefit of said LeKintreck minors.

(Signed) Maxent
Couturier

1753
July 7,

Order
Undersigned Judge grants

order homologating the deliberations of said family meeting and orders all of said property sold judicially in the presence of Mr. de K/nion, Lateral Judge, and of the Attorney General and further orders the proceeds of said sale invested for the benefit of said minors.

(Signed) D'Auberville

(cont'd)

1753

July 7,

Demands of Attorney General.

Undersigned Attorney General, after considering petition filed by the Tutor and Under-Tutor of the minor children of the late Joseph LeKintreck, consents to the homologation of the deliberations of the family meeting as prayed for. He requires that the sale recommended at said meeting be made in accordance with the requirements of law, to the highest bidder, and further, that the purchase price be paid one-third, cash, another third within six months thereafter and the balance, six months after the said second payment. Purchaser shall be required to pay interest on those payments. Said amount of purchase price shall be invested for the benefit of the minors. The share of the principal and the interest thereon belonging to each minor shall, in the case of the boys, be delivered to them on their attaining their majority, and, in the case of the girls, when each shall marry, thus gradually said succession shall be liquidated, and, at that time, the tutor shall file his account of tutorship.

(Signed) Raguet

($3\frac{1}{2}$ pages)

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753

JULY 8

1-1/2 Pages

Letter to Mr.

from

Mr. Crespin, at La Rochelle, thanking him for his efforts in trying to obtain for writer a position. Also says he will follow the advice given him and remain in France.

In postscript he sends his regards to Mme.....and says he is sending a statuette depicting Wisdom of the French Kings, (quite a unique thing). Also a pamphlet both of which Mr. Testar was the donor. The pamphlet has not been circulated as yet.

(Signed) Crespin

Not printed in Louisiana Historical Quarterly.

YEAR 1753JULY 13

SUCCESSION OF JOSEPH VERRET

Family Meeting

Pursuant to an order of the Superior Council issued on petition of Sieur Alexandre Baure, husband of Marguerite Labranche, widow of the late Joseph Verret and tutor of the Verret minors, a family meeting was held under the chairmanship of Honorable Le Bretton, Lateral Judge, for the purpose of settling the succession of the late Joseph Verret.

Present were: Messrs. Verret, brother of the minors; Labranche, their uncle; La Couture, tailor; Cantrelle, contractor; Meilleur, shoemaker, Francois Boyer, Dusigne.

The succession being solvent and the land in good condition, all levees constructed and the road in good order, the members of the Council unanimously agreed it was to the best interest of the minors not to sell said land as Mr. Baure was able and willing to take care of it. All signed except Messrs. Meilleur, Boyer, Labranche and La Couture, who declare to be illiterate.

(Signed) Verret	Le Bretton
Cantrelle	Baure
	Dusigne

Order

Hon. Le Bretton, having presided at the family meeting of the Verret succession, the Attorney

(cont'd)

General present, approves the decree of said meeting and decrees that the official report of said meeting be brought before the Superior Council for a final decree and homologation to be finally executed in its form and tenor.

(Signed) Le Bretton
Raguet

(2 pages)

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1753JULY 17

PETITION FOR RECOVERY

Sieur Francois Braquier, merchant of this city, holding two promissory notes from Sieurs Duvivier and Gazan, one for 1000 livres and another for 574 livres 8 sols, dated November 30, 1750 and creditor of an account against the same two individuals, for 1663 livres 7 sols, dated Nov. 4, 1750, making a total of 3237 livres 15 sols, said amount to be paid on their return from Campeche.

Sieur Braquier petitions the Superior Council to have summons issued to Sieurs Duvivier and Gazan to appear in Court and be sentenced to pay the said sum of 3237 livres 15 sols with interest and cost, said summons to be delivered to the Attorney General's residence, defendants having gone to some unknown parts instead of returning and the time for their appearance also extended.

(Signed) Garic, Attorney

Order

The Superior Council orders that defendants be summoned for the regular Session for the month of October, said summons to be delivered to the Attorney General's residence.

(Signed) Dauberville

1753

July 19,

Summons

Pursuant to an order of the
Superior Council issued on petition of Sieur

Francois Braquier, Sheriff Marin Lenormand issues a summons for the appearance of Messrs. Duvivier and Gazan at the regular Session of the Superior Council on the first Saturday of the next month of October and show cause why petition of Sieur Braquier should not be granted; said summons delivered at the Attorney General's mansion.

(Signed) Lenormand

(2½ pages)

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1753JULY 17

SUCCESSION OF JEAN VIVIER

Petition for recovery

A promissory note for 1992 livres dated March 26, 1748, made by Layssard Brothers in favor of Sieur Denis Macarty, now an asset, of the succession of Sieur Jean Vivier.

Francois Braquier, trustee and proxy for the creditors of said succession, petitions the Superior Council for a permit to issue a summons to Layssard Brothers to appear in Court to be ordered to pay the amount of said note, with interest and costs.

(Signed) Garic, Attorney

Action allowed.

(Signed) Dauberville

1753

July 19,

Summons

Pursuant to an order of the Superior Council issued on petition of Sieur Francois Braquier, trustee and proxy of the creditors of Sieur Jean Vivier's succession, Sheriff Lenormand issues and delivers a summons to Layssard Brothers, at Sieur Duplessis' residence, to appear in Court on August 1st and show cause why the plaintiff's petition should not be granted and the proper decree issued.

(Signed) Lenormand

(2 $\frac{1}{4}$ pages)

Not listed in Louisiana Historical Quarterly.

YEAR 1753

2 pages

JULY 21IN RE: MESSRS. PIETIT AND CAMINADA,
MERCHANTS,

vs.

MR. PREVOST, GOLDSMITH.

No date

PETITION

Undersigned petitioners represent that Mr. Prevost is indebted to them for the total sum of thirteen hundred, sixty-six livres, seven "sols", part of which is due on note of Mr. Prevost for twelve hundred, sixty-two livres, one "sol", said note being dated July 4, - (year torn away completely) and the other part is represented by the amount due for merchandise furnished him, which amount is one hundred four livres, six "sols".

Petitioners allege repeated amicable demands, without avail. Wherefore, petitioners pray for citation of Mr. Prevost that he appear and be ordered to pay petitioners said total amount due them, plus interest and costs.

(Signed) Pietit & Caminada.

July 21, 1753

ORDER

Undersigned, Judge, orders citation, as prayed for.

(Signed) D'Auberville.

July 23, 1753

SHERIFF'S RETURN.

Undersigned, Sheriff, makes his return showing service of Citation of Mr. Prevost, Goldsmith, to appear before the Council on the first Saturday of August to answer plaintiff's petition, copy of which was also served on him.

(Signed) LeNormand.

61/29

YEAR 1753

JULY 24

UNFINISHED DRAFT OF LETTER
SENT BY THE VESSEL "LANION OF
LA ROCHELLE" - CAPTAIN BILLOTEAU.

The fragment contains the news of the death of Sr. Nicolas Henry, former clerk of the Superior Council and expressions of sorrow. The writer also states that Mr. Lesassier is testamentary executor.

Regret is expressed at inability to send funds as letters of exchange cannot be secured while awaiting news from France, no news having been received from Europe in a long time.

No signature and no address.

(1 page)

Not listed in Louisiana Historical Quarterly.

YEAR 1753JULY 27

PETITION ON RECOVERY

Sieur Gabriel Soulard called St. Germain, having married and acting for Anne Madeleine Boyer, widow by first marriage of Jacques Neglie, petitions the Superior Council to recover in her name and for her account the sum of 3189 livres 12 sols 3 deniers as follows:

1000 livres from her late mother's succession
 1000 " in settlement of account of partnership between defendant and the late Sieur Neglie according to inventory dated November 27, 1748.
 325 livres 2 sols 3 deniers in settlement of partnership between plaintiff and Sieur Boyer
 727 livres 10 sols in settlement of account for partnership between plaintiff and Sieur Boyer from April 15, 1750 to March 28, 1753
 137 livres for a note dated May 7, 1753
 - Plaintiff prays to have said

Boyer made to pay this amount in preference to all other creditors, with interest and costs.

X - Mark of Gabriel Soulard
 called St. Germain

Permit to summon.

(Signed) Dauberville

1753

July 28,

Summon

Pursuant to a decree of the Superior Council issued on petition of Gabriel Soulard, husband of Anne Madeleine Boyer, widow of Jacques Neglie, Sheriff Marin Lenormand issues and delivers summons to Sieur Francois Boyer to appear in Court and answer petition of plaintiff.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

57/29

PROCES-VERBAL OF FAMILY MEETING.

Pursuant to order rendered by the Superior Council on July 7th; Family Meeting was held before Mr. de Kernion, Commissioner, and of the Attorney General for the purpose of electing a Tutor ad hoc to the Laprade Minor and a Guardian to the married daughters of the late Laprade should their respective husbands refuse to represent them in the matter of account of Tutorship to be filed by Mr. Lerable, surnamed Lausent, to said Tutor ad hoc. Upon mature deliberation, it was the opinion of those present the Estienne Malbrou be elected Tutor to said Louis Laprade. The husbands of the daughters of Laprade declaring they would represent the interest of their respective wives, it was not necessary to elect a Guardian for them. The friends and relatives, all of whom had been duly cited to be present, signed except Messrs. Duvernay, Loise and Boyer, who declared they did not know how to write.

Estienne Daigle (Signed) Laurent Lerable
Garic. Th. Saulet.

Upon consent of the Attorney General Mr. de Kernion ordered this proceeding submitted to the Superior Council for its consideration.

(Signed) Ragnet
Hushet de K/nion.

August 4, 1755 HOMOLOGATION

The Opinion of the Attorney General duly considered undersigned Judge homologates the conclusion reached at the foregoing Family Meeting and orders it duly carried out.

(Signed) D'Auberville.

Not printed in Louisiana Historical Quarterly.

YEAR 1753JULY 31

RE: MR. de BELLISLE

vs.

MESSRS. DUTILLET & DELATOUR

PETITION

Petitioner, Mr. Simars de Bellisle, Major of New Orleans, tutor of Miss Marest, minor daughter of the late Mr. Marest, represents that it would be to the best interest of the Marest minors were the plantation, house, negroes and live-stock left by the late Mr. Marest, leased, and the property subject to decay, sold. Wherefore petitioner prays that Mr. Dutillet, husband of the oldest daughter of Mr. Marest, Mr. Delatour, uncle and under-tutor of the aforesaid minor and guardian of the cause of the said Mr. Dutillet be cited to be present to hear the decree ordering that said plantation, house and appurtenances be leased judicially to the highest bidder for five years, at least, on lessee furnishing sufficient security, and permitting the judicial sale of the movables of the succession which are subject to decay.

(Signed) Bellisle

1753

July 31,

Order

Undersigned judge grants
order for the citation prayed for.

(Signed) D'Auberville

1753

August 1,

Sheriff's Return

Undersigned sheriff makes
his return showing service of citation on Mr.

Dutillet, Captain of Infantry, wife of Miss Marest, and on Mr. Delatour, Captain of Infantry, uncle and under-tutor of the minor, and guardian of the cause of Mr. Dutillet, to appear before the Council on August 4th next, to answer plaintiff's petition, copy of which was served on each.

(Signed) LeNormand

1753

August 4, Demands of Attorney General.
Undersigned Attorney General consents to both the lease and the sale of the property left by the late Mr. Demarest, as outlined in the petition of Mr. de Bellisle, subject to the terms and conditions therein set forth.

(Signed) Raguet

(5 pages)

Not listed in Louisiana Historical Quarterly.

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YEAR 1753JULY 31

RE: SUCCESSIONS OF THE LATE JOACHIN de GAUVRY, KNIGHT OF THE ORDER OF ST. LOUIS, CAPTAIN OF A DETACHED COMPANY OF THE NAVY, AND OF THE LATE DAME MARIANNE DELERIE, HIS FIRST WIFE.

