

- Roman & Dare Successions 1-7
- Copy of decree of annulment and fine in re: Olivier Devezin, vs Chas. Lorrin, surnamed Tarascon, & Marie Girardy, his wife
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- Deschamps alleges Becat owes him the sum of 10 piastres gourde, after repeated demands for payments & refusals petitions the Council to sentence Becat to pay said debt, or be seized up to said amount of debt 8-18

No number

YEAR 1767MAY 1,

COPY OF POWER OF ATTORNEY EXECUTED BY
CLAUDE NICOLAS DUPRE, RESIDENT OF THIS
CITY IN FAVOR OF DAME JEANNE LERABLE.

Constituent authorizes and empowers
his said agent and attorney-in-fact for him
and in his name to:

Collect all moneys due, give receipts
and releases; file suits; seize and sell movables; etc. and generally to do any and all things necessary and proper to carry the foregoing into effect.

The original was signed by Dupre, Etienne Level, and Francois Goydeau as witnesses; and Garic as notary.

YEAR 1768MAY 13,

COPY OF PETITION IN MATTER OF DUPRE
vs. AZEMAR.

Dame Dupre, having power of attorney for her husband absent in Illinois, alleges that during January last, she gave Mr. Azemar 600 livres in paper money of the colony, to answer a suit filed by Le Crupte against L'Erable her father, that her father, ^{did} during that interval and consequently the suit was dropped.

Azemar has since refused to return the money.

Petitioner therefore prays the court to order defendant to return this money.

Original was signed Dupre.

MAY 13,

Copy of order. Original was signed Foucault.

No number

YEAR 1767

MAY 1,

MAY 14,

Return on service of notice.

(Sgd.) J. Maison.

Not entered in Louisiana Historical Quarterly.

55/17

D68 63 ✓

No number

YEAR 1768

MAY 3,

2 p.

Pacquet and Le Blanc, tailors, allege in their answer to summons instituted by Gupard tavern keeper, to pay their amount due him, declare, said Gupard had insisted on giving them credit for which he refuses to accept their notes, even a note made by Mr. La Matte to Pacquet, now in charge of Mr. Delaunay with notes in the same amount as offered by Le Blanc for which he petitions the council to force Gupard to accept in complete payment thereof.

Signed,

Paquet
Le Blanc.

Not entered in Louisiana Historical Quarterly.

60/17

YEAR 1768
1 p.MAY 3

PETITION

Cavelier Brothers, holders of a note for 1500 livres made by Sieur Despalier, refusing to accept payment in pelts as specified in the note, Sr. Fazende, in the name of Sieur Despalier, petitions Honorable Foucault to appoint two merchants to take cognizance of the form and tenor of said note and to decide if Cavelier Brothers have a right to refuse to accept payment of a matured note.

(Signed) Fazende

Permit to summon.

(Signed) Foucault

Summons accepted.

(Signed) Cavelier Bros.

Not listed in Louisiana Historical Quarterly.

No number

D 68⁶⁵

YEAR 1768

MAY 4th.

Sp.

PETITION

Jean Baptiste Fenet resident of Chapitoulas petitions the council to summon Messrs. Vaudal and Drouet to obtain payment from them as follows; sum of 3,365 livres as 1/6 heir in the succession of his grandmother Margueritte Bezerin; sum of 3,079.18.4. as 1/6 share in inventoried notes belonging to said succession. Petitioner asks to have all accounts rendered before Delaunay by default of decree rendered July 11, last which sentenced defendants to interest and costs therein.

Signed,
Fenet.

Permission to summon defendants.
May 4, 1768.

Signed,
Foucault.

Sheriff's return of service.

Signed,
J. Maison.

Not entered in Louisiana Historical Quarterly.

YEAR 1768MAY 4

1 1/2 p

JUDGMENTS RENDERED

Fazende vs. Cavalier

Case referred to Braud & Denis, merchants; arbiter appointed by said parties and Caresse arbitrator thereof. Costs pending.

Henaut vs. Leroux

Defendant sentenced to pay plaintiff sum of 494 livres 6 sols 8 deniers in payment of salary and accounts, including costs. Other demands rejected.

Huzard vs. Armant

Plaintiff ordered to accept sum of 150 livres coin. Defendant sentenced to costs. Plaintiff sentenced to costs for copy of present decree.

Huzard vs. Paquet & Leblanc

Defendant sentenced to pay plaintiff sum of 618 livres 14 sols in notes or good and solvent bonds as security thereof, and costs.

(Signed) Foucault

Not listed in Louisiana Historical Quarterly.

YEAR 1768MAY 4th.

1 1/2 p.

PETITION TO HON. FOUCAULT

Sieurs Durand Bros. and Petit merchants say that they contracted on Dec. 20th. 1765 before Mr. Garic, notary with Mr. Evan Jones to deliver to them during the months of June and August, 80 negro slaves, subject to clause and conditions on contract.

Suppliant pleads that as Sieur Jones did not deliver above negroes that he indemnify suppliant for damages suffered.

He asks further that Sieur Jones name before council two arbiters, and they will do the same in order that amount of damages be determined.

Signed by,

Durand Bros.

Hon. Foucault names Sieur St. Pe Louis Ranson, Braud and Poupet to arbitrate above and names the Sieur Braquet as arbitrator.

Signed by,

Foucault.

Not entered in Louisiana Historical Quarterly.

YEAR 1768

MAY 4

2 1/4 p.

EXTRACTS FROM THE REGISTER

Judgment in the case of
Hussard, inn-keeper
vs
Paquet and Le Blanc,
tailors.

Suit was for 355# 12 s. 6 d. due by Paquet
and 263# 2 s. 6 d. due by Le Blanc.

Judgment is in favor of plaintiff, defend-
ants being condemned to pay in bonds of pri-
vate enterprise of this Colony, properly en-
dorsed and secured.

Original was signed by Foucault.

Copy is

(Signed)

Garic

May 6

Return on service of notice of Judgment.

(Signed)

J. Maison

List of bonds furnished by each defendant.

(Signed)

J. Maison

Unsigned memorandum of court costs amounting
to 61#.14 s.

Not printed in Louisiana Historical Quarterly.

No Number

YEAR 1768

04 MAY

1 page
In French

MONEY DUE GEORGES HENO

In his suit for breach of contract against Sr LeRoux, Georges Heno, a butcher, presents a list of monies dues him.

NOTE: See Documents dated April 11
28 and 30, 1768.

SUBJECT: Debt, contract
PERSONS: Heno, LeRoux

#1768050401

Not found in Louisiana Historical Quarterly

YEAR 1768

MAY 5

2 p.

Marmajon
vs
Daflo
248 piastres gourdes.

Petition of Marmajon, alleging
That he consigned to Messrs. Paquet and
Bony, merchant of Port-au-Prince, 248
piastres gourdes, via the vessel of Sr.
Labathe;

That Labathe failed to deliver the money;

That Labathe, on request for a return of
the money, said he was not in position to
refund it;

That petitioner, in order not to embarrass
Labathe, asked only for security, which
was furnished in the form of a note of
Sieur Daflo, payable in one month;

That to date he has been unable to collect
the note.

Therefore petitioner prays that Daflo be con-
demned to pay the note of 248 piastres gourdes
plus all costs.

(Signed)
Marmajon.

May 5

Order.
(Signed)
Foucault

May 5

Return on service of notice.
(Signed)

YEAR 1768
(3 pages)

MAY 5

PETITION

Maurice Milon acting for Widow Desruisseaux, alleges Jacques Tarascon owes the succession of the late Mr. Desruisseaux instead of, as he now alleges, they owe him, so petitions the Council to summon Tarascon and sentence him to pay sum of 10 piastres gourde and non-suited, including costs.

(Signed) M. Milon
Veuve Desruisseaux

Permission granted to summon.

(Signed) Foucault

Sheriff's return of service.

(Signed) J. Maison

- - - - -

1768

May 7,

Answer to petition

Jacques Tarascon, defendant, alleges he paid the late Mr. Desruisseaux in merchandise, whereupon he asked for the cancelled note. Desruisseaux told him it was lost and promised to destroy all record of it, further petitions the Council to recognize these facts and sentence Maurice Milon to interest and costs therein.

(Signed) Tarascon

Not listed in Louisiana Historical Quarterly.

*see doc
#1768 05 0701
12/21/94 KP*

YEAR 1768MAY 6,

2 p.

DECISIONS OF SIEUR BRAUD AND DENIS IN
THE CASE SIEUR FAZENDE PROXY FOR SIEUR
DESPALIERE, AGAINST MESSRS CAVALIERS BROS.

On the 4th., Sieur Foucault named arbiters to settle differences between Sieur Fazende acting for Sieur Despalier against Messrs Cavalier Brothers, the object being to settle a contract made under private signature, made in duplicate, on the 20th. of last month, between Messrs Cavalier Brothers, and Sieur Despalier. The latter sent Sieur Fazende deer skins to be remitted to Messrs Cavalier, at the rate of 55 sols each up to the sum of 1500 livres, and to withdraw a creole negro named Christophe, that Sieur Despalier had left as security, until settled, as explained in the contract.

After due examination of the whole, I decide that Messrs Cavalier Brothers be held to accept the said skins, and to return the said negro, and the parties respectively discharged.

Inasmuch as Sieur Despalier neglected to send Sieur Fazende the duplicate of the said contract signed by Messrs Cavalier Bros., Sieur Fazende will be held to have it returned immediately, or otherwise to answer in his own and proper name which can result and assist towards the duplicate contract until returned to Messrs Cavalier Brothers accept his recourse against Sieur Despalier.

D. Braud.

Mr. Fazende cannot force Messrs Cavalier Brothers to accept the skins or return the negro left as security by Sieur Despalier without producing an order from Sieur Despalier,

YEAR 1768MAY 6,

without giving a discharge of the acknowledgment made by Cavalier Brothers and Despalieré of the negro on security. These two formalities are missing.

Mr. Cavalier can refuse the skins and to return the negro, because should he happen to die in the possession of Mr. Fazende, they run the risk that Sieur Despalieré deny having authorized Sieur Fazende to withdraw the negro, and justly claim the value of the negro. Furthermore, they cannot return the security before previously receiving discharge of their acknowledgment, without casting any reflection on the good faith and honesty of Sieur Despalieré and run the risk of an acknowledgment that can be sold or transferred.

P. Denis.

ADVICE OF SIEUR CARRESSET

The laws and usage of commerce gives the debtor the power to liquidate before maturity. I am in consequence of the opinion that Messrs Cavalier, cannot refuse to accept the skins tendered him by Mr. Fazende for the account of Sieur Despalieré, except running the risk of being ordered by the judge to return the negro to Mr. Fazende belonging to Sieur Despalieré, that by this means, they will be protected against all claims by Sieur Despalieré as well as all others who might present themselves as holders of his duplicate contract made under private signature, made May 24, 1767.

L. Carresset.

Not entered in Louisiana Historical Quarterly.

YEAR 1768

(1½ pages)

MAY. 6

DECLARATION.

I, undersigned, declare to have in December 1765, in partnership with Sr. Durand Bros., made a contract with Evans Jones, merchant in Pensacola, of 50 to 80 negroes at 900 livres a piece, payable, or an Agent, Letters of Exchange or fair and marketable indigo, Vendor's choice. Having offered Durand Bros. to sell them my share of said contract which is half; Monsanto, present at the time, offered to take it for 1000 livres reel and two casks of wine. I accepted, pleased to dispose of this dragging affair and offered Monsanto return him note had made for me.

(Signed) Petit

Not listed in Louisiana Historical Quarterly.

#5/7/68

D 68 ⁷²

YEAR 1768

MAY 7

9 p.

MEMORANDUM SUBMITTED TO ARBITRATORS
BY DEFENDANT IN RE: MESSRS. DURAND
BROTHERS AND PETIT, MERCHANTS, Versus
EVAN JONES.

This is a suit for payment of damages for non-performance of the contract made and entered into December 20, 1765, before Mr. Garic, Royal Notary, by plaintiffs with defendant for delivery by the latter to the former of a stipulated number of negroes of a specific kind at a designated time; payment to be made in money or in indigo, at the choice of defendant.

Mr. Evan Jones, defendant, endeavors to show the Arbitrators that plaintiffs have no cause of action and therefore are not entitled to damages sued for. He calls attention first to the fact that the contract contains no clause providing for payment of performance, and secondly, to the fact that plaintiffs failed to definitely prove, by unquestionable data, the amount of loss which they suffered, and that the amount of profit which they claim would have been made is unsupported by evidence, hence such claim is premature and without foundation. then details the actual losses incurred by him in an effort to carry out said contract. Defendant then petitions Arbitrators in consideration of foregoing facts, to reject plaintiffs' claim for damages and to condemn them for costs.