Petition

Petitioner, Dame Catherine Pierre, widow by the second marriage of the late Joachin de Gauvry, Knight of St. Louis, Captain of a Detached Company of the Navy, through undersigned, Attorney, represents that she holds property in common with Dame Marie Elizabeth de Gauvry, wife of Mr. Maulion, daughter of said Mr. de Gauvry, now deceased, and of Dame Marianne Delerie, and with Dame Jeanne Catherine de Gauvry, wife of Jean Baptiste Destrehan, Treasurer of the Navy, daughter of petitioner and of the said Gauvry, now deceased.

Petitioner further represents that she no longer desires to hold the property in question in common with the said aforementioned persons and that in order to secure a separation, it is necessary that she render account of the two communities involved and that those holding said property in common with her, should receive their respective shares; she also represents that she has had all of the property belonging to the two communities and the two Successions inventoried and that in order to arrive at an equitable partition, sale should be made of all said property.

Wherefore, petitioner prays that she be allowed to sell said property before such judge as the Court shall appoint and that the proceeds shall be duly deposited until she settles her accounts with the co-sharers of said property. And petitioner finally prays that Mr. Jean Baptiste Destrehan and Dame Catherine de Gauvry, his wife, and Dame Marie Elizabeth de Gauvry and Mr. de Meaulon, her husband, be cited to appear before the Court on the next day of hearing that they may be ordered to receive petitioner's account of said succession. She also prays that the Attorney General will render his opinion on this matter.

(Signed) Garic, Attorney

1753

July 31,

Order.

Undersigned Judge orders that citation be served as prayed for.

(Signed) D'Auberville

1753

August 1,

Sheriff's Return.

Undersigned Sheriff makes his return showing service of citation on Mr. Jean Baptiste Destrehan and Dame Jeanne Catherine Degauvry, his wife, on Mr. de Maulion and Dame Marie Elizabeth Degauvry, his wife, to appear before the Council on August 4th to answer plaintiff's petition, copy of which was served on each.

(Signed) LeNormand

1753

August 4,

Petition.

Dame Marie Elizabeth De Gauvry, wife of Mr. Montleon, absent from this Province, represents that she has been placed in an embarrassing position as a result of the petition

filed by Mrs. de Gauvry and the fact that her husband is absent; she represents that she entertains the highest respect and affection for said lady but adds that she also fears doing anything which would give her said husband reason to reproach her on his return. Wherefore, petitioner prays that the Court will take note of her embarrassing position and her lack of experience in business matters and will give her a solution to the problem confronting her.

(Signed) Gauvrit Demoulion

1753

August 4,

Answer.

Defendants, Jean Baptiste

Destrehan and Dame Jeanne Catherine Gauvrit, his wife, duly authorized herein, in answer to plaintiff's petition, declare that due to the respect and affection which they entertain for plaintiff they stand willing and ready to cooperate with her in obtaining the demands she has made and that they will in no way oppose them but in order that no unfortunate complication may arise at a later day, defendants pray that there be a clearing up of all the matters pertaining to the successions' affairs that they may have a clear understanding of said affairs that they may all be satisfactorily settled.

(Signed) Destrehan
Gauvrit Destrehan

(6 pages)

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753

3 pages

JULY 31

RE: Paul Augustin Lepelletier,
 Knight de Lahoussaye, Husband of
 Magdelaine Victoire Petit de
 Livilliers,

vs.

Mr. Delfaut de Pontalba.

PETITION

Petitioner, Mr. Paul Augustin Lepelletier, Knight de Lahoussaye as husband of Magdelaine Victoire Petit de Livilliers, through Mr. Garic prays for citation of Mr. de Pontalba, Captain of Troops, tutor of the late Mathurin de Livilliers, or of Mr. Lessassier, holding Power of Attorney of Mr. de Pontalba, and for judgment against Mr. de Pontalba commanding that he pay to petitioner, 2070 pounds, 6 "sols", 7 "deniers", which amount represents the share devolving upon petitioner as heir of said Mathurin de Livilliers; petitioner further prays that said judgment will reserve the right to petitioner to credit said Mr. Pontalba with the amount of 984 pounds 6 "sols" already in petitioners hands and representing part of his aforementioned share, providing that the other heirs will discharge Mr. de Pontalba from liability for said deduction of 984 pounds, 6 "sols." Petitioner also prays that the Succession be ordered to pay all costs.

July 31, 1753

Order

Undersigned, Judge, orders citation of Mr. de Pontalba and in his absence that of Mr. Lessassier.

(Signed) D'Auberville.

cont'd.

July 31, 1753

Sheriff's Return.

Undersigned, Sheriff, makes his return showing service of citation on Mr. Lessassier, merchant of New Orleans, in the name of and as Holder of Power of Attorney of Mr. Delfant de Pontalba, to appear before the Council on August 4th to answer plaintiff's petition, copy of which was also served on him.

(Signed) Lenormand.

Not printed in Louisiana Historical Quarterly.

61/141.

YEAR 1753

1 1/2 pages

AUGUST 4th

IN RE: SUCCESSIONS OF LAPRADE & WIFE.
PETITION

Petitioner, Louis Lerable, surnamed St. Laurent, through Mr. Garic, authorized by him by Power of Attorney, represents that in order to render account of the property of the Successions of Laprade and Wife to Mr. Etienne Malbourg, Tutor ad hoc, sale should be made of the movables, immovables and of the negroes, and that the proceeds should be deposited with the Clerk of the Council until final partition, and he, therefore, prays that such an order be rendered.

(Signed) Laurent Lerable, Garic
Authorized by Power of Attorney

August 4, 1753 OPINION OF ATTORNEY GENERAL.

Undersigned, Attorney General, approves the granting of the order prayed for.

(Signed) Raguet.

August 4, 1753. ORDER

Undersigned, Judge, having heard the opinion of the Attorney General on this matter, grants order for sale of said property and decrees that said sale be made in the presence of said Attorney General and of Mr. K/nion Lateral Judge.

(Signed) D'Auberville.

Not printed in Louisiana Historical Quarterly.

YEAR 17532 $\frac{1}{2}$ pagesAUGUST 4,

IN RE: MRS. CATHERINE VINCONNEAU, WIFE OF
JEAN BAPTISTE BAUDRAU,
vs.
JEAN BAPTISTE BAUDRAU, HER HUSBAND.

OPPOSITION.

Jean Baptiste Baudrau, husband of Plaintiff, alleges that during his absence, and while he was in Pensacola, Judgment was rendered against him on November 11, 1752, in the suit instituted against him by his wife, Catherine Vinconneau Baudrau, for separation from bed and board; and that, on the ground that he was not given the opportunity to make the proper Answer, he now files Opposition to said Judgment. Wherefore, Defendant prays that this opposition to the Judgment rendered November 11, 1752, be allowed and that he will be given the opportunity to answer the suit instituted by his said wife and, further, that he will be restored to the same condition as that in which he was prior to the rendition of said judgment.

(Signed) Baudrau.

August 4, 1753. DEMANDS OF ATTORNEY GENERAL

Undersigned, Attorney General, demands that the Opposition filed by Defendant, Mr. Baudrau, be dismissed and that the judgment rendered November 11, 1752, be executed according to its form and tenor, and that meanwhile said Defendant be prohibited from disposing of the property

cont'd.

in any way whatsoever.

(Signed) Raguet.

August 4, 1753 ORDER

Undersigned, Judge, Orders the Opposition,
filed by Defendant, dismissed. He further orders
the Judgment rendered November 11, 1752, executed
according to its form and tenor.

(Signed) D'Auberville.

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753AUGUST 4

PETITION FOR SEPARATION

Anne Kinaud, wife of Louis Civilon named Rochefort, petitions the Superior Council stating that her husband, whom she calls "a paltry fellow" has never passed a day since they were married, only eight months ago, without maltreating and abusing and striking her with a stick, a whip or a knife, and calling her a dirty jade and other injurious terms; that several times, without the succour of the neighbors, she was in danger for her life, that her husband had uttered many horrible oaths to dispatch her; that she had even lodged several complaints before Honorable Dauberville, Intendant Commissary, whose authority was not sufficient to overawe him. Being every day in fear for her life against which her husband is continually attempting, she claims the right to demand a separation of bed and board,

Therefore she demands to be authorized to sue for separation of bed and board from her husband and consequently she demands that an inquiry be held before a special commissioner appointed, on all vexations, outrages, and all acts of brutality and barbarity the said husband has exercised against her.

Therefore, she renounces to the community, reserving only her paraphernal rights and meanwhile to be allowed to stay permanently at her father's where she actually resides; she also demands protection and safe-guard, according to law, against her husband, of whose brutalities she is apprehensive.

(Signed) Gario,
Attorney.

Attorney General Petition.

The Attorney General demands that the petition of Dame Anne Kinard for separation of bed and board be granted and the demand for protection and safe-guard be received, her husband to be forbidden to maltreat her in any manner, under penalty of criminal prosecution; that an inquiry be held upon the ill treatment she received at her husband's hands and also that she be examined by a medical doctor and be treated at the King's costs.

(Signed) Raguet

Decree of the Superior Council.

The Superior Council considering the demands of the Attorney General, orders that an inquiry be held upon the facts mentioned on the plaintiff's petition and therefore giving her authority to sue for her rights; allowing her to reside at her father's and forbidding said Rochefort to neither do an ill deed nor speak an ill word of her.

(Signed) Dauberville

Translator's Note: Divorce laws were non-existent at that time.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 4.

4 pages

EXCERPTS FROM REGISTER OF HEARINGS
OF THE SUPERIOR COUNCIL OF THE
PROVINCE OF LOUISIANA, OF AUGUST 4, 1753

IN RE: Baptiste Garic in the name of
and as Holder of Power of
Attorney of Marguerite Gerbe
authorized by Mr. Jacques Bacalin,
her husband, residing at Grande
Ance, Isle and Coast of St.
Domingo, plaintiff,

vs.

Messrs. Goudeau, Desclaux,
Delavergne and other creditors of
the late André Gerbe, Defendants.

The Council having duly considered plaintiff's petition, wherein she prays that her claim for payment of thirty-three thousand, ninety-nine livres be recognized as a privileged debt, entitled to preference and priority over that of other creditors and, consequently, that it be settled out of the funds of the Succession of said André Gerbé, her father, without prejudice to any of her rights as heir of her brothers and sisters of the half-blood.

Plaintiff shows that the amount which she claims is made up of the amount of the dowry of her mother, Francoise Maillet, wife of André Gerbé; of the amount of the Benefit stipulated in the marriage Contract; of the amount made up of her mother's share in her first community, which existed during her marriage to the late Mr. Saulé, her first husband, and of the amount of the personal property of said Francoise Maillet Gerbe, which

cont'd.

property was made up of her share coming to her from the Successions of her parents, and of the interest due on the total amount claimed.

Plaintiff further prays for citation of Messrs. Goudeau, Desclaux and Delavergne and other creditors of Mr. Gerbe to appear and produce the titles to their respective claims in order that their respective Attachments may be dissolved and plaintiff's claim can be satisfied. All of which was duly considered by the Council which renders Judgment decreeing that defendants shall take cognizance of the titles and papers presented by plaintiff, and the Council further orders that Mr. Lessassier shall render account of the funds of the Succession before Mr. K/nion, Lateral Judge and report the entire proceeding to the Council in order that final decision may be rendered as required by law, costs reserved.

(Signed) By the Council
Chantalou, Clerk.

August 25, 1753. SHERIFF'S RETURN.

Undersigned, Sheriff, makes his return showing service of copy of the foregoing Judgment on Mr. Charles Lessassier, Testamentary Executor of the late Andre Gerbé,

(Signed) Le No mand.

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1753AUGUST 4

HEARINGS OF AUGUST 4, 1753.