(Signed) Evan Jones

Not listed in Louisiana Historical Quarterly.

No Number

YEAR 1768

07 MAY

4 pages
In French

ANSWER TO DURAND BROTHERS

Evan Jones explains why he was unable to deliver the slaves as per the contract, and should not be liable for damages as claimed by the Durand Brothers.

SUBJECT: Contract, Slavery, slaves, Flour,
New York
PERSONS: Durand, Jones, Aubry, Monsanto

#1768050703

Not found in Louisiana Historical Quarterly

YEAR 1768
(1-1/2 pages)

MAY 7

JUDGMENTS

Sieur Drouinand, Capt., Plaintiff

vs.

Mrs. Piseaux, Defendant

Case was thrown out of Court, due to the insolvency of the defendant; plaintiff to pay Court costs.

Sieur Jacques Landrau, Plaintiff

vs.

Mrs. Wid. Adam, Defendant

Principals are referred to Messrs. Faulka and Dorie, arbitrators, who will make visit to the enclosure in question; costs pending.

Sieur Mailloir, Plaintiff

vs.

Jacques Carriere, Defendant

Judgment in favor of defendant, in the sum of 106 livres to be paid in deer skins and Court costs.

Sieur Mamajou, Plaintiff

vs.

Sieur Labat and Sieur Claude

Judgment in favor of plaintiff in the sum of 248 piastres gourdes and costs.

Sr. Maurice Milon, having the power of attorney for Wid. Duruisseau, Plaintiff,

vs.

Jacques Tarascon, Defendant

The defendant's note held by plaintiff and the defendant's invoice for supplies will counter balance one another; cost pro rated.

Sieur Carriere, having power of
attorney for Sr. Despalier,
Plaintiff,

vs.

Sieur Cavalier Bros.

Arbitrators' decree approved in its form and
tenor feudatory fines.

(Signed) Foucault

Not listed in Louisiana Historical Quarterly.

56/29

YEAR 1768MAY 7th

3 p.

PETITION TO HONORABLE FOUCAULT

Sieur Jeremia Terry, merchant of Pensacola, says that he has obtained a judgment against the Sieurs Siverson and Reazon, carpenters of Pensacola, for the sum of 427 piastres gourdes one escalin, but they evaded payment by leaving Pensacola; now Sieur Reazon is in New Orleans, and as suppliant has some work to be done on his boat, he asked Reazon to do it for the amount due, to which Reazon agreed, but as he has not done it yet, suppliant asks that he be ordered by the Superior Council to pay amount due and that his two negro slaves be sold to help pay him some of the money due.

Signed by

Terry.

Petition to be communicated to Sieur Reazon.
Writ of seizure for negroes issued.

Foucault.

Summons and notice of writ of seizure issued
by sheriff.

J. Maison

Sheriff's fees 21 livres 17 sols 6 deniers.

Not printed in Louisiana Historical Quarterly.

YEAR 1768MAY 8

1 p.

PROCURATION

Sieur Phoenard, sick in bed, and by private signature, gives Sieur Jean Louis Wiltz power and authority to proceed in his name in the action against Sieurs Laçoste and Milhet Junior, pledging himself to reimburse him for all costs.

	his	
Guidroz	X	Phoenard
Pierre Zeringue	Mark	
(Witnesses)		

Not printed in Louisiana Historical Quarterly.

YEAR 1768
(6 pages)

MAY 9

PETITION TO HONORABLE FOUCAULT

Sieur Lafite, Jr., merchant of this city, says that he contracted with the Sieur Baure of this city to deliver to him 12 barrels of flour a year for five years, and that Sieur Baure lived up to his agreement for four years, but that this year he delivered him 8 barrels. Sieur Baure having bought flour somewhere else refused to accept the remaining 4 barrels. Suppliant asks that Sieur Baure be summoned to appear before Council and be ordered to accept the other four barrels or pay for 12 barrels.

Signed by: Lafitte, Jr.

Permit to summon. Foucault.

Return of notice of service by
J. Maison

YEAR 1768

MAY 11

Sieur Baure says that he has, according to his contract, until the 29th of this month to accept the flour that Sieur Lafite entered suit against him before the expiration of the contract. Petitions the Council to order Sieur Lafite to withdraw his suit as he intends to accept flour.

Signed by: Baure

Not printed in Louisiana Historical Quarterly.

Doc. # D68 76

YEAR 1768

4p.

*see doct#
1768051105
12/21/94 K.P.*

MAY 9

PETITION

Messrs. Mechin and Gaube allege they accepted a note from Mr. Lamothe, resident of Point Coupee, made by Mr. Chapron, in the sum of 3,500 livres, which note has not been honored. Learning Mr. Chapron received the major part of a cargo to be delivered by Mr. Le Merre, petitioners agree to accept a note on Mr. Le Mere or in default of which petition the Council to summon Chapron and sentence him to pay full amount of said note.

(Signed)

Mechin
Gaube

Permission granted to summon.

Foucault

Sheriff's return of service.

J. Maison

Not printed in Louisiana Historical Quarterly.

60/19

Doc. # _____

*see do
1768057101
12/21/94 KP*

YEAR

1/90

Statement of account rendered.

Lumber received	2665.16
Deduction for missing lumber	835.
4 mules (a) 400.	1600.
Amount of note	3500.
Net sum due by Chapron	1065.

YEAR

1/90

MAY 16

Certification by undersigned at the mill of Mr. De La Cour, declaring said purchase by Chapron from Lamothe, contained 238 pieces of lumber.

Latour fils
B. Verret

Not printed in Louisiana Historical Quarterly.

60/19

No Number

YEAR 1768

10 MAY

3 pages
In French

DURAND BROS. v. JONES

The Durand Brothers present their arguments to the arbiters appointed to settle the same claims raised against Evan Jones for failure to deliver slaves.

SUBJECT: Contract, suit, Arbitration,
Damages, slavery, slaves
PERSONS: Durand, Petit, Jones, Musculus,
Rondino

#1768051002

Not found in Louisiana Historical Quarterly

No-number

D68 77

see doc
#1768051153
12/2/94 KP ✓

YEAR 1768

2 1/4 p.

MAY 10,

Inventory of documents produced in court by Vaugine de Nuisement curator for Marie Louise Dauberville, emancipated minor.

vs.

Mr. & Mrs. De Villemont, who render account, by decree of court, of the tutorship of said Miss Dauberville.

Each document is itemized and accounted.

Signed,

Vaugine de Nuisement.

Sheriff's return of notice served on De Villemont.

Signed,

J. Maison.

Not entered in Louisiana Historical Quarterly.

~~268~~ 268⁷⁸

YEAR 1768

MAY 10

2 1/4 p.

COPY OF DECLARATION MADE BY
PETER HILL, MERCHANT.

In this declaration, Mr. Hill outlines the trip made by him from New York to the Barbadoes on the "Petit David" (Little David) hired to go to said Barbadoes for the purpose of getting from 80 to 100 slaves for account of Mr. Evan Jons; said slaves to be delivered at Iberville on the Mississippi River. Mr. Hill also outlines his reason for failure to obtain said slaves and why he returned to New York.

(Original signed) Pierre Hill

New York,
1766
Sept. 30,

Copy of Oath before Notary
Appearing before Mr. Jacques
Arnott, Notary Public and

Scrivener, Peter Hill swears to the truth of the foregoing declaration as well as to the fact that same was written by him.

(Original signed and sealed)

Jacques Arnott, Notary Public

New Orleans,
1768
May 7,

Copy of Certification of Interpretation of foregoing Declaration of Oath.

Undersigned Royal Interpreter certifies that the foregoing declaration and oath have been translated verbatim from English into French by him.

(Signed) Azemar

Not listed in Louisiana Historical Quarterly.

YEAR 1768
(2 pages)

MAY 11

ANSWER

In Re: Mr. Terry versus Nathaniel
Reason.
Provisional Seizure of 2
Slaves

Defendant, Nathaniel Reason, prays that provisional seizure be set aside and that there be judgment in his favor against plaintiff for 313 piastres, full value, and three bits (37-1/2 cents), and for costs. Or, in the alternative, that Mr. Terry report to Charleston or to any other place where defendant has property, and there continue their common suit.

Mr. Terry, alleging that Mr. Reason owed him 427 piastres and one bit (2-1/2 cents), obtained a writ of provisional seizure against the latter while he was in New Orleans, stating that Reason would not pay said debt even though he had offered him the work of scraping the bottom of his boat. Mr. Reason states, however, that Terry owes him 295 piastres and 3 bits for work done, and also 18 piastres on a note drawn on him by a Mr. Bulosfiel and by him accepted. Defendant denies refusing to do said work, alleging that, knowing plaintiff to be litigiously inclined and unable to reach a satisfactory agreement as to price, defendant was afraid to begin said work until that point was settled.

(Signed) Nathaniel Reason

(cont'd)

(1½ pages)

*Added
#176805/1107
12/24/94*

Copy of Extract from Summary
Hearings of Wednesday, May 11,
1768

In Re: Jeremy Terry, merchant of
Pensacola, Plaintiff,
versus
Messrs. Swerson and Reazon,
Defendants.

The entire record herein duly examined, Preliminary Default against defendant, for failing to appear, is rendered against him. Defendant is to be again cited to appear on morning of May 14th.

Given at New Orleans, May 11, 1768. Original signed, Foucault.

(Signed) Garic, Clerk

Not printed in Louisiana Historical Quarterly.

61/19

YEAR 1768MAY 11

9 p.

PHENARD VERSUS LACOSTE AND MILHET

WITNESSES SUMMONED

Sheriff's return of service to Mr. Raby.
(Signed) J. Maison

1768

May 16, Sheriff's return of service to Mr.
Lacoste, ship captain.
(Signed) J. Maison

1768

May 18, Sheriff's return of service to Sr.
Dubrocard.
(Signed) J. Maison

Order to Mr. Garic to pay five livres to bearer.
(Signed) Hushet de Kernion

1768

May 18, Sheriff's return of service to Sieur
St. Louis.
(Signed) J. Maison

Order to Mr. Garic to pay five livres to bearer.
(Signed) Hushet de Kernion

1768

May 19, Sheriff Maison states that he has delivered
summons to Sieurs Dubrocard, Fayolle,
Caffigny, Andre Chicloc, Dumontier dit St. Louis, to
appear in Court this day to testify in the case of
Phenard versus Lacoste and Milhet and receive salary.
(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

No Number

YEAR 1768

11 MAY

1page
In French .

BAURE v. LAFITE

Sr Baure claims Sr Lafite the Younger,
has given him only eight quarters of
flour instead of the twelve quarters
due, and seeks completion of the
contract.

SUBJECT: Suit, Contract, Flour
PERSONS: Baure, Lafite

#1768051104

Not found in Louisiana Historical Quarterly

#5/13/68

D68-81
see doc
#1768060602
12/29/94 KP

YEAR 1768

MAY 13

4 p.

PETITION

Jean Baptiste Ducarpe, petitions the Council, alleging as tutor for the five Guenon minors he is unable to make the expenditures and legal costs of a family meeting, in order to obtain permission to divide the sum of 255 livres therein, further declaring the youngest son, Charles, is in need of funds for an education, also the other boy who is an apprentice; therefore he petitions the Council to allow him to divide the said sum into five equal parts, using the shares belonging to the three girls, who are the King's charge, for the two boys until liquidation, four years hence, of rents derived from their property and equal division thereof.

(Signed) Ducarpe

The Attorney General agrees to the granting of above demands with discharge of all accounts rendered therein.

(Signed) Lafreniere

Not listed in Louisiana Historical Quarterly.

60/29

YEAR 1768MAY 13

(18 pages)

INTERROGATORY

Interrogatory made by Huchet de Kernion on request of a named Phoenard (Carter), Plaintiff versus

Sr. Lacoste and Milhet Junior.

Appeared ten witnesses declaring to have witnessed quarrel between said Phoenard and Sr. Lacoste, all about a wagon; Lacoste striking Phoenard with his stick, to have noticed Phoenard blood stained from strike and heard both abusing and insulting one another.

Witnesses declared their statements true.

(Signed) Litvin Filiozo
 Raby
 J. Chalon
 Pierre Saintpre
 M. Poupet
 Pelagie Tarasco
 Boudousquie
 Sainteloy
 Joseph Collier
 Louis Le Coste
 Huchet de Kernion
 Garic

We, Commissioners to Counsel, declare that assignment was made Sr. Lobios by Maison, Sheriff. Said Lobios failed to appear; order present information made to members of the Council.

(Signed) Huchet de Kernion
 Garic

(cont'd)

1768

April 14. Attorney General orders Sr. Lacoste and Milhet Junior, officer of schooner commanded by Sr. Lacoste to appear for questioning on charges made against them; all to be communicated and right made.

(Signed) La Freniere

1768

May 16. Heard by Judge Foucault, request of Phoenard, questioning of 10 witnesses, report of physician and surgeon to the King after examination of said Phoenard; Lacoste accused of beating and ill treating said Phoenard is ordered to appear in person before Sr. Kuchet de Kernion at Criminal Court.

(Signed) Foucault

Not listed in Louisiana Historical Quarterly.

58,29

#2361

see doc
#1768051808
12/29/94 KP ✓

YEAR 1768

MAY 13

1/p.

Sr. Lacoste, Capt., Plaintiff

vs.

Sr. Antoine Gauvin, Inn keeper, Defendant

Judgment in favor of plaintiff, in the sum of 175 livres, in piastres and costs.

Sr. Pouquet, Plaintiff

vs.

Sr. Vincent, Watchmaker, Defendant

First default ordered

Case remanded to the 1st Session of the Council.

Mme. Dupre, having her husband's power of attorney, Plaintiff

vs.

L. Azemar, Defendant

Judgment in favor of plaintiff in the sum of 600 livres in notes, less salary due defendant, and costs.

Sr. Ruby, Plaintiff

vs.

Sr. Anuart, Defendant

Seizure cancelled without costs.

Signed: Foucault

Sr. Micham and Gobert, Plaintiff

vs.

Sr. Chapron, Defendant

Judgment in favor of Plaintiff, Defendant to pay costs.

Not listed in Louisiana Historical Quarterly.

5/13/68

D68⁸²

YEAR 1768

1/2

MAY 13,

PETITION

Acting for his mother, Jean Louis Vilte petitions the council alleging that due to the illness of Mr. Phenard, caused by the assault of the Messrs Lacoste and Milhet; the wagon and team driven by Phenard have not been in use, which has stopped her daily revenue of 3 to 4 piastres gourds, further declaring the team of 4 horses have not been found since the said dispute, petitions the council to obtain from Lacoste and Milhet all costs and damages in the loss of Phenard's labor and the profits derived therefrom until his recovery.

Signed,

J. Vilte.

Not entered in Louisiana Historical Quarterly.

No number

D68 83

see doc
#1768057401 ✓
12/21/94 K.P.

YEAR 1768

MAY 13,

2 p.

Lacoste, ship captain, petitions the council alleging Antoine Gavin inn-keeper, owes to the cargo aboard the "La Cartolla", sum of 175 livres; which sum he has been unable to collect so requests the council to summon Gavain and sentence him to pay said sum due.

Signed,

J. Lacoste.

Permission granted to summon.

Signed,

Foucault.

Sheriff's return of service.

Signed,

J. Maison.

Receipt for costs, sum of 5 livres.

Signed,

J. M.

Not entered in Louisiana Historical Quarterly.

No-number

768⁸⁴

YEAR 1768

MAY 13

1/2.

Sheriff's return on service of
notice to Mr. Armant as petitioned
by Mr. Ruby and ordered by Judge
Foucault.

(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

60/29

YEAR 1768MAY 13th.

4 p.

Henry Roche, shoemaker of this city says that on the first of August of last year he loaned to Sieur Joseph Marie Armant, merchant of this city the sum of 22005 livres, for which Mr. Armant mortgaged all his effects present and future, specially his house in this city, with the promise to repay the loan in 6 months from date, and Sieur Joseph Maison, stood guarantee for above sum.

As amount loaned has never been paid suppliant petitions Hon. Foucault to summon Sieur Armant to appear before superior council, and be condemned to pay amount plus costs.

Signed by

Henry Roche.

Permit to summon.

Foucault.

Summons to appear received by

Armant.

Answer by Sieur Armant saying that due to the bad economical conditions existing in the colonies, he is unable to pay above loan in cash but is willing to give to Sieur Roche, tobacco, oil, wood or a promissory note in piastres gourdes and he pleads with the superior council to grant him an extension of 4 months time to settle his debt.

Signed,

Armant.

See doc #
1768060402
4/20/95 KP

YEAR 1768

MAY 16th

2 p.

PETITION TO HONORABLE FOUCAULT

Sieur Gabriel Tepier says that Sieur Jean Joseph Lioteau owes him a sum of money amounting to 660 livres in piastres gourdes, which he is unable to collect, and therefore ask that Lioteau be summoned to appear before Council and be ordered to pay above sum, or to sell all his effects, movable and immovable, and also his house on Bourbon Street in order to settle above claim, plus cost and interest.

(Signed by)

Defeu,
attorney

Permit to summon granted

Foucault

Return of notice of service by

Sheriff J. Maison

Not printed in Louisiana Historical Quarterly.

YEAR 1768MAY 16

4/10.

INTERROGATORY

Replying to interrogatory propounded him by Sr. de Kernion, lecture made him of complaint against him of the named Phœnard (Carter), Sr. Pierre Lacoste declares to have been at the Bayou and on seeing Phœnard pass with his flat boat and wagon, cripple, foreseeing would be tired to go back, engaged said wagon, promising Phœnard to pay him well which he accepted. Ready to return, Sr. Pré being with Lacoste, joined said Phœnard, who seeing were only two, started to insult them declaring that no fool will enter it. Sr. Pré then struck him with his stick and fists and in trying to separate them, Lacoste was pushed aside by Sr. Pré and insulted by Phœnard; he then struck him on the shoulder forcing him to abandon said wagon and they went as far as Sr. Milon's place; Phœnard following them still insulting them and going as far as Lacoste's house, told his negro wanted to break his arms and legs. Lacoste states to have only heard Sr. Milhet shout at Phœnard and declaring all this true.

(Signed) Lacoste
 Huchet de Kernion
 Garie

1768

May 17, I request for the King said Phœnard summoned for questioning, all witnesses re examined, confronting one another and right made to who belongs. (Signed) Lafreniere

Not listed in Louisiana Historical Quarterly.

YEAR 1768

MAY 16,

8 p.

Jacques Carriere honorably represents in the suit against Mr. De La Barre, pending before you, that he eluded your sentence, to be rendered August 19th., last as ordered by you, and herewith attached, that I had not rendered him an account.

I petition that he be summoned a second time and if necessary to name two arbiters to receive my account, and afterwards be sentenced to pay the two notes mentioned in my petition of July 17th., as well as interest, expenses, and costs.

Petitioner further states that he is unable to pay the judgment rendered against him for 106 livres of deer skins to the named Maillioux, traveller, unless Mr. De La Barre pays him, as he has no other funds.

J. Carriere.

Permit for assignment granted,
May 16th. 1768 by,

Foucault.

On May 17th. 1768, by virtue of the above ordinance and petition, I Joseph Maison notify, summon, and give copy of the above to Sieur De La Barre.

J. Maison.

see doc
#1768051609
12/21/94 K.P

Sieur De La Barre answered the above by stating that Sieur Carriere had been his manager for a short time, had induced him to buy a brig in partnership with him, but had refused to pay his one-fourth share when the expenses piled up. Had lost over 15000 livres, owed him for board and lodging for himself and servant, and 1200 livres expenses for his

YEAR 1768

MAY 16,

ship in $3\frac{1}{2}$ months at Martinique and that his claims if any would be wiped out if he sued him.

De La Barre.

On July 17th. 1767, Sieur Jacques Carriere petitioned Sieur Foucault to summon Sieur De La Barre before him to show cause why he should not pay two notes given to him for borrowed money for paying the salary of the crew amounting to 1668 livres for his ship, and one for 206 livres 12 sols, during the outfitting of the said ship, dated April 4th. last.

J. Carriere.

Permit of assignment for the 29th., of the present month, July 23rd. 1767.

Foucault.

On July 23rd. 1767, in virtue of Sieur Foucault's ordinance and petition of Sieur Jacques Carriere, I the undersigned Joseph Maison, signify, notify, and leave copy of the above to Sieur De La Barre to appear to answer to the above charges.

J. Maison.

Sieur De La Barre is reassigned to appear before us on the 22nd. of the present month. At New Orleans, August 19th. 1767.

Foucault.

Not entered in Louisiana Historical Quarterly.

YEAR 1768MAY 16

1 1/4 p.

INTERROGATORY

Made by Huchet de Kernion relative to the matter of Phenard, wagoner, vs. Milhet, on examination gives the following testimony therein:

His name is Dominique Milhet, second captain of the Schooner "La Liberte", about 22 years of age, alleging he was at Mr. Brazilier's when he heard the dispute, whereupon he saw his captain, Mr. Lacoste, fighting with a wagoner who threatened him also with an iron bar. He then drew his sword and at that instant, Mr. St. Pé took away the said sword and slapped the wagoner.

Declared that is all he knows and above deposition is the whole truth.

(Signed)

Dque. Milhet
Huchet de Kernion
Garic, Clerk

Not listed in Louisiana Historical Quarterly,

60/29

YEAR 1768

MAY 16

1 1/2 p.

PETITION ON RECOVERY

Sieur Poupet, merchant, sold Sieur Vincent a watch valued at 240 livres and received in payment a note for 80 piastres, made by Sieur Lalime Boutte to the order of Sieur Doreson, and endorsed to purchaser, but said note was protested at maturity.

Sieur Poupet petitions honorable Foucault to have Sieur Vincent summoned before the Court and ordered to pay petitioner 240 livres, value of the watch and to return a petitioner's note for 160 livres, given to him as a balance on the 80 piastres note and costs.

Pre Poupet

Permit granted to summon.

Foucault

Sheriff issues and delivers summons.

J. Maison

Not printed in Louisiana Historical Quarterly.

YEAR 1768MAY 16,

10 p.

PETITION FOR RECOVERY OF LAND

Plaintiff, Miss Marie Rilleux alleges obtaining a grant of land on Lake Pontchartrain, from the Sueus Ravine to Manchac, or Iberville River, and to a cypress Grove, from the late Mr. D'Abbadie, Director General of the Province, at which time he promised her the title to the Chotaw Village and clearing situated in the middle of the land granted her, if and when said village and clearing were abandoned by said Indians, she further alleges that Charles Tarascon has taken possession of said village and clearing and placed cattle thereon and that this possession is illegal, also that this possession cuts her property in two and disturbs her in the possession of her grant. Wherefore, plaintiff prays that defendant be cited to appear herein and that there be an order of ejectment rendered against said defendant or, in the alternative, that an order be rendered commanding said defendant to fence his property, for which fence he is to pay half the cost. Also, that there be granted plaintiff in said Order the servitude of passage on said defendant's land.

(Sgd.) M. Rilleux.

YEAR 1768MAY 16,

Order for citation of defendant.

(Sgd.) Foucault.

YEAR 1768MAY 26,

Return of Sheriff shows service on defendant.

(Sgd.) J. Maison.

Not entered in Louisiana Historical Quarterly.

No Number

YEAR 1768

16 MAY

1 page
In French

SUMMONS TO LACOSTE

Summons is issued to Sr LaCoste
to testify before the Superior
Council as to what happened between
him and Phenard in the wagon
belonging to mother of Jean Luis
Wiltz.

SUBJECT: Suit, Interrogation,
PERSONS: Wiltz, LaCoste, Phoinard

#1768051603

Not found in Louisiana Historical Quarterly

No Number

YEAR 1768

16 MAY

1 page
In French

RECEIPT FOR DEBT

M Verret acknowledges owing the
sawmill of Sr de la Tour 238
pieces of planking that M
LsMothe sold to M Chapron.

SUBJECT: Receipt, sawmill, lumber
PERSONS: Verret, de la Tour, LaMothe,
Chapron

#1768051604

Not Found in Louisiana Historical Quarterly

No Number

YEAR 1768

16 MAY

2 pages
In French

STATEMENT OF WOOD PURCHASE

Purchase of wood by Sr Chapron from
Sr LaMothe, showing amounts of wood,
with deductions and acknowledgements.

SUBJECT: Statement, Wood, Slavery
PERSONS: LaMothe, Chapron

#1768051605

Not found in Louisiana Historical Quarterly

#5/18/68

D 68⁹⁰

YEAR 1768

MAY 17

6 1/2 p.

EXCERPT FROM THE REGISTRY: SUPERIOR COUNCIL

Phenard vs. Lacoste - Milhet.

After reviewing the records relative to above, the Council orders that the plaintiff be examined and his deposition taken at his home where he is ill in bed.

By the Council
(Signed)
Garic, Clerk

- - - -

Huchet de Kernion, assisted by the Council's clerk, go to Phenard's home and proceed with his testimony therein.

Plaintiff alleges he was seriously beaten by the Messrs. Lacoste, St. Pe, Chalon and Milhet without any provocation on his part, even being forced to abandon his wagon and horses to escape their abuse, the results of which has confined him to his bed.

Unable to write, declarant does not sign.

(Signed) Huchet de Kernion
Garic, Clerk

Not listed in Louisiana Historical Quarterly.