Presiding were: Messrs. de ^{de} Guerlerec, Governor, D'Auberville, Commander of the Navy, acting as Ordainer, Demembrede, Lieutenant of the King, Debellisle, Major, Raguet, Dean of the Council, acting as Attorney General, Lebretton, Delalande, Kernion, Lateral Judges, and Lafreniere.

Decisions

In re: Mr. Debellisle, plaintiff, versus Mr. Dutillet and Delatour, defendants.
(Mr. Debellisle withdrew)

Judgment rendered decrees that the plantation and the house in the city be leased for five years and that all movables be sold judicially in order to prevent loss.

In re: Mr. Dutillet, plaintiff, vs. Mr. Delahoussaye, defendant.

Parties were heard on the matter of the declaration of Mr. de Lahoussaye that he had no funds belonging to Mr. de Vaugine. Judgment rendered dismissed plaintiff's suit and recognized said declaration as valid.

In re: Mr. Delahoussaye, plaintiff, vs. Mr. Charles Lesassier, defendant, holding Power of Attorney of Mr. de Pontalba.

The Council renders judgment recognizing the declaration of Mr. de Pontalba declaring that he is not holder of Power of Attorney of Mr. de Pontalba and dismisses plaintiff's suit on the recommendation of the Attorney General.



YEAR 1753AUGUST 6

ANDRE BARON CRIMINAL CASE

Petition for Examination.

Mr. Bernoudy, Assistant Attorney-General at Mobile, considering the writ of arrest issued against Andre Baron, soldier of the Favrot Company, and his incarceration; the official report of the evidence brought at the preliminary inquiry held before Honorable Bobe Descloseaux, District Judge, demands that the named Andre Baron, accused of a statutory crime, be interrogated upon the facts and charges stated in his indictment.

(Signed) Bernoudy

Not printed in Louisiana Historical Quarterly.

YEAR 1753

AUG.11th.

1 p

DECISION OF ARBITRATORS

Jacques Cantrelle, undersigned, arbitrator named by Council for Dame Trenaunay against Sieur Dubreuil, decides that Dubreuil should pay plaintiff the rentals of her houses at the rate of six hundred livres per year, for four years.

(Signed) Cantrelle.

Sieur Darby, undersigned, arbitrator named by Council for Sieur Dubreuil against Dame Trenaunay, decides that defendant should not pay rentals as decided above by Cantrelle for the reason that Sieur Trenaunay had never summoned defendant for not fulfilling his contract, and that Sieur Trenaunay could have demanded the completion of said repairs at the expense of defendant, according to his contract and did not do so.

Sieur Darby, however, advises that it would be reasonable that Sieur Dubreuil pay the interest on the money he has received which would cover amount of work undone.

(Signed) Darby

YEAR 1753

AUG.11th.

DECISION OF ARBITRATORS

Undersigned, Duverges, Chief Engineer to the King

(cont'd.)

1356 cont'd.

In re: Mrs. Catherine Pierre, widow of Mr. de Gauvrit, plaintiff, represented by Mr. Garic, vs. Mr. Destrehan, in his capacity, and Mrs. de Monthion, defendant.

Judgment rendered allows Mrs. de Gauvrit to sell judicially the effects belonging to the community and orders the proceeds deposited in the Registry until partition is made. Said judgment authorizes Mrs. de Monthion to sue for her rights. Mrs. de Gauvrit is also ordered to file her accounts of the community property before Mr. LeBretton and upon the report rendered of that proceeding, it shall be further decreed as the law shall require.

In re: Mr. Garic, plaintiff, in his capacity, vs. Messrs. Delavergne, Goudeau, Decalogue, Desclaud, Creditors of the late Andre Gerbe, defendants, and Mr. Charles Lessassier, Testamentary Executor of said Mr. Gerbe, deceased.

Judgment rendered orders that the creditors take cognizance of the titles and papers of Mr. Garic; that Mr. Lessassier render account before Mr. de K/nion of the funds belonging to the Succession of Gerbe; all of which proceedings are to be duly reported for further decision in this matter.

In re: Francois Braquier, plaintiff, vs. Messrs. Layssard Brothers, defendants.

Judgment renders ordering the re-citations of defendants inasmuch as they have failed to appear. Costs are reserved.

In re: Mr. Goudeau, Plaintiff, vs. Joseph Chapron. Judgment rendered in favor of plaintiff and orders defendant to pay him four thousand one hundred fifty pounds due on defendant's note, together with costs.

named by the Council as Chief Arbitrator in case of Dame Trenaumay versus Dubreuil in case of dispute between Arbitrators and parties concerned.

As parties could not agree Duverges decides that defendant, (Dubreuil) pay to Dame Trenaumay, (plaintiff), the interest on 3,364 livres, 11 sols, 8 deniers which covers the amount of repairs on said house, besides Duverges decides that defendant be compelled to finish all work mentioned in his report of March 5th., according to specifications.

(Signed) Duverges.

Not printed in Louisiana Historical Quarterly.

YEAR 1753
11 pages.

AUGUST 12th to 30th.

EXCERPTS OF THE PROCEEDINGS IN THE
CASE OF THE ASSISTANT ATTORNEY
GENERAL

vs.

ANDRE BARON, SOLDIER OF FAVROT'S COMPANY.

Report filed by Judge Delegate Duparquier.

August 12 - Mr. Bernoudy, Assistant Attorney General petitions Honorable Bobe Descloseaux, civil and criminal district Judge at Mobile, to be permitted to summon witnesses and hold an inquiry about a crime purportedly committed by Andre Baron, soldier of Favrot's Company.

August 13 - Citations issued by Sheriff Lazard Bonpoint to Sieur Conrad Leidek, tailor, and Francois Xavier, Dr. Laferne's negro slave, to appear as prosecuting witnesses in the case.

August 16 - Inquiry held before Honorable Bobe Descloseaux, Sieur Conrad Leidek, tailor, first witness testified that on August 4th, about 4 P.M., the negro, Francois Xavier, called him over to see what was going on in a cabin nearby. Thinking it was some negroes frolicking he paid no attention, but on the insistence of the negro, he repaired to the cabin, and saw the accused Andre Baron in a compromising, indecent position. Going to Sieur Bocard, the accused followed him. Sieur Bocard noticing how he was undone and trembling, and his death-like paleness, remarked that he must have committed some criminal act, to which deponent answered that it looked very suspicious. Francois Xavier, negro slave of Mr. Pierre Ignace de Laferne, Major Surgeon of the King's Hospital,

second witness, testified that while pulling up stakes for his master, he saw a soldier in a cabin nearby acting suspiciously. His curiosity aroused, he noiselessly approached and recognized the accused Andre Baron, of Favrot's Company, in a compromising, indecent position.

Horrified at such posture, he was about to jump on him, but on second thought, he retired slowly and met Mr. Leidek, to whom he told of the occurrence, and advised him to go and see what was going on in the little cabin.

Arriving at his master's house, he told him all about what he had witnessed in the little cabin. Mr. Laferne went next morning to the cabin and found everything as the negro had described in the same condition as the accused had left it. That on Friday the 10th, the report of the crime having spread, the accused came to witness, and asked him to come to the fort, and give the soldiers a different version of the facts in the case; for that he offered to give him one piastre (one dollar) which deponent refused.

Going to the fort with the accused, the soldiers assembled in a room, questioned him, and he told them the truth about it as he had witnessed. Whereupon his fellow soldiers told him he was a gone man; he immediately jumped out the window and climbed over the fort.

August 14 - Official copy of inquiry to Assistant Attorney General, who requires Honorable Judge Descloseaux to issue a writ of arrest against Andre Baron, and a permit to issue summons to Dr. Laferne and Sieur Bocart, prosecuting witnesses.

August 14 - Decree of the Honorable Judge Bobe Descloseaux granting permission to summon Dr. Laferne and Mr. Bocart as prosecution witnesses.

Evening - August 14 - Decree of writ of arrest against Andre Baron.

August 14 - Demand issued by Judge Descloseaux to Mr. de Beauchamps for delivery of Andre Baron.

Answer of Mr. de Beauchamp declaring that the said Andre Baron has deserted. A detachment has been sent to arrest him, and he will be delivered as soon as arrested.

August 14 - Summons issued by the Sheriff to Dr. Laferne and Sieur Bocart, prosecuting witnesses.

August 16 - Inquiry held before Honorable Judge Bobe Descloseaux.

Mr. Pierre Ignace Bardes Laferne, Major Surgeon of the King's Hospital, testifies that the morning after the commission of the crime, his negro slave, Francois Xavier, told him about the suspicious and indecent actions of the soldier, Andre Baron, in a cabin nearby. Doubting the negro's word, to convince himself, he repaired to the cabin and found everything as the negro had described, even the foot-prints.

Corporal Bocart, of the Swiss Company, testified that on August 4th, at about 5 P.M. Andre Baron came to his room and perceiving Sieur Leidek changed color and turned to a deathlike paleness. After his departure Sieur Leidek remarked: "Did you notice how he turned pale when he saw me".

INCARCERATION OF ANDRE BARON

August 16 - Pursuant to a writ of arrest issued by Honorable Judge Bobe Descloseaux, Andre Baron was brought to the prison, by a patrol under command of Sieur Beauchamp and incarcerated by the Sheriff.

August 16 - Attorney General demands Official copies of the inquiry and of the incarceration of Andre Baron, referred to the Assistant Attorney General, who demands that the said accused be interrogated upon the facts brought out at the preliminary inquiry.

INTERROGATORY OF ANDRE BARON

August 17 - The accused declares his name is Andre Baron, soldier of the Favrot Company, at Mobile, aged 26 or 27 years.

Has been incarcerated for desertion.

Has deserted because his fellow-soldiers were all angry with him.

Does not know what charges have been made against him, as he has done nothing wrong around the guard house.

Never went to Bocart's room that day.

Does not know why his fellow soldiers are angry at him, neither why they accuse him of an infamous crime.

Was told that Mr. Laferne's negro had spread such news. Does not know what the negro told the other soldiers, as he was not present, having decamped before the negro came and spoke to the soldiers.

To all other questions, pertaining to the crime of which he was accused, he entered a flat denial.

August 17 - All papers and documents pertaining to the case referred to the Assistant Attorney General, who issued his opinion, requiring the re-examination of witnesses and their confrontation with the accused.

August 17 - Complying with the demands of the Assistant Attorney General, Honorable Judge Bobe Descloseaux, decrees that all prosecuting witnesses be re-examined and confronted with the accused.

August 18 - Re-examination of witnesses.

Sieur Conrad Leidek, Corporal Bocart and Major Surgeon Pierre Ignace Laferne, on their re-examination, stated that their previous testimonies which were read to them, were true and correct.

The negro Francois Xavier, says his deposition is also true and correct, but adds that the accused, wishing to clear himself with his fellow-soldiers, had offered him one piastre (one dollar), which he had earned by

working eight days at Mr. Blouin to change the version of his original testimony, otherwise he was a gone man, but the witness refused.

August 18 - Summons issued to the witness for the prosecution to appear in the criminal court to be confronted with the accused.

August 20 - Confrontation of the four prosecuting witnesses with the accused.

After hearing reading of the official report of all witnesses testimonies, the accused enters a flat denial to the most damaging parts of said testimonies, and declines to cross examine said witnesses.

August 20 - Mr. Dusay, a soldier from Dauphine Island, where the accused Andre Baron had taken refuge, and was arrested, being in the city, Honorable Judge Bobe Descloseaux issued an order for his appearance as a witness in the case.

August 20 - Pursuant to the foregoing order, the Sheriff issued a summons to Mr. Dusay to appear in court and testify in the case of Andre Baron.

August 20 - Before Honorable Bobe Descloseaux Sieur Dusay testifies that he knows nothing of the case, except he had heard that the accused had told the arresting patrol, "had he known that by resisting arrest he would have been killed", he certainly would have done so, as he preferred to die by gunshot than by fire.

August 21 - Foregoing deposition referred to Assistant Attorney General who issued a demand for a new inquiry, and to summon whatever witnesses he thinks best.

Decree approving the Attorney General's demand.

August 22 - Summons issued by the Sheriff to all soldiers of the arresting patrol to appear in court.

August 22 - Inquiry held before Honoral Bobe Descloseaux.

Five members of the arresting patrol testifying.
No new facts brought out.

Testimony not conclusive about the guilt or innocence of the accused.

The first witness said that on the way, he tried to comfort and encourage the accused, but it was almost useless, because he was under the impression he had only three more days to live, and what he feared most was to be burned at stake.

The second witness, a Spaniard, said, not speaking the french language, he never understood what the accused said.

The third witness said that the boat being too small and overloaded with men, the Sergeant commanding the patrol had left him at a colonist's house, until his return, so he knows nothing about it.

The fourth witness says, having taken sick with fever on his arrival at Dauphine Island, he was not present when the accused was arrested; he only overheard him say that "had he not stumbled they would have never overtaken him".

The fifth, and last witness, the Sergeant commanding the patrol, says that having taken sick with fever on his arrival at Dauphine's Island, he had delegated his command to Sergeant Colomb, the Commanding officer at that fort, who did send several soldiers to arrest the accused, while he, deponent, remained at the guard house, but he heard the accused say "had he known that by resisting arrest he would have been killed he would have done so, fearing to be burnt at stake.

August 27 - Summons issued by the Sheriff to Sieurs Maire and Pemme, who arrested André Baron.

August 27 - Examination of Sieur Baron and Pemme. Sieur Maire testified that, having arrested Andre Baron; going to the fort the accused said "My friend - turn me loose and let me run away, or kill me, or I will be burned at the stake if you bring me to Mobile."

Sieur Pemme testified that, having taken aim at the accused, and ordered him, in the name of the King, to walk, the said accused said "My friend - turn me loose and let me run away, or kill me, as I know I will be burned at the stake or hanged if I go to Mobile."

August 27 - Summons issued by the Sheriff to Sieurs Maire and Pemme to appear at re-examination.

August 27 - Re-examination of Sieurs Maire and Pemme before Honorable Bobe Descloseaux. Sieurs Maire and Pemme, after hearing reading of their previous testimonies, acknowledge them to be true and correct.

August 28 - Summons issued by the Sheriff to Sieurs Maire and Pemme to appear in court next day to be confronted with the accused, Andre Baron.

August 29 - Before Honorable Bobe Descloseaux, Sieurs Maire and Pemme were confronted with the accused, who acknowledged the truth and correctness of their depositions and declined to take any exceptions, or to cross-examine them; stating the reason why he feared to be burnt at the stake was because he was wrongly accused of a crime he had never committed.

August 28 - Summons issued by the Sheriff to all soldiers of the arresting patrol to appear at re-examination and confrontation with the accused.

August 29 - Re-examination of soldiers.
After hearing of reading of their previous testimonies, all the soldiers of the arresting patrol before Honorable Bobe Descloseaux acknowledged said depositions to be true and correct and have nothing to add nor to retract.

August 29 - All soldiers of the arresting patrol confronted with the accused who takes no exceptions, but he acknowledges having wronged one of them, named Maison, of two liards ($\frac{1}{2}$ penny) a month. After hearing reading of these depositions accused admits saying he deserved death, but he meant for desertion, and also admits having said he feared to be burnt at the stake for the crime of which he was wrongly accused.

August 28 - Summons issued by the Sheriff to Conrad Leidek, and the negro Francois Xavier, to appear before the Criminal Court on August 29th.

August 29 - Supplementary examination.
Conrad Leidek, and the negro Francois Xavier, repeat their original testimony; the accused Andre Baron, his denial.

August 30 - Interrogatory held in my presence from the witness stand.
Report by me, made at the Court session, in presence of the Honorable Judge Bobe Descloseaux, Major Develle and Marcellin; Clerk.

(Signed) Duparquier.

57/29

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 12

ANDRE BARON CRIMINAL CASE

Attorney General Petition

Andre Baron, soldier of Favrot's Company in garrison at Mobile, having committed a statutory, indecent crime, Mr. Bernoudy, Assistant Attorney General, petitions Honorable Jean Baptiste Claude Descloseaux, commissary of the Marine, District Judge at Mobile, to order that an inquiry be held on the facts and circumstances of said crime; the official report of said inquiry to be communicated to said attorney general for his opinion and to issue the proper demands.

(Signed) Bernoudy

Petition of the Attorney General for an inquiry granted, official report to be referred to him for his opinion and demand.

(Signed) Bobe Descloseaux

Not printed in Louisiana Historical Quarterly.

YEAR 1753

AUG.14th.

1 p

ANDRÉ BARON CRIMINAL CASE

ORDER OF INCARCERATION

Complying with the petition of the Assistant Attorney General, Judge Descloseaux issues an order to Lieutenant de Bauchamp, Commandant at Mobile, to incarcerate André Baron until his case is called up for trial.

(Signed) Bobé Descloseaux.

Lieutenant de Bauchamp in his answer states that André Baron having deserted by scaling the fortifications, cannot be found, in spite of a diligent search, but will be incarcerated as soon as he can be arrested.

(Signed) De Bauchamp.

Not printed in Louisiana Historical Quarterly.

YEAR 1753

AUG.14th.

1 p

ANDRÉ BARON CRIMINAL CASE

PETITION.

The Assistant Attorney General petitions Honorable Bobé Descloseaux, District Judge at Mobile to issue a writ of arrest against André Baron, to be imprisoned and questioned at the inquiry to be held upon the facts stated in his indictment, and to be allowed to issue summons to Dr. Laferne, Major Surgeon at Mobile, and one Bocard, Swiss soldier, to be present at the said inquiry and testify.

(Signed) Bernoudy.

Permission given by Judge Bobé Descloseaux to Assistant District Attorney General, to issue summons to Dr. Laferne and the soldier Bocard.

(Signed) Bobe Descloseaux.

Not printed in Louisiana Historical Quarterly.

#1357

YEAR 1753

AUG.14th.

4 $\frac{1}{4}$ pp

ANDRÉ BARON CRIMINAL CASE

EXAMINATION OF WITNESS.

Before Judge Descloseaux, Conrad Leidek testified that on the fourth day of this month, at about 5 P.M., Francois Xavier, negro slave of Dr. Laferne called him over to witness certain unusual and immoral actions on the part of the accused André Baron, in a cabin nearby, but the said accused seeing him desisted. Going to Bocard's room, the accused followed him trembling and covered with cobwebs, and Bocard noticing his palor and confusion passed the remark that he must have committed a crime.

(Signed) Bobe Descloseaux
Marcellin, clerk

Conrad Leidek.

Before Judge Bobe Descloseaux, Francois Xavier negro slave belonging to Dr. Laferne, about 30 years old, testified that on Saturday the 4th., inst., at about 4:30 P.M., while pulling up stakes for his master he saw the accused go suspiciously into a cabin and approaching slowly he caught him in a compromising position. Horrified at such a sight he was about to leap upon him, but, on second thought he retired slowly and meeting Sr. Leidek, told him to go and see what was happening in the cabin, and notified his master also.

On Friday, the 10th. inst., the report of the

(cont'd.)

#1357

YEAR 1753AUG.14th.

occurrence having spread about town, and his comrades having shunned him about it, the accused came to witness and offered him one piastre and his bread to change his version of the incident, but he refused.

Following accused to the mess room, and being questioned by the other soldiers, he stuck to the original story. Accused's comrades having told him he was a doomed man, accused leaped over the window and scaling the fortifications, he disappeared.

Signed,

Bobé Descloseaux
Marcellin, clerk.

Witness not signing being illiterate.

Not printed in Louisiana Historical Quarterly.

#1358

YEAR 1753

AUGUST 14

ANDRE BARON CRIMINAL CASE

Writ of Arrest.

Considering the evidence brought at the preliminary inquiry held at the District Court of Mobile, and the opinion and demand of the Assistant Attorney General, Honorable Jean Baptiste Claude Bobe Descloseaux, District Judge, orders that the named Andre Baron accused, soldier of the Favrot Company, be arrested and incarcerated in the prison of the fort to be held and interrogated upon the facts and charges set forth in the indictment; his properties seized, said order to be executed notwithstanding any appeal or opposition.

(Signed) Bobe Descloseaux
Marcellin, Clerk

Not printed in Louisiana Historical Quarterly.

YEAR 1753

AUG. 16th.

3 pp

ANDRE BARON CRIMINAL CASE

EXAMINATION OF WITNESS.

Before Judge Descloseaux, Corporal Jean Brocart of a Swiss Company, in garrison at Mobile, testified that on the 4th., of the month, at about 5 P.M., the accused came to his room and spying Sr. Le Kintreck became pale as death, of which witness was surprised, not knowing the cause of it.

Baron's coat sleeve was full of cobwebs and in his hands was holding some long horse hairs with which, he said, he intended to make a fishing line.

Signed,

Bobé Descloseaux
Marcellin, clerk
Brocart.

Before Judge Descloseaux, Sr. Pierre Ignace Bardes Laferne, Major Surgeon at the King's hospital at Mobile, testified that the day after the commission of the crime, for which the accused is on trial, his negro slave, Francois, having called his attention to certain unusual and immoral actions on the part of André Baron in a cabin nearby, went to the cabin and found certain objects and marks corroborating the statement of the negro.

(Signed) Bobé Descloseaux
Marcellin
Laferne.

D 53/120

YEAR 1753

AUG.16th.

1 p

ANDRE BARON CRIMINAL CASE
CERTIFICATION OF INCARCERATION.

Lazare Maupoint, Sheriff, door-keeper, states that André Baron was brought to the prison of the fort by a detachment of a sergeant and four soldiers to be incarcerated after his arrest according to the order given Lieutenant de Beauchamp in execution of a writ of arrest issued by Judge Descloseaux.

Signed,

Lazare Maupoint.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 17

ANDRE BARON CRIMINAL CASE.

Petition for Re-examination

The Attorney General considering the official report of the evidence brought at the preliminary inquiry in the case of Andre Baron, soldier of Favrot Company, at present incarcerated in the prison at the fort at Mobile, petitioned Honorable Bobe Descloseaux to have all witnesses re-summoned for a re-examination and to be confronted with the accused.

(Signed) Bernoudy

Not printed in Louisiana Historical Quarterly.

#1360

YEAR 1753

AUGUST 17

ANDRE BARON CRIMINAL CASE

Interrogatory of Andre Baron

Honorable Jean Baptiste Claude Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, having repaired to the fort and holding court in one of the rooms, the accused held in prison under indictment for a statutory and indecent crime, was brought before him by order of Mr. Roulin, Officer of the Guard by a sergeant and two fuseleers, and was interrogated, in presence of Mr. Pierre Annibal, Major of the place.

After being sworn, the accused says that his name is Andre Baron, soldier of Favrot's Company in garrison in Mobile, aged 26 or 27.

Being further questioned upon his present incarceration in the post's prison, answers it is for desertion and enters a flat denial or gives evasive answers to all other questions pertaining to his indictment.

After hearing reading of his testimony, acknowledges it to be true and correct, but does not sign, being illiterate.

(Signed) Bobe Descloseaux
Develle
Marcellin, Clerk

(cont'd)

#1360 cont'd.

The accused given in charge to the guardsmen
to be taken to the dungeon.

(Signed) Bobe Descloseaux

The official report of the foregoing in-
terrogatory to be communicated to the Attorney
General.

(Signed) Bobe Descloseaux

Not printed in Louisiana Historical Quarterly.

ANDRÉ BARON CRIMINAL CASE
ORDER FOR RE-EXAMINATION

Honorable Bobe Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, considering the official report of the Inquiry held on petition of the Attorney General in the case of the accused André Baron, soldier of Favrot's company, the writ of arrest, the report of incarceration, the official statement of the interrogatory held in presence of Mr. Pierre Annibal, major of the place of Mobile, the opinion and demands of the Assistant Attorney General, everything considered, orders

That all witnesses who testified at the inquiry, and any other one that may testify, be summoned for re-examination of their depositions, and to be confronted with the accused.