YEAR 1768MAY 17,

7 1/4 p.

DAME DUPRE

vs.

JEAN LOUIS AZEMAR, FORMER PROCURATOR
OF THE KING AT ISLE OF GRENADA.

Answer of Azemar showing cause why Dame Dupre should be non-suited.

According to Azemar, sometime before the death of Sr. L'Erable, alias Laurent he consulted with Azemar regarding a judgment handed down against him, requesting him to reverse the decision in favor of the heirs of former community, which gave them title to a house supposedly belonging to last community. This necessitated seven or eight days time plus court costs for which costs L'Erable gave 600# but later on L'Erable died and Dame Dupre is claiming the 600#, saying she counted out and gave to Azemar the 600#. The death of L'Erable made it unnecessary to proceed.

His wife employed Azemar to settle the estate.

Dame Dupre was the daughter of the L'Erables. Therefore defendant prays that plaintiff be non-suited.

Signed,

Azemar.

Not entered in Louisiana Historical Quarterly.

No Number

YEAR 1768

17 MAY

3 pages
In French

DAME DUPRE v. AZEMAR

Dame Dupre, daughter of the late
Sr L'Erable, sues to collect
money she claims to have paid
Sr Azemar in settlement of a house
belonging to community property.

SUBJECT: Succession, Suit, House,
Community Property
PERSONS: Dupre, L'Erable, Azemar

#1768051702

Not found in Louisiana Historical Quarterly

No Number

YEAR 1768

18 MAY

1 page
In French

SUMMONS

Sheriff's return of service on Sr
Dubroca relative to the claimed
beating of Phenard by LaCoste and
Milhet.

SUBJECT: Summons, court procedure, suit,
Assault
PERSONS: Wiltz, Dubroca, LaCoste, Milhet,
Phenard

#1768051801

Not found in Louisiana Historical Quarterly

No Number

YEAR 1768

18 MAY

4 pages
In French

STATEMENT IN PHENARD BEATING

In a statement prepared by Hutchet de Kernion, Phenard explains his knowledge of the subsequent participation by others in his suit against LaCoste and Milhet over his alleged beating.

SUBJECT: Declaration, assault, suit, Paris/
Metairie, Rue Dauphine
PERSONS: Phenard, Wiltz, LaConste, St Pe,
Grandmaison, Chalons, Milhet, de
Kernion

#1768051802

Not found in Louisiana Historical Quarterly

No Number

YEAR 1768

18 MAY

3 pages
In French

SUIT TO MODIFY NOTE

Sr Chapron, who has entered into a note with Sr LaMothe regarding the sale of wood, seeks to have that part of the note transferred to Sr Cazu he deducted so that he, Chapron, is not responsible for the full amount.

SUBJECT: Note, wood,
PERSONS: Chapron, LaMothe, Cazu,
LaTour

#1768051807

Not found in Louisiana Historical Quarterly

Doc. # _____

*See doc
#176805/105
12/21/94 KP ✓*

YEAR 1768

MAY 18

3p.

PETITION

Mr. Chapron answers above petition, alleging he gave Lamothe a note for the sum of 3,500 livres for 500 pieces of lumber, whereupon he found said purchase contained only 323 pieces which is certified by Messrs. Latour and Verret, who received the lumber at their will. Chapron deducted the sum of 835 livres, value of 177 pieces of the missing lumber, further declaring he will deduct the sum of 1600 livres for 4 mules at 400 livres each, payable 3 years ago, for which to date Lamothe has not paid, totaling amount now due Lamothe sum of 1,065 livres, which facts he requests the Council to recognize.

Chapron

Not printed in Louisiana Historical Quarterly.

60/19



YEAR 1768

8 p.

*see doc
#1768052002
12/29/94 RP*

MAY 18

Jacquelin
vs
Jean Baptiste Grevenber

Petitioner alleges, that; up to date, he has been unable to make Grevenber affect a settlement of their business transactions, or to furnish a statement of their accounts.

The business in question covers two cargoes, and their disposal. One was a vessel "Le Prudent" of Bordeaux, which docked during March and unloaded April 9, 1761, and for whihe defendant accounted for only 109060#.

The other vessel, Brigantin "Le Chassem", belonging to petitioner and for which Grevenber accounted for 11244# 17 s. 6 deniers;

That plaintiff made divers payments for Grevenber as per memo attached, and Grevenber also make disbursements for Jacquelin but not totaling the equivalent of Jacquelin's disbursements.

He therefore prays that defendant be condemned to furnish statement showing proceeds of sale of cargoes, as well as disbursements made, which statements should be supported by bills of sale together with receipts.

(Signed)

Jacquelin

May 20

Order.

(Signed)

Foucault

No. 2

May 21

Unsigned return on service of notice.

Not printed in Louisiana Historical Quarterly.

55/19

YEAR 1768MAY 18

3p.

SIEUR PIERRE POUPET VERSUS SIEUR VINCENT

DECREE

Sieur Poupet having sold to Sieur Vincent, watch-maker, a watch valued at 240 livres, received a note made by Sieur Lalime Boulet to the order of Sieur Dareson, endorsed to Sieur Vincent, said note being protested at maturity.

Honorable Foucault considering Sieur Poupet's petition for recovery of 240 livres and the return of his note for 160 livres given to balance the account, and all records pertaining to the case, orders a judgment by default, defendant to be re-summoned.

(Signed by) Foucault
Henry Gardrat
Deputy Clerk

Received five livres.

Summons accepted. (Signed) Vincent.

Not listed in Louisiana Historical Quarterly.

No number

D 68 92

YEAR 1768

MAY 18,

1/2

JUDGMENT BY ARBITRATORS RE: MESSRS
DURAND BROTHERS & PETIT VERSUS
EVAN JONES.

Undersigned arbitrators were appointed by Mr. Foucault, superior judge of this Province to settle the suit filed by Messrs Durand Brothers against Mr. Jones, claiming damages for non performance of contract of Dec. 20, 1765, passed before Mr. Garic, Royal Notary.

All of the evidence submitted by all parties hereto, as well as the fact that defendant is unable to fulfill his contract with Messrs Durand Brothers & Petit; all of this carefully considered: It is decreed by said arbitrators that Mr. Evan Jones, defendants, is to pay 1500# in Spanish money, to plaintiff, as damages herein.

Signed,

D. Braud - Louis Ranson
Pre Poupet-
Pierre Saint Pe.

No. D-68 ⁹³

YEAR 1768

1/2 p.

MAY 18

Sheriff's return of service relative to the matter of Phenard, wagoner, represented by Jean Louis Wiltz, summon the following: Andre Cheloc, St. Louis, Fayol, Caffigny, Dubroca.

(Signed) Maison

Not listed in Louisiana Historical Quarterly.

60/29

No. D 68 ⁹⁴

YEAR 1768

2 p.

MAY 18

Sheriff's return of service relative to the matter of Phenard, wagoner, represented by Jean Louis Wiltz, summon the following: Mrs. Brazlin, Philiosa called Timbalier, Raby, Louis Le Conte, Callier, St. Eloy, Poupet, Jr., Villefranche, Saint Pe, Chalon, Lacoste, Milhet, Jr.

(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

60/23

No number

D68-95-see doc
#1768052001
12/29/94 KP ✓

YEAR 1768

MAY 18

2p.

PETITION

Sieur Chaperon having allegedly, on Ascension Day, cudgeled and whipped Dame Francoise Julie Larche in the most pitiful and barbarous manner, as certified by Messrs. Roussillon, Ruby and Lebeau, Surgeons and Doctors, the said lady petitions the Superior Council to have Sieur Chaperon summoned and ordered to restore to her all movables, immovables and slaves belonging to her, which he enjoys for the past nine years and also to an indemnity and a fine for the benefit of the Hospital and costs.

(Signed) Francoise Julie Larche

1768

May 20, Permit to summon.

1768

May 21, Summons issued and delivered by Sheriff Maison.

(Signed) Maison

Not listed in Louisiana Historical Quarterly.

57/29

D68 98

YEAR 1768

MAY 19

2 1/2 p.

Sheriff's return of service relative to the matter of Phenard, wagoner, represented by Jean Louis Wiltz, summons the following: Philiosa called Timbalier, Raby, Louis Le Conte, Calier, Mrs. Brazlin, St. Eloy, Poupet, Jr., Villefranche, St. Pe, Chalon, to be confronted with Messrs. Lacoste and Milhet.

(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

60/29

YEAR 1768MAY 19

8 p.

WITNESSES RECALLED.

Reading of the testimony given by the witnesses to the said witnesses before Huchet de Kernion relative to the matter of Pierre Phenard vs. Messrs. Lacoste, Milhet and others.

Each undersigned witness declares that his testimony is true and that he has nothing to add nor abridge therein.

(Signed) Fhayoll
 Boudousquie
 Coffigny
 Dumontie

(Unable to write,
 does not sign) Andre Tlop
 Feois Dubroca
 Raby
 P. Chalon
 Pierre Saint Pe
 Saint Eloy
 Collier
 Louis Le Conte
 Philiosa

(Unable to write,
 does not sign) Phenard
 Huchet de Kernion
 Garic, Clerk

Not listed in Louisiana Historical Quarterly.

#2366

YEAR 1768

MAY 19

1 1/2 p.

Before Sr. Huchet de Kernion, in
virtue of decree of May 17th and
by request of Sr. Pierre Phœnard
& Wiltz, Plaintiff, against Srs.
Pierre Lacoste & Dominique Milhet,
both appeared and after reading of
previous evidences and examinations,
declared them true and signed.

(Signed) Lacoste, Huchet de Kernion
Milhet,
Garié

Not listed in Louisiana Historical
Quarterly.

58/29

No. D68⁹⁹

YEAR 1768

1 1/4 p.

MAY 19

Sheriff's return of service
relative to the matter of Phenard,
wagener, summons Messrs. Lacoste
and Milhet, Jr.

(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

60/29

YEAR 1768MAY 19

7 1/2 p.

ADDITIONAL INFORMATION AGAINST
LACOSTE AND MILHET.

The following witnesses, in signed statements, declare in the matter relative to the dispute between Lacoste, Milhet and others, against Pierre Phenard, wherefore the accused beat with their fists and canes the plaintiff, said Phenard, while he was driving a wagon:

(Signed) Phayoll
Coffigny
Dumontier

(Unable to write) Andre Tchlop
Francois Dubroca
Huchet de Kernion
Garic, Clerk

Council orders that above additional information be referred to the Substitute Attorney General to issue his demand according to their testimony.

(Signed) Huchet de Kernion
Garic, Clerk

Attorney General demands that the 5 witnesses be recalled and confronted with Pierre Saint Pe.

(Signed) Lafreniere

Council orders the 5 witnesses recalled and confronted with St. Pe, Lacoste and Milhet.

(Signed) Foucault

Not listed in Louisiana Historical Quarterly.

No Number

YEAR 1768

19 MAY

3 pages
In French

SUMMONS: PHENARD CASE

Sr Du Brocard is summoned to testify
in the alleged beating of Sr Phenard
by Srs LaCoste and Milhet; also
served on Srs du Simony, Fayalle,
Caffigny, Andre Chicloc and Dumont.

SUBJECT: Suit, Summons, Court Procedure,
Assault, Wagonmaster, Rues
Dauphine, Bourbon, St Pierre,
Conty, des Magazins du Roy

PERSONS: Phenard, du Brocard, W-ltz, du
Simony, Fayalle, Vebert, Caffigny
Chicloc, du Montie

#1768051907

Not found in Louisiana Historical Quarterly

#91493

*see doc
#1768052101
12/29/94 KP ✓*

YEAR 1768
C.P.

MAY 20

REQUEST TO AFFIX SEALS

Undersigned requests to have the seals affixed on the property of the late Mr. Voisin, deceased in the home of his son-in-law, Mr. Reboul, merchant of this city. Deceased left several children by his second marriage and was in charge of the tutorship of an absent daughter's children by his first marriage.

(Signed) DeLaplace

Order to affix seals on above mentioned property.

(Signed) Foucault

1768

May 21,

Inventory, Seals Affixed.

Louis Piot Delaunay proceeds to the plantation of the late Mr. Voisin, accompanied by the Clerk of Court and Substitute Attorney General, whereupon they inventory all furniture, household goods, slaves and cattle, affixing the seals wherever required, leaving all said property in charge of Widow Voisin, who promises to present such property upon request.

(Signed) Vuede Voisin
Voisin

DeLaplace, Delaunay
Garic, Clerk

Not listed in Louisiana Historical Quarterly.

#2367

see doc
#1768051903
12/29/74 KP ✓

YEAR 1768

MAY 20

22/6.

Confrontation made by de Kernion,
Councillor, in matter of Phenard
vs. Lacoste, St. Pe and Milhet.