The official report of said re-examination and confrontation to be communicated to the Assistant Attorney General on which to base his opinion, and to issue the proper demands.

(Signed) Bobe Descloseaux,
Marcellin, Clerk.

Not printed in Louisiana Historical Quarterly,

YEAR 1753AUGUST 18

ANDRÉ BARON CRIMINAL CASE
RE-EXAMINATION OF WITNESS.

François Xavier, negro slave of Dr. Laferne, Major Surgeon of the King's Hospital, second witness for the prosecution in the inquiry held on petition of the Assistant Attorney General, against the accused André Baron, soldier of the Favrot Company, was summoned before Honorable Bobe Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile.

After being sworn, and hearing reading of his previous testimony, acknowledges said to be true and correct, and adds that the accused, considering himself as good as sentenced, had vainly tried to bribe him by offering one Piastre (one dollar) which he said he had earned by working eight days for Mr. Blouin, to induce him, to clear himself before his comrades, to give them a different version of the crime; but the witness, considering his crime such an atrocious act, refused the offer.

Witness did not sign, being illiterate.

(Signed) Bobe Descloseaux,
Marcellin, Clerk.

The foregoing official statement of re-examination to be communicated to the Assistant Attorney General.

(Signed) Bobe Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 18ANDRE BARON CRIMINAL CASE
RE-EXAMINATION OF WITNESS.

Corporal Jean Bocart, of the Swiss Company, in garrison at Mobile, fourth witness for the prosecution, in the inquiry held on petition of the Assistant Attorney General, against the accused Andre Baron, soldier of the Favrot's Company, was summoned before Honorable Bobe Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile.

After being sworn, and hearing reading of his previous testimony, acknowledges said deposition to be true and correct, and says he has nothing to add nor to retract, also approves the present report.

(Signed) Bobe Descloseaux,
Marcellin, Clerk.
Bocart.

The foregoing report of re-examination to be communicated to the Assistant Attorney General.

(Signed) Bobe Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 18

ANDRE BARON CRIMINAL CASE.
RE-EXAMINATION OF WITNESS.

Sieur Conrad Leidek, resident of Mobile, first witness for the prosecution in the inquiry, held on petition of the Assistant Attorney General, against the accused Andre Baron, soldier of the Favrot's Company, was summoned before Honorable Bobe Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile.

After being sworn, and hearing reading of his previous testimony, acknowledges said deposition to be true and correct, and says he has nothing to add nor to retract, also approves the present report.

(Signed) Bobe Descloseaux,
Marcellin, Clerk,
Conrad Leidek.

The foregoing report of the re-examination to be communicated to the Assistant Attorney General.

(Signed) Bobe Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 18ANDRÉ BARON CRIMINAL CASE
RE-EXAMINATION OF WITNESS

Sieur Pierre Ignace Bardes Laferne, Major Surgeon at the King's Hospital, third witness for the prosecution in the inquiry held on petition of the Assistant Attorney General against the accused André Baron, soldier of the Favrot Company, was summoned before Honorable Bobe Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile.

After being sworn, and hearing reading of his previous testimony, acknowledges said deposition to be true and correct, and says he has nothing to add nor to retract, and also approves the present report.

(Signed) Bobe Descloseaux,
Laferne,
Marcellin, Clerk.

The foregoing official statement of re-examination to be communicated to the Assistant Attorney General.

(Signed) Bobe Descloseaux.

Not listed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 20

ANDRÉ BARON CRIMINAL CASE,
CONFRONTATION OF WITNESS AND ACCUSED.

Pursuant to an order issued by Honorable Bobe Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, on petition of the Assistant Attorney General, the accused, Andre Baron, soldier of the Favrot's Company, was brought before him from the prison, in presence of Mr. Pierre Annibal, Knight Develle, Major of the place, to be confronted with the prosecuting witnesses; Sieur Jean Bocart, Corporal of the Swiss Company, Conrad Leidek, tailor, Pierre Ignace de Laferne, Major Surgeon of the King's Hospital, and François Xavier, negro slave of Dr. Laferne.

The witnesses, called separately, admitted they were individually acquainted with the accused.

After hearing reading of their previous testimonies and their re-examination, each witness acknowledged his own deposition to be true and correct; the accused denying the most damaging parts of it, especially the negro's Xaviers', which he said was entirely false.

The accused refused to cross-examine any of the witnesses.

(Signed) Bobe Descloseaux
 Develle
 Marcellin, Clerk.

Witnesses (Bocart,
 (Conrad Leideck,
 (De Laferne.

The accused and the negro slave Francois Xavier do not sign, being illiterate.
 Not listed in Louisiana Historical Quarterly.
 57/29

YEAR 1753AUGUST 20ANDRE BARON CRIMINAL CASE
INQUIRY

On petition of the Assistant Attorney General, an inquiry was held before Honorable Jean Baptiste Claude Bobe Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile.

The witness, Sieur Nicolas Bourrie, called Dufayer, 41 years old, soldier of Bounille's Company, of the post of Dauphine Island, after being sworn, and hearing reading of the indictment against the said Abdre Baron, states that he had overheard the Sieurs Maire and Pemme, soldiers of the garrison at Dauphine Island, state that when they arrested the said Baron, he had begged them to shoot him, rather than take him to Mobile, because he knew they would burn him up at stake.

Witness does not sign, being illiterate, and demands no salary.

(Signed) Bobe Descloseaux.
Marcellin, Clerk.

The foregoing official report to be referred to the Assistant Attorney General.

(Signed) Bobe Descloseaux.

Not listed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 20

1 page

ANDRE BARON CRIMINAL CASE
DECREE FOR SEARCH OF WITNESS.

Honorable Judge Jean Baptiste Claude Bobé Descloseaux, Intendant Commissary of Marine, Civil and Criminal Judge of the Jurisdiction of Mobile, being aware of the presence in the city of one Nicolas Courier, soldier of Bounille, company of Dauphine Island, where André Baron had taken refuge and was arrested, and thinking the said Dusay may be a good witness in the criminal trial to convict said Baron, issues an order for his search and the Sheriff to deliver a summons for his appearance in court to testify at the inquiry; the official report of said deposition to be referred to the Assistant Attorney General for his opinion and petition.

(Signed) Bobé Descloseaux.
Marcellin, Clerk.

Not printed in Louisiana Historical Quarterly.

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YEAR 1753AUG.21st.

1 p

List of drafts given to Mr. Roder,
the payment of which is guaranteed
by Sr. Moutinier.

Livres

416	Draft accepted by Mr. Puhakey
400	" of Sr. Arcere
160	" " Sr. Arnault
138	" " Lupy Brothers

1114

(Signed) At St. Pierre
Moutinier.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 21

1 page

ANDRE BARON CRIMINAL CASE
ATTORNEY GENERAL PETITION

Sieur Bernoudy, Assistant Attorney General, addressing Honorable Jean Baptiste Claude Bobe Descloseaux, Judge of the Jurisdiction Of Mobile, represents that at the time of the arrest of Andre Baron, soldier of the Favrot Company, imprisoned in the city, he alledgedly, when arrested, had made a statement to his fellow soldiers of the arresting patrol, tending to convict him of the crime of which he is accused.

Considering the deposition of Sieur Nicolas Bourrie called Dufayer, soldier of Bounille's Company, in garrison at Dauphine Island, where the said Baron had taken refuge and was arrested, the Attorney General demands that an inquiry be held, and consequently the proper witnesses summoned; the official report of said inquiry to be referred to the undersigned Assistant Attorney General for his consideration, and to issue the proper demands.

At Mobile, August 21, 1753.

(Signed) Bernoudy.

Order

Permit given to Assistant Attorney General for an inquiry to be able to convict or discharge the accused Andre Baron, and to summon whatever witnesses necessary; the official report to be referred to him for his consideration.

(Signed) Bobe Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753

AUGUST 22

2½ pages

MR. PIERRE GERMAIN
VS
MR. BARBIN.

PETITION FOR RECOVERY.

Pierre Germain, petitioner, represents that he holder of Mr. Marbin's note for 3,194 livres, 2 "Sols" given petitioner in payment for lumber furnished Barbin; that there is a balance due and owing on said note of 1,594 livres, 2 "Sols" and which Barbin refuses to pay. Wherefore, petitioner prays for citation of Barbin and judgment against him for the balance due on said Note, together with interest and costs.

(Signed) / Mark of Pierre Germain

August 22, 1753 ORDER

Undersigned, Judge, grants petition for citation.

(Signed) D'Auberville.

August 23, 1753. SHERIFF'S RETURN.

Undersigned, Sheriff, makes his return showing service of citation on Mr. Barbin to appear before the Council on the first Saturday of September to answer petition of Pierre Germain, copy of which was also served on him.

(Signed) LeNormand.

cont'd.

September 3, 1753. SHERIFF'S RETURN

Sheriff makes a second return showing service of citation on Barbin to appear before the Council on the first Saturday of October to answer Germain's petition and notifying him that Final Judgment will be rendered on that date whether he is present or not.

(Signed) LeNormand.

Not listed in Louisiana Historical Quarterly.

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YEAR 1753

6 pages

AUGUST 22ANDRE BARON CRIMINAL CASE
INQUIRY.

On petition of the Assistant Attorney General, plaintiff and accuser, against the named Andre Baron, defendant, and accused, Honorable Jean Baptiste Claude Bobe Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, proceeded to an inquiry on said case.

Francois Firmin Chauvre, called Brindamour, soldier of Grandchamp Company, in garrison at Mobile, twenty-four years and half old, after being sworn and hearing reading of the indictment against the accused Andre Baron, states he was a member of the patrol sent to Dauphine Island to arrest Andre Baron, and to bring him back to Mobile. Members of the patrol and himself did their best to cheer him up on the way, and to incite him to have courage, to which he answered several times, it was almost impossible, because he only had three or four more days to live.

Deponent stated that he had heard one of the soldiers of the Dauphine Island garrison, who arrested him, say, what the accused dreaded most was to be burned at the stake for the crime of which he was wrongly accused, and if he had known he would be shot down for resisting arrest, he would have gladly done so.

(Signed) Firmaint Chauvé
Bobe Descloseaux
Marcillin, Clerk.

cont'd.

Antoine Gouzalere, soldier of Favrot's Company in garrison at Mobile, 22 years old, declares that being of Spanish nationality, is not familiar enough with the French language to understand the accused and repeat his conversation.

Witness unable to sign being illiterate.

(Signed) Bobe Descloseaux,
Marcellin, Clerk.

George Goupy, called Dumaine, soldier of Bounville Company, in garrison at Mobile, aged about 23 years, after being sworn and hearing reading of the indictment against the accused Andre Baron, stated he was a member of the patrol sent to Dauphine Island to arrest Andre Baron, but arriving at Mrs. Barthelemy's plantation, three leagues (7 miles $\frac{1}{2}$) from Dauphine Island, the Sergeant Commanding, thinking the boat not large enough to carry all the soldiers, made his mind up to leave deponent and the named Gouzalere at the plantation; returning two days after with the accused.

Heard Baron say, when told to take courage and not despair, that he was all resigned and he knew very well he had deserved death.

Signed and demands no salary.

(Signed) Goupy,
Bobe Descloseaux,
Marcellin, Clerk.

Pierre Blanchon, Soldier of Healville Swiss regiment, in garrison at Mobile, aged about 26 years, after being sworn and hearing reading of the indictment against the accused Andre Baron, stated he was a member of the patrol sent to arrest Baron, but having taken sick with fever on arrival at Dauphine Island, he was not with the arresting party.

Hears Baron say: "had he not capsized he would have never been caught and that he only had two days to live."

(Signed) Blanchon.

François Joseph Masson, Sergeant of the Favrot Company, in garrison at Mobile, aged 35, after being sworn and hearing reading of the indictment against the accused Andre Baron, states he was ordered to go after the named Baron, with a patrol of four men, and arrest him.

Leaving two of the men at Mrs. Barthelemy's plantation, proceeded to Dauphine Island with the other two.

Taken sick on his arrival with high fever, unable to stand up, he transmitted his orders to Sieur Colomb, Sergeant commanding at that post, who immediately detailed six men from his garrison to search and arrest the said Andre Baron, and deponent remained at the guard house.

Shortly after said Baron was brought to the guard house by Sieurs Maire and Pemme, members of the arresting patrol; and he (the Sergeant) ordered the accused to be put in irons.

That Sieurs Maire and Pemme told him that the accused had told thme "Had he known they were ordered to shoot him for resisting arrest, he would have done so , rather than to be burned at stake." Heard in the guard house that accused dreaded to be burned at stake.

Signed and demands no salary.

(Signed) Masson
Bobe Descloseaux,
Marcellin, Clerk.

The foregoing official report of the inquiry to be referred to the Assistant Attorney General.

(Signed* Bobe Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 22nd2 $\frac{1}{4}$ pages

IN RE: PIERRE COUILLERET
vs.
FRANÇOIS BOYER.

Petitioner, Pierre Couilleret, represents that in 1730, shortly after the Massacre of the Natchez, he entered into a sort of partnership with François Boyer, although there is nothing in writing as evidence of said agreement. Petitioner further represents that he made various contributions to said partnership among which was seven hundred livres in currency, and he now prays that order be rendered commanding that he be reimbursed pro-rata from the profits of said partnership, and also commanding that he be reimbursed the seven hundred livres, previously contributed by him, plus interest from date of its contribution, without prejudice to whatever else to which he may be entitled from said partnership.

(Signed) Pre. Couilleret

Not listed in Louisiana Historical Quarterly.

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YEAR 1753AUGUST 27.3½ pages

ANDRE BARON CRIMINAL CASE
INQUIRY.

On petition of the Attorney General, plaintiff and accuse^d, an inquiry was held before Jean Baptiste Claude Bobe Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, against the named Andre Baron, defendant and accused.

Sieur Jean Maire, called (La Tulipe) soldier of Bounville Company, in garrison at Dauphine Island, 41 years old, after being sworn and hearing reading of the indictment against the accused Andre Baron, stated that - A patrol having come from Mobile to arrest one Andre Baron, Sergeant Colomb, commanding officer of the post of Dauphine Island, had ordered deponent and Sieur Pemme, his fellow soldiers, to search the island and arrest said Baron.

Having perceived a pirogue at a place called "LaPointe a Guillary) they saw accused drying his clothes on palmettoes and eating some bread. He came up to them saying "Good day"; deponent ordered him in the name of the King to march to the guard house, Sieur Pemme leading him by the arm, and deponent following with his musket cocked up.

On the way the accused several times said "Comrades, release me or kill me, for I will be burnt at stake if taken back to Mobile", to which Sieur Pemme answered; "There is no executioner in Mobile" and Baron said "They will get one from New Orleans". His greatest worry was to appear and face his fellow soldier

cont'd.

Arriving at the guard house he was delivered to the Mobile patrol and fettered.

Andre Baron asked deponent if, had he resisted arrest, would he (Maire) have fired at him, to which deponent answered in the affirmative, and Baron said he was sorry he did not as he would have then been killed, rather than burned at stake.

Witness does not sign, being illiterate, and demands no salary.

(Signed) Bobe descloseaux.
Marcelin, Clerk.

Jean Pemme, called Fleur d' Epine (Hawthorn flower) soldier of Granchamp's company, in garrison at Dauphine Island, 25 years old, after being sworn and having reading of the indictment against the accused Andre Baron, states that having been ordered by Sergeant Colombe, commanding Officer at Dauphine Island, to go in search of the named Baron, deponent and Sieur Maire went to one side of the Island, while the rest of the patrol went on the other side.

Perceiving a pirogue landed at a place called (Pointe a Guillary) they went over to take possession of it, and saw some clothes hanging over some palmettoes to dry, at the same moment the said Baron appeared, holding a knife in one hand and a piece of bread, he was eating, in the other. Sieur Maire aimed at him and told him to throw the knife away, which he did instantly. Deponent grabbed him by the arm, and in the name of the King ordered him to march to the guard house., to which accused answered "My friends, let me run away or kill me, as if I go to Mobile, I am a gone man, I will be burned at stake or hanged"; deponent told him "Go ahead, March". On the way he asked if I would have fired at him for resisting arrest; I answered in the affirmative, and he replied he was sorry he did not do it and get killed; his greatest

worry was to appear and face his fellow soldiers.

Arriving at the guard house the accused was given in charge of the detachment from Mobile and fettered.

Witness does not sign, being illiterate, claiming no salary.

(Signed) Bobe Descloseaux.
Marcellin, Clerk.

The foregoing official report of inquiry to be referred to the Attorney General.

(Signed) Bobe Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 26

IN RE: TUTORSHIP OF de LVILLIERS MINORS.

Proces Verbal of Family Meeting.

This meeting was convened by order rendered on petition of Mr. Delfaut de Pontalba who became tutor of the minor children of the late Mr. Petit de Livilliers after his marriage to the widow of said minors, which lady is now deceased. The purpose of this meeting was to appoint a tutor to take the place of Mr. de Pontalba and to whom Mr. de Pontalba could turn over all property and funds in his hands belonging to said minors, inasmuch as he must leave on business for France. Mr. de K/nion presided. The undersigned, friends and relatives of said minors, were all present. Mr. De Lahoussaye, brother-in-law of said minors was nominated tutor and he, in turn, nominated Mr. de Grandpre, maternal uncle of said minors.

(Signed)

		Pontalba
Grandpre	Lessassier	De Lahoussaye
de Membrede	Bellile	D'Erneville
Chavoy	Hushet de K/nion	

Whereupon, undersigned, Judge, upon the consent of the Attorney General, ordered that Mr. De Lahoussaye be appointed tutor of the De Livilliers minors, which appointment was duly accepted by Mr. De Lahoussaye.

(Signed) De Lahoussaye
Hushet de K/nion
Raguet

1370 cont'd.

1753

November 3, Consent and Recommendations of
Attorney General.

Undersigned, Attorney General, consented to the homologation of the present Act and recommended that it be executed according to its form and tenor, and consequently, that Mr. de Pontalba shall deliver to the tutor and under-tutor his account of the funds in his hands belonging to said minors.

(Signed) Raguet

1753

November 3, Judgment.

Undersigned, Judge, renders judgment homologating said family meeting and ordering the execution of the recommendations made at said meeting, whereupon Mr. de Pontalba shall be duly discharged upon the filing of his account before Mr. Le Bretton, Lateral Judge, and the Attorney General.

(Signed) D'Auberville

(4 pages)

Not listed in Louisiana Historical Quarterly.

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YEAR 1753

AUGUST 27

ANDRE BARON CRIMINAL CASE

Re-examination of witness

Appearing before Honorable Jean Baptiste Claude Bobe Descloseaux, Civil and Criminal Judge of the jurisdiction of Mobile, Jean Maire, known as La Tulipe, soldier of Bounil's Company, garrisoned at the Dauphine Island, eleventh witness heard at the inquiry held on August 27th on petition of the Assistant Attorney General, was placed under oath and the testimony previously given by him was read and upon the conclusion of said reading, he confirmed said testimony as being the truth.

He declared himself unable to sign said confirmation as he did not know how to write.

(Signed) Bobe Descloseaux
Marcellin, clerk

Order

Undersigned Judge orders the foregoing submitted to the Assistant Attorney General.

(Signed) Bobe Descloseaux

(1 page)

Not listed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 27

1 page.

ANDRE BARON CRIMINAL CASE
RE-EXAMINATION

Sieur Jean Pemme, soldier of Grandjean Company, in garrison at Dauphine Island, having testified in the criminal proceedings, against the named Andre Baron, soldier of Favrot Company of Mobile, accused of a statutory crime, was summoned before Honorable Bobe Descloseaux, Civil and Criminal Judge at Mobile for re-examination.

Hearing reading of his previous deposition and of his present re-examination, acknowledges said official records to be true and correct, has nothing to add nor to retract.

Does not sign, being illiterate.

(Signed) Bobe descloseaux.
Marcellin, Clerk.

The foregoing official report to be referred to the Assistant Attorney General.

(Signed) Bobe Descloseauc.

Not listed in Louisiana Historical Quarterly.

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ANDRÉ BARON CRIMINAL CASE
CONFRONTATION

André Baron, soldier of the Favrot Company, in garrison at Mobile, accused and imprisoned for a statutory crime, was brought by a patrol before Honorable Bobé Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, in presence of Mr. Pierre Annibal, Chevalier Develle, Major of the place, to be confronted with Sieur Jean Pemme, soldier of the Grand-champ Company, in garrison at Dauphine Island, twelfth witness.

Acknowledge being acquainted with one another. After hearing reading of previous testimony and re-examination, both acknowledge said reports to be true and correct; the accused declines to take any exceptions or to cross-examine the witness, and states having said he was wrongly accused of said crime, to which witness took exception and said he was close enough to him but never heard it.

Neither one signs, both being illiterate.

(Signed)

Develle

Bobé Descloseaux.

The foregoing official report to be referred to the Assistant Attorney General.

(Signed)

Bobé Descloseaux.

Not printed in Louisiana Historical Quarterly.

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YEAR 1753

AUGUST 28th

3 pages

CONFRONTATION AND RE-EXAMINATION.

Before Sieur Jean Baptiste Claude Bobé Descloseaux, civil and criminal judge, and in presence of Sieur Pierre Annibal Chevalier Develle, major of troops the re-examination and confrontation of witnesses in the trial of André Baron, soldier at Mobile, accused of a statutory crime, and imprisoned in the fort of that garrison was held at the request of the attorney general.

Jean Mayre, dit La Tulipe, soldier of Dauphine Island, summoned to give testimony. After previous testimony read to him and confrontation with prisoner, says that previous testimony was correct, and he has nothing further to add or abridge.

Prisoner declares he was accused falsely, and if he had done the crime he is accused of he deserves to be burned.

Witness declares he told prisoner that if he had done anything else, he might have acted blind, and not said anything.

Prisoner states he does not remember that. Lecture made to prisoner and witness who persist that they are both saying the truth. Not being able to write they do not sign.

(Signed)

Develle

Bobé Descloseaux

Above ordered communicated to the procurator general of the king.

(Signed by)

Bobé Descloseaux

YEAR 1753

AUGUST 29

1 page.

ANDRE BARON CRIMINAL CASE
APPOINTMENT OF RECORDER.

There being no Councillor within the jurisdiction of the Court of Mobile, Honorable Bobé Descloseaux, Intendant Commissary of Marine, Civil and Criminal Judge of the Jurisdiction of Mobile, on petition of the Assistant Attorney General, officially appoints Mr. Alexander Claude Duparquier as reporter in the criminal trial of Andre Baron, recommending the said Mr. Duparquier to be a Roman Catholic of good respectable manners and morals and fully capable to discharge the duties of the office.

(Signed)

Bobé Descloseaux.

Judge Bobé Descloseaux orders the clerk of court to deliver all papers and documents pertaining to the criminal trial of André Baron to Mr. Duparquier to make his report, and to take his receipt for same.

(Signed)

Bobé Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 29

1 page.

ANDRÉ BARON CRIMINAL CASE
ATTORNEY GENERAL'S PETITION.

The Assistant Attorney General, considering the indictment against the accused André Baron, the official reports of all decrees rendered in the case, of the writ of incarceration, of the testimonies given by accused at his interrogatory, and all witnesses at the several inquiries, of all re-examinations and confrontations, demands that an official reporter be appointed on the case and the accused André Baron be put to the torture and if necessary on the rack in the customary manner.

(Signed)
Bernoudy.

Not printed in Louisiana Historical Quarterly.