Document relates the confrontation between
the accused Lacoste, St. Pe and Milhet.
Each accuses the other of false testimony
relative to the assault and wounding (the
plaintiff received a scratched face) of the
said Phenard, wagoner, who it appears en-
gaged the accused trio in a fight wherein
were used a sword, cane, bar of iron and
various insulting phrases.

Several witnesses testify said wagoner was
intoxicated at the time of the fight and
declare their previous testimony to be true
and have nothing to add nor abridge, namely
as follows: Pierre Saint Pe, Milhet, Lacoste,
Haby, Dumontie, Coffigny, Dubroca, P. Fayoll,
Andre Tehelop, who does not sign, Philiosa,
Saint Eloy, Callier, Louis Le Conte, Huchet
de Kernion and Garic, Clerk.

Not listed in Louisiana Historical Quarterly.

No number

D68 ¹⁰⁰

YEAR 1768

MAY 20,

3 p.

ANSWER TO PETITION

DAUTERINE DE VALIERE, DEFENDANT

vs.

ANDRE NAU, ACTING FOR WIDOW DE
BONNYANT AND NEVEUX, MERCHANTS
OF LA ROCHELLE, PLAINTIFFS.

De Valiere acting for his wife the former Miss Felicite Morant de la Chaise, alleges that the said plaintiffs, merchants of La Rochelle, cannot legally obtain payment for the merchandise bought by his wife before their marriage when she was still a minor. Her status during her engagement was that of a minor and therefore she or he cannot be held liable for said amount of purchases further demanding plaintiffs be non-suited and sentenced to costs.

Signed,

Dauterive De Valiere.

Not entered in Louisiana Historical Quarterly.

60/17

YEAR 1768

2p.

MAY 21

PETITION TO HON. FOUCAULT

Sieur Gognet, trader, says that he delivered to the late Sieur Deruisseau some tallow and oil, of two grades, amounting to the sum of 181 livres 5 sols gourdes.

Suppliant called on Dame Widow Deruisseau as tutrix of the Deruisseau minors, to recover the said amount and was told that she would pay only on orders of Hon. Foucault.

Therefore suppliant requests that you order said Dame Widow Deruisseau as tutrix to appear before Council and be condemned to pay above amount, plus cost.

(Signed) Defau

Permit to summon.

(Signed) Foucault

Return of notice of service by

Sheriff J. Maison

Not listed in Louisiana Historical Quarterly.

YEAR 1768MAY 21

3 p.

PETITION

Petition states Sr. Monsanto to have heard of intervened arbitrate sentence, on execution of a negro contract made at Recorder's Office, December 20, 1765, between Sr. Evans Jones and Srs. Durand Freres and Petit, being directly concerned having bought Sr. Petit's share of said contract. Monsanto is supposed not to have been notified of said causes, besides Sr. Petit having provided documents against rightful compensations, request to annul said sentence and assigns Sr. Jones appear next Session Day and condemned to lawful compensations.

Monsanto

Durand Freres on hearing of an intervened sentence of damage, interests pending from execution of a contract of sale of negroes made them and Sr. Petit, before notaries by Evans Jones, petitions said sentence allowing but small compensation from documents provided by Sr. Petit, who having sold his share to Sr. Monsanto, had no right to modify value of said sentence, request it null, being made from documents of no value to Sr. Jones, request him assigned to appear next Session Day and condemned to all costs.

Durand Freres

Not printed in Louisiana Historical Quarterly.

D68 ¹⁰² A

YEAR 1768

MAY 21

EXCERPT FROM THE REGISTRY: COUNCIL
SESSION
Durant Bros. & Monsanto, merchants
versus
Evan Jones

Plaintiffs allege breach of contract relative to the delivery of 80 slaves by the defendant. Council orders defendant summoned to answer above charges, costs pending, signed Foucault.
(Signed) H enry Gardrat

Sheriff's return of service.
(Signed) J. Maison

1765
December 20, Copy of Contract
By notarial act, Messrs. Petit and Durand Bros. enter an agreement or contract with Evan Jones, whereas said J ones promises to deliver to the former 80 slaves for which they mortgage their property as security therein.

Passed in the presence of witnesses, Baurans and Pierre Gauvain, signed Evan Jones, Petit, Durand Bros.
(Signed) Garie, Notary

1766
September 30, Document written in English (copy) the undersigned Peter Hill alleges he was unable to fill an order for 80 to 100

(cont'd)

No. 2

slaves given by Jones, therefore he returned to New York where he made the above deposition by notarial act.

(Signed) Peter Hill

Seal affixed and signed James Emott,
Notary

Not listed in Louisiana Historical Quarterly.

60/29

No number

D 68 ¹⁰³

YEAR 1768

MAY 23,

2 p.

PETITION

see doc
#1768052501
12/24/74 KP

Mr. Dauterive de Valiere petitions the council declaring the plantation belonging to the Morant heirs is badly in need of repairs, whereas he is their curator, asks the council to appoint experts to submit estimates thereof, to Mr. Delery, tutor of the Morant minors in order that said plantation may be repaired and a revenue derived by rental therefrom.

Signed,
Dauterive de Valiere.

MAY 25,

Petition ordered referred to the attorney general.

Signed,
Foucault.

MAY 25,

Attorney general demands experts appointed to estimate said repairs.

Signed,
Lafreniere.

MAY 25,

Upon above conclusions the following experts are appointed Langlois, master carpenter, Francois Lioteau, master mason and Duplanty, building contractor, to estimate and appraise said repairs, giving report thereof to the council.

Signed,
Foucault.

Not entered in Louisiana Historical Quarterly.

YEAR 1768MAY 23

VOISIN SUCCESSION

Petition of the Procurator General for a family meeting to elect tutor and subroge tutor to the minors Barbin, whose tutor the Sr. Voisin had been; this, in order to proceed with the lifting of the seals and taking of inventory of property belonging to community which existed between Mr. Voisin and his wife, the former Miss Bachemin.

(Signed) Lafreniere

May 23, Order for meeting to be held before Mr. Delaunay.

(Signed) Foucault

May 28, Pages 91490-91-92
Homologation of family meeting at which meeting Madame Voisin, the mother of the minors, was named tutrix and Sr. Voisin, their brother on the father's side, was named subroge tutor.

Present at the meeting were: The two above named and Sr. Alexandre Reboul, merchant of this city, brother-in-law of minors; Corbin Latouche Sr. Bachemin, maternal uncle, Sr. Coupire, former Sea Captain, Sr. Prevost.

(Signed) Corbin widow Voisin
Voisin

Alexandre Reboul, Prevost, Francois,
J. Coupire, Bachemin, Corbin Latouche
Delaunay, Gariç, Clerk

Not listed in Louisiana Historical Quarterly.

see also
#1768052801
12/29/94 KP

No number

*see doc
1768 052801
12/29/94 KP ✓
also
1768 052401
12/29/94 KP ✓*

YEAR 1768

6p.

MAY 24

SIEUR CHAPERON VERSUS FRANCOISE LUCIE LARCHE

ANSWER

Sieur Chaperon, answering Dame Francoise Julie Larche's petition, states that as she was deserted by her husband, Delisle Dupart, she was taken in care by her uncle and at his death, by defendant, who gave her a home, provided for her and shielded her from scandalous gossips engendered by her bad conduct.

On June 22, 1764, by notarial act, demandant authorized by her husband, acknowledged receiving from defendant all funds deriving from her dowry and gave defendant valid receipt for them.

Having boarded freely for nine years at petitioner's home, she is not entitled to any indemnity; the beating she alleges to have received being the outcome of defendant's excitement at her refusal to behave herself.

Sieur Chaperon, contributing daily to the upkeep of the Hospital, claims he should not be sentenced to fine, but claims a sum of 416 livres 10 sols 9 deniers for supplies and merchandises delivered to Dame Francoise Lucie Larche and demands a decree for that amount with costs.

(Signed) Chaperon

Not listed in Louisiana Historical Quarterly.

~~1768~~ D 68 ¹⁰⁴

YEAR 1768

MAY 24

ANSWER

IN RE: JEAN LOUIS AZEMAR, CURATOR
OF DUTILLET SUCCESSUS,
Versus
WIDOW GOUDEAU, AMOUNT: 7¹/₂, 3 sols
9 deniers

Defendant pleads no cause of action, alleging plaintiff is without authority to sue and prays that suit be dismissed, or, in the alternative that there be judgment for defendant decreeing compensation for amount sued on and judgment in favor of defendant for overplus due her, together with costs.

(Signed) Widow Goudeau

1767
November 9, Certified Itemized Statement showing amount due undersigned by Mrs. Dutillet for merchandise furnished.

(Signed) Widow Goudeau

1767
February 9, Certified Itemized Statement showing amounts due Dutillet Succession as per written acknowledgment of said debtors.

(Signed) Azemar

1767
February 9, In Re: Jean Louis Azemar, Curator of Succession of late Mr. Dutillet, versus Debtors named in foregoing statement and for amounts set out therein.
Petition praying for judgment in favor of plaintiff

(cont'd)

and rejecting defendants' plea for compensation due them by Mrs. Dutillet, but reserving to them the right to be ranked as creditors of Dutillet Succession.

(Signed) Azemar

see also #176805/1708 12/29/94 KP
1768
May 19, Certified itemized statement of what is due Dutillet Succession according to written acknowledgment of debtors, which acknowledgments are in the hands of undersigned.

(Signed) Azemar

(same)
1768
May 19, RE: Jean Louis Azemar, Curator of Dutillet Succession,

Versus

Debtors named in foregoing statement for amounts therein enumerated:
Petition for citation of defendants and judgment for plaintiff - amount 108# 15 sols 11 deniers and costs.

Plaintiff, having been ordered to render account of his curatorship, alleges that he is unable to do so due to the foregoing debtors' refusal to settle their debts, declaring that Mrs. Dutillet is indebted to them, but refusing however to set forth in what amount. Hence plaintiff now prays for judgment for amounts due by each of said debtors.

(Signed) Azemar

1768
May 19, Order for citation of defendants.
(Signed) Foucault

1768
May 23, Undersigned Sheriff's Returns show service of citation on Messrs. Fournier and St. Pe, merchants; Mr. Vaudal, inn-keeper, Widow Normand, Widow Gervais, Mr.

No. 5

Aussonne and Widow Goudeau, all of whom are ordered to appear before Mr. Foucault, Judge, on morning of May 25th.

(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

61/29

Doc. # 168105 *rec'd*
#1768052302
12/29/94 *K.P.*
MAY 24

YEAR 1768
2/p

PETITION

Petition, states Sr. Jacquelin, that Sr. Grevember had pledged himself to have him build 3 houses on 3 different lots in this City - time came to build the last - Grevember unable to do so. It was agreed with petitioner to settle all accounts necessary for building of said house. House finished, Jacquelin gave all papers and receipts to Grevember, who accepted all but never reimbursed them, unable to account motif of it Jacquelin requests deliver him his account of 12,143 livres 13 sols, and assign him appear next session day to settle account and pay all costs.

Jacquelin

Permit granted to summon.

Foucault

May 25, 1768

J. Maison delivers copy of account and summon to appear.

J. Maison

Not printed in Louisiana Historical Quarterly.

YEAR 1768

MAY 24th

1p.

PETITION TO HONORABLE FOUCAULT.

The Sieur D. Braud petitions Hon. Foucault to order the Sieur Bienvenu to appear before Superior Council and be condemned to pay the sum of 1309 livres, one sol, 3 deniers in piastres gourdes, for a note signed by Sieur Bienvenu Brunet and Co., and accepted by him (Sr. Bienvenu) plus cost, interest and expenses, summation of which was made by Sieur Maison, Sheriff.

Signed by

D. Braud.

Permit to assign.

Foucault.

Return of notice by sheriff.

J. Maison.

Not printed in Louisiana Historical Quarterly.

D68X

YEAR 1768

MAY.24th.

4/8 p.

PETITION

Sr. Braud petition Sr. Segond ordered by the council to pay 1584 livres in piastres gourdes, or pelts, note made by Sr. Chaunard to the order of Sr. Segond and transferred to petitioner with conditions of Segond accounting it if not paid by Chaunard one month after maturity. On refusal of Segond to account said note petitioner request him assigned for payment and all costs.

Braud.

YEAR 1768

MAY 24th.

Permit granted.

Foucault.

YEAR 1768

MAY 24th.

Sheriff Maison delivers copy of
summon.

J. Maison.

YEAR 1768

MAY 25th.

see also #1768052502
12/29/94 KP

Sr. Segond summoned by the council on refusal to account Sr. Braud's note of Chaunard endorsed by petitioner states, that Sr. Braud wrongly requested reimbursement of said note having failed to ordinance by not requesting payment from Sr. Chaunard ten days after maturity, petitioner having insert in endorsement (giving Sr. Braud no legal action) this considered petitioner request discharge him of all guarantee of note and condemned Sr. Braud to costs.