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YEAR 1753AUGUST 29

1 page

ANDRE BARON CRIMINAL CASE
RE-EXAMINATION OF WITNESS.

François Firmin Chauvé called Brindamour (a bit of love) soldier of Grandchamp company, in garrison at Mobile, eighth witness in the criminal trial of Andre Baron, soldier of Favrot's company, in garrison at Mobile, was summones for re-examination before Honorable Bobe Descloseaux, civil and criminal Judge of the Jurisdiction of Mobile.

After being sworn and hearing reading of the official report of his previous testimony, the witness acknowledges said record to be true and correct and has nothing to add nor to retract.

Having testified that Pemme had told him that Andre Baron said when arrested, he was afraid to be burned at stake, for the crime of which he was accused, he now says it was a misunderstanding, as the accused never mentioned anything to Pemme about any crime, only told him he feared to be burned at stake.

(Signed) Firmain Chauve
Bobé Descloseaux
Marcellin, Clerk.

Foregoing official report to be referred to the Assistant Attorney General.

(Signed) Bobé Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753

1 page

AUGUST 29

ANDRE BARON CRIMINAL CASE
RE-EXAMINATION OF WITNESS.

George Goupy, called Dumaine, soldier of the Bounille company, in garrison at Mobile, eighth witness in the criminal trial of André Baron, was summoned before Honorable Bobé Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, for re-examination. After being sworn and hearing reading of his previous testimony, acknowledges said to be true and correct and has nothing to add nor to retract.

(Signed)

G. Goupy,
Bobé Descloseaux
Marcellin, Clerk.

The foregoing official report to be referred to the Assistant Attorney General.

(Signed)

Bobé Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 29

1 page

ANDRÉ BARON CRIMINAL CASE
RE-EXAMINATION OF WITNESS.

Francois Joseph Masson, Sergeant of the Favrot's company, in garrison at Mobile, tenth witness in the criminal trial of André Baron, appears for re-examination before Honorable Jean Baptiste Claude Bobé Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile.

After being sworn and hearing reading of the official report of the deposition made at the preliminary inquiry, acknowledges said to be true and correct, and has nothing to add nor to retract; acknowledges also the correctness of the official report of the present re-examination.

(Signed)

Masson
Bobé Descloseaux
Marcellin, Clerk.

The foregoing official report to be referred to the Assistant Attorney General.

(Signed)

Bobé Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753

1 page

AUGUST 29

ANDRE BARON CRIMINAL CASE
RE-EXAMINATION OF WITNESS.

Sieur Pierre Blanchon, soldier of the Halville Swiss Regiment, in garrison at Mobile, ninth witness in the criminal trial of the accused André Baron, appeared before Honorable Bobé Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile.

After being sworn and hearing reading of the official report of his previous testimony, acknowledges said report to be true and correct and has nothing to add nor to retract.

(Signed) Blanchon
Bobé Descloseaux.
Marcellin, Clerk.

The foregoing official report to be referred to the Attorney General.

(Signed) Bobé Descloseaux.

Not printed in Louisiana Historical Quarterly.

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YEAR 1753AUGUST 29

2 pages.

ANDRE BARON CRIMINAL CASE
CONFRONTATION

Pursuant to a petition of the Assistant Attorney General, plaintiff and accuser in the trial of Andre Baron, soldier of Favrot's Company in garrison at Mobile, Honorable Bobé Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, ordered the said accused brought to court by a patrol of the guard in presence of Mr. Pierre Annibal, Chevalier Develle, Major of the place to be confronted with the King's witnesses.

Facing Sieur Pierre Blanchon, swiss soldier of the garrison, after being sworn, both acknowledged to be acquainted with one another.

Hearing reading of the official report of the previous deposition and re-examination accused admits said to be true and correct and declines to take any exceptions or to cross-examine witness, and says it is true he had said he merited death. Accused does not sign, being illiterate.

(Signed)

Blanchon
Develle
Bobé Descloseaux
Marcellin, Clerk.

The foregoing official report to be referred to the Assistant Attorney General.

(Signed)

Bobé Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 29th.2 $\frac{1}{2}$ pagesANDRE BARON GRIMAL CASE
CONFRONTATION

Pursuant to a petition of the Assistant Attorney General, plaintiff and accuser, in the trial of André Baron, soldier of Favrot's company, in garrison at Mobile, accused of an infamous statutory crime, Honorable Jean Baptiste Claude Bobe Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, in presence of Mr. Pierre Annibal, Chevalier Devell, Major of the place, proceeded to a confrontation of witness with the accused.

The accused brought from the fort's prison by a patrol of the guard house was confronted with Sieur Francois Joseph Masson, Sergeant of Favrot's company, tenth witness of the inquiry.

After being sworn, accused and witness admitted to be acquainted with one another.

Hearing reading of the official report of the previous deposition and re-examination witness acknowledges said to be true and correct, and states it is all hearsay evidence which he overheard at the guard house on Dauphine Island.

The accused admits saying that he feared to be burnt at stake for a crime of which he was falsely accused.

(Signed) Masson
Develle
Bobe Descloseaux
Marcellin, Clerk.

The foregoing official report to be referred to the Assistant Attorney General.

(Signed)
Bobe Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 29

ANDRE BARON CRIMINAL CASE

Confrontation

Pursuant to a petition of the Assistant Attorney General, Hon. Bobe Descloseaux, Civil and Criminal Judge of the jurisdiction of Mobile, proceeded to the confrontation of Andre Baron, soldier of Favrot's Company of Mobile, on trial for an infamous statutory crime, with Sr. George Goupy, called Dumaine, soldier of Bounille's Company, of Mobile, eighth witness for the prosecution.

After being sworn, accused and witness, acknowledge being acquainted with one another.

Hearing reading of his previous deposition and re-examination, witness acknowledges same to be true and correct and accused declined to take any exceptions or to cross-examine witness.

Accused said he had stated he deserved death for deserting, witness says he never heard accused assert any reason for his fears, whether for desertion or for a crime.

Accused does not sign, being illiterate.

	(Signed)	G. Goupy
Develle		Bobe Descloseaux
		Marcellin, clerk

Foregoing official report to be referred to the Assistant Attorney General.

(Signed) Bobe Descloseaux

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

Not listed in Louisiana Historical Quarterly.

ANDRE' BARON CRIMINAL CASE
CONFRONTATION

Pursuant to a petition of the Assistant Attorney General, Honorable Jean Baptiste Claude Bobé Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, in presence of Mr. Pierre Annibal chevalier Develle, Major of the place, proceeded to the confrontation of witness by the accused Andre' Baron, soldier of the Favrot's company, in garrison at Mobile, on trial for an infamous statutory crime.

The accused brought from the fort's prison, where he was incarcerated, by a patrol of the guard house, was confronted with Sr. François Firmin Chauvé called Brindamour (a bit of love), soldier of Grandchamp's company, in garrison at Mobile, sixth witness of the inquiry.

After being sworn accused and witness admit to be acquainted with one another.

Hearing reading of the official report of the previous deposition and re-examination, witness acknowledges said to be true and correct and states it is all hearsay evidence, received from Sieur Pemme.

The accused declines to take any exception or to cross-examine witness, admitting he said he was fearing to be burned at stake for the crime he was falsely accused.

(Signed) Firmaint Chauve
Bobé Descloseaux
Develle
Marcellin, Clerk.

The foregoing official report of confrontation to be referred to the Assistant Attorney General.

(Signed) Bobé Descloseaux.

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Not printed in Louisiana Historical Quarterly.

YEAR 1753

AUGUST 29

ANDRE BARON CRIMINAL CASE

Confrontation

The accused Andre Baron was brought by a patrol before Hon. Bobe Descloseaux, Civil and Criminal Judge of the jurisdiction of Mobile, to be confronted with Francois Xavier, negro slave of Mr. Laferne, major surgeon of the King's Hospital, second witness for the prosecution.

The main exhibit in the case was brought into the court and identified by the witness, but the accused denied the identity of it.

The accused and witness do not sign, being illiterates.

The accused given in charge to the guards to be returned to prison.

(Signed) Bobe Descloseaux
Develle Marcellin, clerk

Foregoing official report to be referred to the Assistant Attorney General.

(Signed) Bobe Descloseaux

(1½ pages)

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 29

ANDRE BARON CRIMINAL CASE

Confrontation

The accused Andre Baron was brought before Hon. Bobe Descloseaux, Judge of the jurisdiction of Mobile, to be confronted with Ln. Conrad Leidek, first witness for the prosecution.

The main exhibit in the case was brought into the court and identified by the witness, while the accused denied the idedntity of it.

(Signed)	Conrad Leidek
Develle	Bobe Descloseaux
	Marcellin, clerk

The foregoing official report to be referred to the Assistant Attorney General.

(Signed) Bobe Descloseaux

(1-1/3 pages)

Not listed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 30

6 pages

ANDRÉ BARON CRIMINAL CASE
INTERROGATORY OF ANDRÉ BARON

Pursuant to a request of the Assistant Attorney General, Honorable Jean Baptiste Claude Bobé Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, proceeded to the interrogatory of the accused.

The accused, brought into the court room by a patrol of the guard, answering to questions, stated his name was André Baron, 36 or 37 years old, soldier of the Favrot Company, in garrison at Mobile, native of Cote, Saint Andre, Bishopric of Grenoble in Dauphine.

Pleading ignorance and lack of memory, evading some of the questions, he gave a negative answer to all questions, tending to connect him directly with the crime mentioned in the indictment.

Asked why did he seek the negro Xavier? Answered it was to verify before his fellow soldiers the false accusation he had made against him.

Asked what was he indicted for? Answered he was told that the negro had caught him in a compromising position, committing a statutory crime.

Asked if the negro came to the fort? Answered in the negative; he had left him near the woods, looking for roots; went to the fort alone - Seeing that his comrades were against him, he ran off, being a little intoxicated.

Asked why did he make up his mind to run away if he had no grudge against him? Answered - because he was under the influence of liquor.

Asked why, if he was innocent, he had not made a complaint and have the negro punished for slander? Answered - he certainly would have done so, had he known, but he never thought at the moment, that is why he made up his mind to run away.

cont'd.

Asked why did he offer the negro some money to induce him to vindicate him? Answered - he never offered the negro any money, he is an imposter; on the contrary he asked the negro for the money he owed him.

Asked if he did not tell the negro that Mr. Blouin owed him one piastre (one dollar) or more, and he would give him that money? Answered - he never told the negro that Mr. Blouin owed him any money, never offered him anything; on the contrary, he told the negro he would never give him anything because he had failed to cure him.

Asked if he did not tell the soldiers at Dauphine Island, who arrested him, he would be burned at stake if brought back to Mobile and begged his fellow soldiers to kill him rather than arrest him? Answered - it is true he told his comrades he would be burned at stake, but he knew he was falsely accused.

Hearing reading of the present interrogatory says all answers are true, persists and declares he is unable to sign, being illiterate.

The accused given in charge of the patrol of the guard to be returned to the prison.

(Signed) Bobe Descloseaux.

Not listed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 30

ANDRE BARON CRIMINAL CASE

Decree to torture the accused

Considering the writ of arrest and the indictment issued against Andre Baron, soldier of Favrot's Company in garrison at Mobile, accused of an infamous statutory _____ crime, the official reports of evidence brought at the preliminary inquiry and re-examinations and confrontations, the interrogatory and cross examination of the accused, the opinions and petitions of the Assistant Attorney General, the official report of Mr. Alexandre Duparquier, officially appointed reporter, and all other papers and documents pertaining to the said criminal case,

Honorable Bobe Descloseaux, Civil and Criminal Judge of the jurisdiction of Mobile, before rendering the final decree on said criminal trial, orders that the accused be put to torture and if necessary, on the rack, in the accustomed manner in presence of the reporter, to hear from the said accused, the whole truth on the facts set forth in the indictment. There being no torturer nor instruments of torture within his jurisdiction, the case to be transferred to New Orleans to be heard before any judge appointed for that purpose and the final trial to take place before the Superior Council of the Province of Louisiana under the direction of Mr. Dauberville, First Judge.