Segond.

Not entered in Louisiana Historical Quarterly.

YEAR 1768

25 MAY

1 page
In French

MORIN v. CREDITORS

M. A Morin answers suit filed by his creditors, claims the terms for the merchandise purchased required hard cash which he has not been able to obtain but as soon as he acquires any he will pay all his creditors.

SUBJECT: Debt, Merchandise, trade, Hard
Cash, Creditors, Financial
PERSONS: Morin, Fouceaut, Fournier

#1768052505

Not found in Louisiana Historical Quarterly

YEAR 1768

2 p.

MAY 25,

PETITION

see doc
1768052203
12/29/94 KP

Guillaume Le Fresne petitions the council alleging he was employed by Mr. Brazillier, for a term of six months, with salary of 6 piastres gourde per month, that Mr. Brazillier after 3 months had no more work to give him but promised petitioner said salary, which he has so far been unable to collect, further declaring he was threatened with bodily harm upon his request for same, so petitions the council to summon Mr. Brazillier and sentence him to pay full amount due, with exception of 14 piastres gourd already paid petitioner.

Signed,
Guillaume Le Fresne.

Permission granted to summon.

Signed,
Foucault.

Sheriff's return of service. May
26, 1768.

J. Maison.

Sheriff's return of service. June
7, 1768.

J. Maison.

Sheriff's fees 2 livres 10 sols.

Not entered in Louisiana Historical Quarterly.

YEAR 1768MAY 25,2¹/₄ p.PETITION ON RECOVERY

The Sieurs Tournier and Saint Pe, merchants of this city say that they sold to Sieur Chevalier 31 barrels of flour from the cargo of the boat "La Fleur de la Mer " for the sum of 155 piastres for which they received 68 piastres balance to be paid in one month. As they have been unable to collect balance due they ask that Chevalier be ordered by the superior council to pay amount due plus costs.

Tournier - Saint Pe.

Permit to order to appear.

Foucault.

Return of notice of service by,

Sheriff J. Maison.

Not entered in Louisiana Historical Quarterly.

YEAR 1768

MAY 25

8p.

PETITION

Messrs. Fournier and Saint Pe, merchants, petition the Council alleging Antoine Morin owes them the sum of 686. . 2. for purchased merchandise, which sum they have been unable to collect, so ask to have Morin summoned and sentenced to pay said sum.

(Signed) Fournier and Saint Pe

Permission granted to summon defendant.

(Signed) Foucault

Sheriff's return of service.

(Unsigned and torn)

Undated. Answer to petition.

A. Morin declares he has been unable to collect from those he gave credit to, relative to the above merchandise, that he hopes to obtain payment and asks for more time, offering to arrange notes in acceptance on said debtors.

(Signed) A. Morin

Not listed in Louisiana Historical Quarterly.

*Acc doc #
176858250*

No number

D 68¹¹⁰

rec'd
#1768052601
12/29/94 KP

YEAR 1768

MAY 25th.

ep.

SUMMONS WITH COPY OF ACCOUNT OF ANTOINE
MORIN WITH FOURNIER AND SAINT PE
AND PETITION INCLUDED.

COPY

Amount of merchandise sold and delivered, and certified by Messrs Fournier and Saint Pe, May 25, 1768. L686-2.

Petition Mr. Foucault to permit them to summon Sieur Antoine Morin to be sentenced for the amount of their bill for merchandise purchased and delivered to him.

Signed by

Fournier & Saint Pe.

Permit to summon, signed by,

Foucault.

Summon issued and delivered.

Signed,

Maison.

Not entered in Louisiana Historical Quarterly.

D68111

Accession
#1768052303
12/29/94 KP

YEAR 1768

MAY 25

ap.

PETITION

Petition and states Charles Lemoine that after Sr. Dutilhet's death, a house on which had made repairs to the amount of 372 livres piastres gourdes, was sold and paid for and having not been paid for his work went to Sr. Azemard on statement of Sr. Ducros that he had care of Sr. Dutilhet's funds. Azemard declared Ducros in charge of it. Sr. Lemoine requests now have Sr. Ducros assigned to appear next Session Day and account without delay above-mentioned amount.

(Signed) Lemoine

Permit granted.

(Signed) Foucault

1768

May 24, J. Maison issued and delivers notice to Sr. Azemar.

(Signed) J. Maison

1768

May 25, Permit granted to summon Sr. Ducros.

(Signed) Foucault

1768

May 26, Notified.

(Signed) Ducros

(cont'd)

*see also
#1768052801
12/29/94 KP*

1768

May 28, Observation against Sr. Lemoine
2 1/4 p. Sometime before Sr. Dutilhet's death he made a verbal contract with Sr. Lemoine about repairs to his house. While work was carried on, Sr. Dutilhet died, causing all work to be stopped. Sr. Azemard named curator of said succession with Sr. Garic verified inventory, declaring was due Sr. Lemoine 200 livres reel. Sr. Ducros then concluded Lemoine be debarred of his claim and declared would pay him 200 livres when had funds and received all accounts from Sr. Azemard, besides requests Lemoine condemned to all costs for claiming undue sum.

(Signed) Ducros

1767

July 9, Statement of work done by Sr. Lemoine
1 p. for the late Sr. Dutilhet amounting to 372 livres 10 sols.

Certified above amount correct.

(Signed) Lemoine

Not listed in Louisiana Historical Quarterly.

58/29

YEAR 1768

MAY 25th.

JUDGMENTS RENDERED: COUNCIL SESSION

Jacquelin vs. Flament.

Council appoints Messrs. Ranson and Braud as arbitrators and Mr. Caresse as their umpire.

Braud vs. Segond.

Defendant sentenced to pay plaintiff amount of note and costs.

Azemar vs. Widow Goudon.

Council orders plaintiff nonsuited in his demands and costs.

Goguet vs. Mrs. Deruisseaux.

Defendant is sentenced to pay plaintiff sum of 181 livres 5 sols and costs.

Mrs. Delisle vs. Chaperon.

Judgment by default.

Foucault.

Council sentences Chapron to 50 piastres fine, to be put in the funds of the House of Charity and 200 piastres payment to plaintiff. Defendant sentenced to interest and costs.

Passed at New Orleans, May 25, 1768.

Foucault.

Not entered in Louisiana Historical Quarterly.

D68¹¹²

YEAR 1768

MAY 26

3 p.

PETITION

Dame Ursule Trepagnie, wife of Sieur Debuissou, alleges that she has brought to the community the sum of 5,999 livres and two negroes, proceeding from the succession of her father and mother, but through mismanagement and malversation of Sieur Debuissou, the community is heavily involved in debt; petitions the Superior Council to be allowed to take an inventory of all Debuissou's properties and a curator be appointed to protect *her interest*
(Signed) Ursule Trepagnie

Summons issued and delivered to Sieur Debuissou.

(Signed) J. Maison

1768

June 4, The Attorney General demands that an inventory of Debuissou's properties be taken before the propre commissary appointed and a curator appointed to take care of Mrs. Debuissou's interests.

(Signed) Lafreniere

Document partly illegible.

No-number D68¹¹³

YEAR 1768

MAY 26

1p.

Sheriff's report of summons served
on Mr. Mercier to appear in the
Criminal Court and be confronted
with the examined witnesses.

(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

60/29

YEAR 1768MAY 28th.

3/p.

PETITION

Louis Antoine De la Chaise only son and heir of the late Mme. Marie Rose de St. Denis, petitions the court saying that his father Sieur De la Chaise has enjoyed the property left by the late Me. de St. Denis either thru the benefit of an inventory or by community rights - which he was unable to ascertain if said Mr. de la Chaise enjoyed the property left by decedent after the taking of an inventory, then he should be accountable to plaintiff for 1/2 the inventory, plus the arrears and accrued interest; if he did not take an inventory the community continues, in which case said community should be divided in three parts - 2/3 to the survivor and his new spouse 1/3 to plaintiff - as per the custom prevalent in Paris.

It is with displeasure that the plaintiff feels constrained to ask a detailed account of Sr. De la Chaise, his father, however this is quite in order and a daily occurrence in court. After taking this into consideration the plaintiff asks that his father Sr. De la Chaise be summoned to court and ordered to render a detailed account of the community of the late Me. Marie Rose de St. Denis together with the arrears and accrued interest.

Signed, de la Chaise de St. Denis.

Permission to serve court summons granted. Signed, Foucault.

Received summons, signed, De la Chaise.

Doc. # D68115

Handwritten:
#1768052103
12/29/94 KP ✓

YEAR 1768

MAY 28

if.

PETITION

Sr. Henry Voix, merchant, Plain-
tiff

vs

Sieur Antoine Olivier, Defendant.

Mr. Henry Voix, plaintiff, represents that Mr. Antoine Olivier is indebted to him in the sum of 4903.14 s. 7 d. in letters of exchange, and petitions the court to summon said Antoine Olivier to appear in court and be ordered to pay the above sum.

New Orleans, May 28, 1768.

Signed: Hy. Voix

May 31

Permission to serve court summons granted.

Signed: Foucault

Summons served by Sheriff.

Signed: Maison

Not printed in Louisiana Historical Quarterly.

YEAR 1768MAY 30th.

2/p.

On May 30th. 1768 Sieur Jean Baptiste Darieux instituted suit before Judge Foucault, against Sieur Gaillard to compel him to pay 18 months for labor lost by his son while learning the trade of cooper, at the rate of Ten Crowns per month, claiming that Sieur Gaillard had agreed to make a cooper of his son in one year, and to have him summoned to stand trial, and be sentenced to pay his son, also costs and expenses.

Darieux.

On June 6th. Mr. Foucault issued permit for writ to appear on the 11th. of the present month.

Foucault.

On June 7th. Mr. Maison, considering the above, duly summons, notifies and gives copy of the petition and ordinance as above and elsewhere; gives writ to Sieur Gaillard to appear Saturday 11th., of the present month to answer to the above suit.

J. Maison.

On June 29th. 1768, Sieur Gaillard placed a memorandum before Sieur Foucault of the Superior Council in his defense against the unjust demands of Sieur Darieux, concerning the apprenticeship of his son.

see doc
#1768062901
12/29/74 KP

YEAR 1768MAY 30th.

3/4

Sieur Gaillard contends that the boy 13 years of age only served 18 of the 40 months he was supposed to serve; and that most of his time was spent in hunting and fishing, save 4 months when he was confined to his house due to sickness. Further, that he never promised to make a finished mechanic of such a young boy in less than 5 years, adhering to the laws and customs of Paris, and for this reason petitions to have Sieur Darieux non-suited, unless Sieur Darieux desires to remove his son at the end of three years, in which case he will be sentenced to pay the sum of Three Hundred Livres in piastre gourde, like Mr. Villars paid him for the three years of apprenticeship of his mulatto, with loss to his certificate, cost and expense.

Gaillard.

On May 30th. 1768 Michel Puheres, certified that Sieur Gaillard promised Sieur Dupres 25 livres per month upon completion of his apprenticeship, and made his mark.

On May 31st. 1768 Jean Baptist Boyer certifies having heard Jean Baptist Dupres ask Sieur Gaillard the sum of 5 livres, and how much he would make him pay in dollars, stated that he would carry it to the account of his wages.

Jean Baptist Boyer.

On April 14th. 1768, Sieur Villars certifies having placed a mulatto age 15 years, with Sieur Gaillard as an apprentice, for which he paid him 300 livres for the term of three years.

Villars.

see doc
#1768053003
12/29/74 KP

see doc
#1768053102
12/29/74 KP

YEAR 1768MAY 30th.

*see doc
#1768 060701
12/29/94 KP*

On June 7th. 1768 Sieur Estansit certifies having worked for Mr. Gaillard for 5 months, that the named Jean Baptist Dupres who was there as an apprentice, was absent for more than three months, and that he did not work at the trade. In faith of which I deliver the present certificate to be of use to Mr. Gaillard.

Signed,

Estansit.

Not entered in Louisiana Historical Quarterly.

62/17

DECLARATION SIEUR SAINT PE IN THE
EXTRAORDINARY PREPARED LAW SUIT UPON
THE PETITION OF SIEUR LACOSTE BY THE
NAMED PHENARD AGAINST MESSRS LA COSTE
AND MILHET.

Sieur Saint Pé states that he is surprised of the charge of violence toward Sieur Phenard, made against him on the 7th. of this month at the end of a pleasure party in Metairie.

Sieur La Coste had some difficulty with Sieur Phenard's friend, and administered a few strokes of his cane, whereupon the named Phenard advanced, insulted, and cursed declarer, who notwithstanding the imprecations advanced towards them to make peace, and would have succeeded had not Sieur La Coste interferred, being animated with the language of the named Phenard who was under the influence of liquor.

That declarer in order to protect himself from receiving a whipping in the face, with a horse whip, threw Phenard to the ground. This being the extent of the bad treatment administered by petitioner.

Phenard recognized his error, and did not complain in principal, and the one he made he reclaims. Does one need more proof to exclude petitioner in a suit in which Sieur La Coste wishes to initiate him?

Testimony of the fifteen witnesses show that Sieur La Coste, and not your petitioner struck Phenard, and accusing petitioner with misdeed against the said Phenard, and does not consider himself a part, which is a point in the ordinance, and further, Phenard names La Coste and Milhet in his complaint, and calls your petitioner as witness, and adds that without the assistance of petitioner he would have lost his

life, can one expect stronger proof? How could he at the same time be an accomplice of the misdeeds inflicted upon Phenard, on the part and hands of the said LaCoste?

For this reason petitioner expects of your equity, that the complaint of the named Phenard of the 8th. of this month does not charge him, but on the contrary reclaims his testimony, that the deposition of Sieur La Coste came long after and out of the delay of the ordinance, as well as that of the said Phenard. As not being of the party. Their deposition and interrogation by addition false, null and void, as well as the deposition of the witnesses heard, in condemning them to all costs of the suit.

Pierre Saint Pe.

Not entered in Louisiana Historical Quarterly.

62/17

No. number

268-118 #176805210
2/29/94 KP

YEAR 1768

MAY 30th.

6 p.

PETITION

Mr. Ladigna petitions the council alleging he sold Mr. Lioteau a house for sum of 2,220 livres, being unable to obtain said payment, requests to have the house resold, to the highest bidder, for same said amount.

Signed,

L. Mazange
P. M. Ladigna.

Permission to summon defendant.

Foucault.

Sheriff's return of service.

J. Maison.

see doc #1768060401
4/20/95 KP

YEAR 1768-

JUNE 4th.

Lioteau offers Ladigna 1400 livres Portuguese currency promising to pay the remainder within 6 months or payment on the Spanish Treasury.

New Orleans, June 4th. 1768.

(undersigned)

also see Document # 1768060403
4/20/95 KP

Not entered in Louisiana Historical Quarterly.

Doc. # D68 119

see doc.
#176 P860609
12/29/94 KP

YEAR 1768

MAY 31

1/30

PETITION

Sieur Antoine Morin holding Sieur Monsanto's note for 700 livres in piastres petitions honorable Foucault to have the said Sieur Monsanto summoned before the Court and ordered to pay the amount of said note and cost.

Morin

Petition granted.

Foucault

Summons issued and served.

J. Maison

(May 31, 1768, certification mark.)

Not printed in Louisiana Historical Quarterly.

YEAR 1768MAY 31

19/10

INVENTORY OF VOISIN ESTATE

At the request of Madame Corbin, who was the widow of Pierre Voisin, a Captain of the Militia, and following an order of the Superior Council, the household effects and personal belongings of the deceased Voisin were ordered seized and an inventory taken of the property.

The property is described as a plantation situate four leagues from New Orleans on the opposite bank of the river. A complete list of each and every article is given and the appraised value of each article is also given.

The document is signed by the following:

DeLaunay
Garc, Clk. of Ct.
Paiche
Voisin - Corbin

Not listed in Louisiana Historical Quarterly.

D68¹²⁰

YEAR 1768

JUNE 3

PETITION

Sieur Latil admits he owes Jacques Tarascon a balance of 350 livres, which he was ready to settle had not Sieur Tarascon's wicked and furious wife (*megera*), relishing the aroma of the piastre, conceived by a tricky and indiscreet demand, to acquire for herself the amount of said balance.

Petitioner begs the Council to strengthen and fortify many brains wavering at the ring of the would-be piastre which is the main cause of this day's distress.

(Signed) Latil

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1768JUNE 3,

37 pp.

Sr. Charles Tarascon tutor of the minor Barré children, had been ordered by law to render an account of the Roman and Barré successions to the auditors; namely the Roman heirs.

Sieur Etienne Daigle tutor of the minor Roman children, and Marie Joseph Roman requested said account.

The point at issue revolved around a manual gift made to Mr. Roman by Messrs. Duvernay and Monmartel, consisting of 12 slaves and some merchandise - however Sr. Roman died shortly after receiving the gift in question, and Mr. Tarascon representing the Barre heirs contended that they should inherit a share of the Roman Estate, on account of the community of acquets between the Romans the children having a claim as co-heirs on their mother's side - Mr. Daigle disputed this claim contending that Mr. Roman was a friend of Messrs Duvernay, and Montmartel, that the gift was intended for him exclusively, and for his children. Since said Messrs Duvernay and Montmartel were acquainted with the heirs of the late Mr. Roman, that said gift was intended to help rear the children and provide for them - that very shortly after the death of Mr. Roman Mr. Duvernay had written Mr. Chauvin de la Freniere, administrator, advising him that he and Mr. Monmartel wished their gift to revert to the Roman succession - that the donors had full jurisdiction over their gift which was always intended to benefit the Roman heirs.

Another question which was contested was the right of Mr. Barré to a child's share. The law stipulates that a man or woman who remarries cannot give the second husband or wife part in the

community of acquets by their first marriage.

It is further stipulated that the movables of the first community belong to the children of the first marriage, as also the immovables and that the surviving spouse cannot dispose of anything which would benefit the second marriage, and be prejudicial to the children of the first marriage.

From what has been stated above if the defendant Mr. Barré still wished to claim a child's share, he should have declared what acquets he had brought to the second community, and take this share from the half which would be his wife's, in conformity to the clause which established a community between them.

After showing the defendant, beyond the question of a doubt the unfairness, or the injustice of his claim relative to the gratuitous gift, and explaining to him how he could have a child's share the auditors will examine the accounts of said successions.

The accounts follow:

Total amount of the first community	-	25,168.2.6
" " " " 2nd. "	-	44.573.11.10

Total of both communities -	69.741.14.4
-----------------------------	-------------

From this amount must be subtracted:
1st. The manual gift, 2nd. The father's share,
3rd. the mother's dowry, 4th. her share in the
2nd. community for which the children become
co-heirs.

The manual gift amounted to	22.345 livres
The father's share, Sr. Roman, amounted to .	9.584.1.3
The Mother's dowry	3.000
" " share of the 1st. community.....	12.584.
The remaining 2/3 of said community	8.000.
1/2 of 8000 livres	4.000.
Remainder	30.617.19.4
1/2 of 30.617.19.4	15.308.19.8

YEAR 1768JUNE 3,

The remainder 15,308.19.8 belongs
 to the co-heirs of both community - which
 gives to the Roman heirs 7,654.9.10 which
 added to their share of the first community
 amounts to : 46,778.4.10
 The Barre Estate is fixed at 22,963.9.6

Total of both communities 69,741.14.4

YEAR 1768JUNE 1,

Account rendered by Tarascon.
 Requested and signed by Etienne Daigle.

Permission to serve summons signed,
 Foucault.

Summons served by: Maison, Sheriff.

Not entered in Louisiana Historical Quarterly.

56/17

YEAR 1768JUNE 3PETITION
TO SUPERIOR COUNCIL

The Sieur Jean Fitzpatrice, as Attorney for Sieur Hazelton, petitions Council to permit him to recover monies due to Sieur Hazelton by the Sieurs LeRoux and Jouannis, above sum being 32 piastres gourdes plus costs.

(Signed) J. Fitzpatrice

Not listed in Louisiana Historical Quarterly.

YEAR 1768JUNE 3

3

JUDGMENT IN THE MATTER OF

AZENARD, WAGONER, THROUGH HIS ATTORNEY-
IN-FACT SR. VILLA

Vs.

SR. LACOSTE, CAPTAIN OF THE VESSEL
"LIBERTY",

SR. ST. PE, MERCHANT OF THIS CITY;

SR. MILLET, JR., OFFICER OF SAME BOAT.

Lacoste is condemned to pay a fine
of 50 livres, to be paid House of Charity;

St. Pe, a fine of 20 livres, payable
to same;

Millet, Jr., a fine of 10 livres,
payable to same.

And all three to pay costs of doc-
tors and medicine and court costs.

(Signed)

Lafreniere.

Unsigned memorandum of instruments
in above case. Azenard charged the defendant
with assault and battery, and produced witnesses
who testified as to the truth of his charge.

Not entered in Louisiana Historical Quarterly.

UNDATED-

YEAR 1768JUNE 4,ANSWER

Defendant, Charles L'Aurins, surnamed Tarascon, answering plaintiff's petition, prays for judgment rejecting plaintiff's claim and prays that he be maintained in possession of said village and clearing.

Defendant, denies that plaintiff has a cause of action in as much as a promise of title is not a title. Defendant shows that he acquired said village and clearing according to law and that he moved his cattle thereon by legal and proper permit from the Commandant of this Province. Relative to fencing his property, defendant shows that the marshy character of said land is such that a fence is not only not feasible but unnecessary and that a claim for the servitude of passage on his property is frivolous and unwarranted as the cypress grove can and should be used for said purpose. Defendant further shows said suit was brought in order to force him to buy her grant which is contrary to law.

(Sgd.) Charles Laulens.

Not entered in Louisiana Historical Quarterly.

YEAR 1768JUNE 4th.

v

PETITION TO HON. FOUCAULT.

Sieur Henry Voix merchant says that he sold various merchandise to the Sieur Menelet during the years 1764, 1765, 1766 amounting to the sum of 121 livres 5 sols, which he is unable to collect,

Suppliant petitions that Sieur Menelet be summoned before superior council to be ordered to pay amount plus costs.

Signed by,

Hy. Voix.

Permit to summon.

Signed by,

Foucault.

Return of notice of service by,

Sheriff J. Maison.

Answer from Sieur Nicolas Menelet saying he had on several occasions offered to Sieur Voix payment for goods in coin and that Sieur Voix refused to accept money.

He petitions Hon. Foucault to order Sieur Voix to accept above sum of 121 livres 5 sols in coin.

Signed by,

M. Menelet.

Not entered in Louisiana Historical Quarterly.

see index
#1768060405
12/29/74 KP

YEAR 1768JUNE 4

3

PETITION

Antoine Vandal, heir of his wife's share from the late Sr. and Dame Rafleau, petitions that his brother-in-law, Sr. Drouet and himself had been assigned by Sr. Senet to account his share, a 1/3 in succession of Dame Bezerin. Vandal declares to have never refused him account of it, but often told him succession had first to be set in proper condition. Dame Sinilh, widow of Sr. Rafleau, having seized all deniers proceeding from sale of furniture, kept all cash from inventory, preventing heirs to enjoy and be ascertained of their shares, up to this day said Dame Sinilh not having accounted cash money, notes of the colonies, letters of exchange, found under seal.

Petitioner request that Dame Sinilh be ordered to account said succession and besides pay all interests and costs, then only will be made final settlement to Sr. Senet.

Vandal

June 4, 1768

I request for the King, Dame Sinilh appear before Hon. de Launay, delay of one month, to account Srs. Senet, Vandal and Trudeau, all of Succession of Sr. Rafleau.

La Freniere

Not printed in Louisiana Historical Quarterly.

YEAR 1768

JUNE 4

8

ANSWER TO PETITION OF SR. SAULET

Sieur Saulet had filed suit against Sr. Milhet, Sr., alleging encroachment upon his property rights, giving various complaints to support his claim.

Sieur Milhet at first had been accused of building a projecting roof, instead of a gallery, in that Sr. Saulet complained it was responsible for the reception on his part of the dripping and draining from Sr. Milhet's roof and guttering. Sr. Milhet answered that he had lived in his present house for fourteen years, having acquired it from Sr. Germain, as it was then, excepting, however, the gallery in question, only recently added to the property. For this complaint, Sr. Saulet was accused of being a dangerous citizen, moved solely by malice, for had he not waited until the entire roof had been put on the gallery to order his measuring done, hoping to find the Sr. Milhet guilty of encroachment? Failing to substantiate this charge, he turned to the subject of rains and the doors and windows on the gallery overlooking his property. Finally, he had Sr. Milhet summoned before Judge Foucault, asking that the entire roof over that gallery be torn down, and that should any controversy ensue, there be appointed some arbiters. Sr. Saulet selected Sr. Defeu, and Sr. Langlois represented Sr. Milhet. The arbiters decided after their inspection that, after Milhet's gutters had been installed, the house of Sr. Saulet could in no wise sustain any damage from gutter drains. The gutters of Sr. Milhet were as essential to him as to Saulet as a matter of protection, though he had never complained about his neighbor's.