(Signed) Bobe Descloseaux
Marcellin, clerk

(1 $\frac{1}{4}$ pages)

Not listed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 30

LETTER TO MR. CHANTALOU
WRITTEN AT La ROCHELLE
BY MR. TESTA.

Undersigned addresses Mr. Chantaloup as his very dear brother and friend,

The matters herein treated are principally those concerning the business partnership existing between the writer and Mr. Chantaloup.

Mr. Testa begins by reference to his letter of March 28th sent via "The Conflan" and to a later one sent on a vessel belonging to Mr. Girardeaux. Acknowledgment is made of Chantaloup's letter of October, 1752, which letter acknowledges receipt of goods sent him via "The Equity" and "The Amiable Marie". The writer then treats of the profits to be made of those consignments and then goes into detail regarding other business matters.

Mr. Testa earnestly urges Mr. Chantaloup to be specific in his letters when ordering merchandise, particularly the sizes required. He then discusses the problem of shipping which is great, due to the fact that most ships are almost wholly in the King's. He asks Chantaloup to obtain the influence of those in authority in Louisiana in order to secure shipping space on vessels going there.

Mr. Testa digresses from business to announce the death of Mr. Henry and to say that his widow has given her power of attorney to Mr. Bertrand, ship captain, and to ask Mr. Chantaloup to assist the Curator of Mr. Henry's Succession, Mr. Lessassier, in any way he can. He then asks about news of Mr. Popines.

D53/130 cont'd.

Mr. Testa then reminds Mr. Chantaloup about securing the correspondence of Mr. Destrehan for him and asks that he also endeavor to secure that of others if possible. Mr. Testa states that he is inclosing an invoice of articles which are being sent to Mrs. Chantaloup by Mrs. Testa and asks that receipt be duly acknowledged. Mr. Testa then asks Mr. Chantaloup to send him a statement of their general account. Mr. Testa requests that Mrs. Chantaloup accept the articles sent her by Mrs. Testa, with her compliments. In conclusion, Mr. and Mrs. Testa send their best wishes and assurances of their esteem.

(Signed) Testa

(8 pages)

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YEAR 1753

AUGUST 30

IN RE: SUCCESSION OF VALENTIN DAUBLIN.

Itemized Statement of Court Costs.

This is an itemized statement of costs expended in this Succession up to final partition, the total of which is 215 livres. These costs are to be paid by Mr. Chantalou in charge of the funds upon presentation of the statement therefor. Mr. Chantalou will be credited for said payment upon his presentation of these presents.
Done at New Orleans by us, Attorney General.

(Signed) Raguet

(1 page)

Not listed in Louisiana Historical Quarterly.

YEAR 1753

AUG. 30th.

1 p

Invoice of merchandise sent by Sr. Testa, for account of his wife, to Sr. Chantalou at Louisiana, on the ship "La Concorde" (Captain Bertrand), consigned to Mr. Boullineau, amounting to 364 livres.

Additional merchandise, for account of Madame Chantalou, on the requisition of Sr. Courtableau, amounting to 87 livres, 10 sols.

Not printed in Louisiana Historical Quarterly.

August 29 - Re-examination of soldiers.
After hearing of reading of their previous testimonies, all the soldiers of the arresting patrol before Honorable Bobe Descloseaux acknowledged said depositions to be true and correct and have nothing to add nor to retract.

August 29 - All soldiers of the arresting patrol confronted with the accused who takes no exceptions, but he acknowledges having wronged one of them, named Maison, of two liards ($\frac{1}{2}$ penny) a month. After hearing reading of these depositions accused admits saying he deserved death, but he meant for desertion, and also admits having said he feared to be burnt at the stake for the crime of which he was wrongly accused.

August 28 - Summons issued by the Sheriff to Conrad Leidek, and the negro Francois Xavier, to appear before the Criminal Court on August 29th.

August 29 - Supplementary examination.
Conrad Leidek, and the negro Francois Xavier, repeat their original testimony; the accused Andre Baron, his denial.

August 30 - Interrogatory held in my presence from the witness stand.
Report by me, made at the Court session, in presence of the Honorable Judge Bobe Descloseaux, Major Develle and Marcellin; Clerk.

(Signed) Duparquier.

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Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 12

ANDRE BARON CRIMINAL CASE

Attorney General Petition

Andre Baron, soldier of Favrot's Company in garrison at Mobile, having committed a statutory, indecent crime, Mr. Bernoudy, Assistant Attorney General, petitions Honorable Jean Baptiste Claude Descloseaux, commissary of the Marine, District Judge at Mobile, to order that an inquiry be held on the facts and circumstances of said crime; the official report of said inquiry to be communicated to said attorney general for his opinion and to issue the proper demands.

(Signed) Bernoudy

Petition of the Attorney General for an inquiry granted, official report to be referred to him for his opinion and demand.

(Signed) Bobe Descloseaux

Not printed in Louisiana Historical Quarterly.

YEAR 1753

AUG.14th.

1 p

ANDRÉ BARON CRIMINAL CASE

ORDER OF INCARCERATION

Complying with the petition of the Assistant Attorney General, Judge Descloseaux issues an order to Lieutenant de Bauchamp, Commandant at Mobile, to incarcerate André Baron until his case is called up for trial.

(Signed) Bobé Descloseaux.

Lieutenant de Bauchamp in his answer states that André Baron having deserted by scaling the fortifications, cannot be found, in spite of a diligent search, but will be incarcerated as soon as he can be arrested.

(Signed) De Bauchamp.

Not printed in Louisiana Historical Quarterly.

YEAR 1753

AUG.14th.

1 p

ANDRÉ BARON CRIMINAL CASE

PETITION.

The Assistant Attorney General petitions Honorable Bobé Descloseaux, District Judge at Mobile to issue a writ of arrest against André Baron, to be imprisoned and questioned at the inquiry to be held upon the facts stated in his indictment, and to be allowed to issue summons to Dr. Laferne, Major Surgeon at Mobile, and one Bocard, Swiss soldier, to be present at the said inquiry and testify.

(Signed) Bernoudy.

Permission given by Judge Bobé Descloseaux to Assistant District Attorney General, to issue summons to Dr. Laferne and the soldier Bocard.

(Signed) Bobe Descloseaux.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUG.14th.4 $\frac{1}{2}$ pp

ANDRÉ BARON CRIMINAL CASE

EXAMINATION OF WITNESS.

Before Judge Descloseaux, Conrad Leidek testified that on the fourth day of this month, at about 5 P.M., Francois Xavier, negro slave of Dr. Laferne called him over to witness certain unusual and immoral actions on the part of the accused André Baron, in a cabin nearby, but the said accused seeing him desisted. Going to Bocard's room, the accused followed him trembling and covered with cobwebs, and Bocard noticing his palor and confusion passed the remark that he must have committed a crime.

(Signed) Bobe Descloseaux
Marcellin, clerk

Conrad Leidek.

Before Judge Bobe Descloseaux, Francois Xavier negro slave belonging to Dr. Laferne, about 30 years old, testified that on Saturday the 4th., inst., at about 4:30 P.M., while pulling up stakes for his master he saw the accused go suspiciously into a cabin and approaching slowly he caught him in a compromising position. Horrified at such a sight he was about to leap upon him, but, on second thought he retired slowly and meeting Sr. Leidek, told him to go and see what was happening in the cabin, and notified his master also.

On Friday, the 10th. inst., the report of the

(cont'd.)

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YEAR 1753AUG.14th.

occurrence having spread about town, and his comrades having shunned him about it, the accused came to witness and offered him one piastre and his bread to change his version of the incident, but he refused.

Following accused to the mess room, and being questioned by the other soldiers, he stuck to the original story. Accused's comrades having told him he was a doomed man, accused leaped over the window and scaling the fortifications, he disappeared.

Signed,

Bobé Descloseaux
Marcellin, clerk.

Witness not signing being illiterate.

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 14

ANDRE BARON CRIMINAL CASE

Writ of Arrest.

Considering the evidence brought at the preliminary inquiry held at the District Court of Mobile, and the opinion and demand of the Assistant Attorney General, Honorable Jean Baptiste Claude Bobe Descloseaux, District Judge, orders that the named Andre Baron accused, soldier of the Favrot Company, be arrested and incarcerated in the prison of the fort to be held and interrogated upon the facts and charges set forth in the indictment; his properties seized, said order to be executed notwithstanding any appeal or opposition.

(Signed) Bobe Descloseaux
Marcellin, Clerk

Not printed in Louisiana Historical Quarterly.

YEAR 1753

AUG.16th.

3 pp

ANDRE BARON CRIMINAL CASE

EXAMINATION OF WITNESS.

Before Judge Descloseaux, Corporal Jean Brocart of a Swiss Company, in garrison at Mobile, testified that on the 4th., of the month, at about 5 P.M., the accused came to his room and spying Sr. Le Kintreck became pale as death, of which witness was surprised, not knowing the cause of it.

Baron's coat sleeve was full of cobwebs and in his hands was holding some long horse hairs with which, he said, he intended to make a fishing line.

Signed,

Bobé Descloseaux
Marcellin, clerk
Brocart.

Before Judge Descloseaux, Sr. Pierre Ignace Bardes Laferne, Major Surgeon at the King's hospital at Mobile, testified that the day after the commission of the crime, for which the accused is on trial, his negro slave, Francois, having called his attention to certain unusual and immoral actions on the part of André Baron in a cabin nearby, went to the cabin and found certain objects and marks corroborating the statement of the negro.

(Signed) Bobé Descloseaux
Marcellin
Laferne.

YEAR 1753

AUG.16th.

1 p

ANDRE BARON CRIMINAL CASE
CERTIFICATION OF INCARCERATION.

Lazare Maupoint, Sheriff, door-keeper, states that André Baron was brought to the prison of the fort by a detachment of a sergeant and four soldiers to be incarcerated after his arrest according to the order given Lieutenant de Beauchamp in execution of a writ of arrest issued by Judge Descloseaux.

Signed,

Lazare Maupoint.

YEAR 1753AUGUST 17

ANDRE BARON CRIMINAL CASE.

Petition for Re-examination

The Attorney General considering the official report of the evidence brought at the preliminary inquiry in the case of Andre Baron, soldier of Favrot Company, at present incarcerated in the prison at the fort at Mobile, petitioned Honorable Bobe Descloseaux to have all witnesses re-summoned for a re-examination and to be confronted with the accused.

(Signed) Bernoudy

Not printed in Louisiana Historical Quarterly.

YEAR 1753AUGUST 17

ANDRE BARON CRIMINAL CASE

Interrogatory of Andre Baron

Honorable Jean Baptiste Claude Descloseaux, Civil and Criminal Judge of the Jurisdiction of Mobile, having repaired to the fort and holding court in one of the rooms, the accused held in prison under indictment for a statutory and indecent crime, was brought before him by order of Mr. Roulin, Officer of the Guard by a sergeant and two fuseleers, and was interrogated, in presence of Mr. Pierre Annibal, Major of the place.

After being sworn, the accused says that his name is Andre Baron, soldier of Favrot's Company in garrison in Mobile, aged 26 or 27.

Being further questioned upon his present incarceration in the post's prison, answers it is for desertion and enters a flat denial or gives evasive answers to all other questions pertaining to his indictment.

After hearing reading of his testimony, acknowledges it to be true and correct, but does not sign, being illiterate.

(Signed) Bobe Descloseaux
Develle
Marcellin, Clerk

(cont'd)

#1360 cont'd.

The accused given in charge to the guardsmen
to be taken to the dungeon.

(Signed) Bobe Descloseaux

The official report of the foregoing in-
terrogatory to be communicated to the Attorney
General.

(Signed) Bobe Descloseaux

Not printed in Louisiana Historical Quarterly.