Regarding the complaint about openings on the gallery in question, overlooking Sr. Saulet's yard, it was proven that they had been part of the house since its construction, and, therefore, before Milhet's acquisition. Further it was shown the complainant had made the same complaint to Sr. Kerlerec seven or eight years before, but his demands had been rejected and it was decreed that matters should stand as they were. A law known as the "Common Law of Paris" was invoked, but proved to be without value in the case at issue because there were no partition walls involved, but only openings on a gallery were concerned, and they had been there for twenty-five years.

When Sr. Saulet finally proposed to approve the gutters as they were on Mr. Milhet's gallery, provided Milhet paid the costs of litigation, Milhet replied he did not spend money for the pleasure of spending, adding that Mr. Defeu, the arbiter for Saulet, had by actual measurement found that his client's gable was encroaching upon the Milhet gallery by more than three inches. He further offered Saulet to drop the matter without either party renouncing his building rights.

Meanwhile another gallery was built in front of the one in question. A small pavillion to which this gallery was made adjacent was found upon measurement to be 3-1/2 ins. on the Saulet lot, while the roof of Saulet's house was 3 in. and 3 lines on the first gallery of Sr. Milhet.

As this case involved mutual encroachment upon the part of both litigants, Milhet thought a compromise would save them both unnecessary expense, wherefore he prayed the Council for a decision to let matters stand as they were, and rule further that should the property owners in question rebuild or have repaired their galleries, they be made to comply with the Court's ruling and abide by the arbiters' decision, under penalty of the law, and that Sr. Saulet be

sentenced to pay all Court costs and expense.
New Orleans, June 4, 1768

(Signed) J. Milhet

Not listed in Louisiana Historical Quarterly.

YEAR 1768

JUNE 3

CERTIFICATE OF SURVEYOR.

The Chief Surveyor of Lands and Roads, Olivier de Vezin, on June 3, 1768, in company with one of the King's Councillors went to the site whereon were lots belonging to Sr. Milhet, a merchant, and also that of Sr. Saulet, a planter, those two being then the litigants in a suit which had been filed by Sr. Saulet against Sr. Milhet regarding the alleged encroachment of the latter upon the property of Sr. Saulet.

The properties in question are described as having been situated in one of the blocks in the center of town, and close by to Bourbon and Dauphine Sts. on the one side, and Toulouse and St. Peter on the other. A controversy had arisen over the proper limits of each property involved; previous measurements were taken and the figures and facts given by arbiters in the month of April and continued on the first of June, but this was not satisfactory to Sr. Saulet. Then in turn, Sr. Milhet submitted some facts to substantiate his counter claim that Sr. Saulet was also guilty of trespassing. This resulted in the calling to the scene of the Chief Surveyor for the Colony, who, in this document, gives in detail the result of this survey of the two properties, submitting the usual diagram and facts in support of the accuracy of his inspection and measuring to establish the lines of limitation common to each and every one of the twelve lots in question comprised in the block in the center of town.

(cont'd)

The object of this affidavit by Surveyor de Vezin was that the Council might use it as the official and final written decision upon which it might render a fair and impartial judgment.

(Signed) Olivier de Vezin

Not listed in Louisiana Historical Quarterly.

YEAR 1768

6½ pages

JUNE 4

PETITION: MONSANTO & DURAND BROS.

vs.

JONES.

Plaintiffs allege that Jones failed to live up to his contract to deliver 80 negro slaves and petitions the Council to sentence Jones to pay them sum of 28,000 livres in piastres gourdes as damages for breach of said contract, including interests and costs therein.

(Signed) Monsanto
Durand Bros.

Not listed in Louisiana Historical Quarterly.

60/29

YEAR 1768

2 pages

JUNE 5

PETITION

Sieur Dellissart Jouannier, Plaintiff

vs.

Sieur Lamothe, Junior, Defendant.

Sieur Dellissart Jouannier avers that he had obtained a Court Order to compel Sieur Lamothe, Junior to pay him the sum of \$47.00 in gourdes and costs. He placed this order in the hands of Sieur Maison, Sheriff, for enforcement. Sieur Lamothe aware of this, disposed of his personal effects and also of a quantity of merchandise - furthermore, the elder Sieur Lamothe, in sympathy with his brother, and fearing a writ of Seizure had appropriated unto himself everything belonging to said Sieur Lamothe. The Sheriff, having found in said Sieur Lamothe's room, effects, which are not subject to seizure, was forced to withdraw.

In view of these facts, and the vain attempts on the part of plaintiff to obtain his payment may it please the Court to serve a writ of Habeas Corpus on the person of said Sieur Lamothe to constrain him to pay the \$47.00 plus interest and costs, or to compel said Sieur Lamothe to give to plaintiff a good and sufficient bond.

(Signed)

Dellissart Jouannier

Not printed in Louisiana Historical Quarterly.

#6/6/68 D68¹³⁰

YEAR 1768

JUNE 6

4
OPINION BY MR. DELALANDE
RENDERED IN RE: JEAN PIERRE GERARD
de VILLEMONT VERSUS MR. VILLARS.

This is a suit to enforce an obligation and the payment of notes made in connection therewith. After a careful study of the record of this case as well as that of instruments relative to the case, Mr. Delalande reduces the object of the suit to two questions upon which he then decides as follows: That the obligation for 28000# entered into by Act passed before Mr. Garic, Notary, July 29, 1767, and signed by competent witnesses, consented to by Mr. Villars in favor of Mr. Villemont, should be confirmed and Mr. Villars should be ordered to pay said amount to Mr. Villemont when same shall become due; that Mr. Villars should pay the 4 notes for 28000# when due, in accordance with the clauses bearing thereon. Mr. Delalande further decides that the word "Usurious", inserted in the writings of defendant, should be declared false and untrue and it should be blotted out; that all other demands of the parties in this suit should be rejected.

(Signed) Delalande

(Note: This document is badly damaged, portions of its pages being torn away).

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1768

JUNE 7

3

EXCERPS FROM THE CLERK'S RECORDS.

Henry Voix versus Maxent.

Plaintiff alleges being unable to collect from defendant sum of 18,930. 16. 3., total amount of 7 notes made date of April 23, 1766, payable within 4, 6, 7 and 10 months from date.

Council renders first default and orders defendant resummoned, costs pending.

By the Council

(Signed) Garic, Clerk

Received 5 livres. Signed G.

Sheriff's return of notice served on Maxent.

(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

YEAR 1768

3 pages

JUNE 10.

Petition of Garic, Clerk of Court to collect the above amounts i.e., 221# from Ducros.

The 76# was for merchandise bought by Declouet at auction from effects of Sr. Guignon.

Ducros was depositary for Declouet who bought the goods and should have paid for same.

(Sgd.) Garic.

JUNE 10,

Order.

(Sgd.) Foucault.

June 10,

Acceptance of service of notice.

(Sgd.) Foucault.

YEAR 1767Nov. 20

Receipt for 145# court cost in succession of Mme. Brulle.

(Sgd.)

J. Maison

NO DATE

Receipt for 76# covering liquor, dress goods, etc.

(Sgd.)

Garic.

YEAR 1768APRIL 27,

Return and service of notice of writ of provisional seizure on Ducros, Administrator of Vacant Estates.

(Sgd.)

J. Maison

Not entered in Louisiana Historical Quarterly

YEAR 1768

JUNE 10,

POWER OF ATTORNEY.(COPY)

By notorial act Jean Pell, merchant, before leaving the colony constitutes Vincent Pearce Ashfield, with general and special authority to manage all the business which he leaves and particularly to send whatever funds he collects from Messrs. Maxent and Denis to him in New York care of William Caverly, merchant, and do all things customary and necessary without further authorization.

Done and passed at New Orleans, June 10th., 1768, signed, John Pell, Soubie, F. Goudeau, and undersigned.

Garic, notary.

YEAR 1768

SEPT. 1,

TRANSFER POWER OF ATTORNEY.(COPY)

By notorial act Pearse Ashfield, constituted with power of attorney by Jean Pell, merchant, transfers said power of attorney to Messrs. Musculus and Rondineaux, merchants, residents of this city, and particularly to collect from Messrs. Maxent and Denis amount due Jean Pell, including interests and costs. All funds collected to be sent to Jean Pell, in New York, care of William Caverly, merchant, and further do all things customary and necessary in representation of Pell's interest therein. Signed V. Pearse Ashfield, F. Goudeau, Henry Gardrat, and undersigned.

Garic, notary.

Not entered in Louisiana Historical Quarterly.

YEAR 1768JUNE 11th.

2

EXTRACT OF THE REGISTER
SUMMARY JUNE 11th.1768SIEUR BRAUD, PLAINTIFF
VERSUS
SIEUR BIENVENU, SR. DEFENDANT.

Considered by me Nicolas Foucault, petition of the plaintiff, ordinance and writ of May 24th., last, permits us to summon the defendant to be sentenced to pay 1309 livres, 1 sol, 3 den. in piastre gourde or pelts, at the price they desire to cash in letter of exchange on the English Government by keeping account of the same, for the amount of the note attached and agreed upon by Sieur Bienvenu's son, order of Messrs Bienvenu, Brunets and Company, accepted for security of payment by the said Sieur Bienvenu to whom summons was made by Maison to pay the said note which was not executed for which it was concluded to have him summoned to be sentenced to pay without further delay, interest and cost.

Considering also Bienvenu Jr. note, acceptance by the plaintiff for surety of payment, and endorsement made in favor of the plaintiff under date of July 22nd. last, writ made by Maison to pay March 17th. last, the court gave first judgment by default against the defendant for failing to appear, in consequence ordered a reassignment for the first day of hearing. Summary cost reserved.

Rene Liovy

Foucault
Garic, Greffe.

No number

YEAR 1768JUNE 11th.

In virtue of Sieur Foucault's sentence rendering first judgment by default, copy signed by Garic, and the petition of Sieur Braud, Sieur Maison issues notice and re-assignment.

Maison.

Not entered in Louisiana Historical Quarterly.

62/17

YEAR 1768

JUNE 11

JUDGMENTS

Sieur Braud, Plaintiff
vs
Sieur Bienvenu, Defendant.
Judgment by default.

Sieur Lefresque, Plaintiff
vs
Sieur Brazillier, Defendant.

Plaintiff's claims rejected.
Case dismissed.
Plaintiff to defray Court
costs.

Sieur Durieux, Plaintiff
vs
Sieur Gayard, Defendant.

Plaintiff's claims rejected
without costs.

Sieur Garic, Chief Clerk of
Court, Plaintiff
vs

Sieur Ducros, attorney for
Vacant Estate.

Judgment in favor of Plaintiff.

(cont'd)

Sieur Morin
vs
Monsanto.

Judgment by default.

Principals re-summoned for
next session.

Foucault.

Not printed in Louisiana Historical Quarterly.

DOCUMENT NO. 68/A/2

YEAR 1768

JUNE 12

DOCUMENT EFFACED
AND ILLEGIBLE.

(Signed)
Hucket de Kernion

Not Printed in Louisiana Historical Quarterly.

R/r

6/13/68

D68 135

YEAR 1768

JUNE 11,

2/4

EXCERP FROM THE REGISTRY: COUNCIL SESSION

MORIN vs. MONSANTO

Morin alleging he was unable to collect amount of a note made by Monsanto and payable to Dusseau, given him by the latter in payment for a raft, petitions the council to sentence Dusseau to pay sum of 930 livres.

Council renders first default, orders defendant resummoned; costs pending. Signed Foucault.

Garic, Clerk

Sheriff's return of service on Monsanto.

J. Maison.

Not entered in Louisiana Historical Quarterly.

No Number

YEAR 1768

15 JUNE

1 page
In French

STATEMENT BY BAURE

Sr Baure certifies that he had
seen and visited with Dr Brian,
and that he was told by the
latter of the statement made
concerning a sale.

SUBJECT: Statement, Certification, Sale
PERSONS: Brian, Baure

#1768061501

Not found in Louisiana Historical Quarterly

YEAR 1768

JUNE 15

EXECUTIVE SESSION OF THE SUPERIOR COUNCIL.

Sieur Movin^r versus Sieur Monsanto.
Defendant ordered to pay petitioner
the amount of his note.

Sieur Denis Braud versus Sieur
Bienvenu.
Judgment by second default against
defendant with feudatary fines.

Signed by

Foucalt.

Not printed in Louisiana Historical Quarterly.

YEAR 1768JUNE 16

27

BRIEF SUBMITTED
BY
JEAN PIERRE ROBERT GERARD DEVILEMONT
IN THE MATTER OF
VAUGINE
Vs.
DEVILEMONT

Vaugine, Infantry Captain, was married to Miss Dauberville, the step-daughter of Devilemont. On the death of the first husband (Dauberville) Dame Dauberville, still a minor, assumed natural tutorship of her children and while in that capacity sold a plantation and the negroes of said plantation. This was a credit sale. The purchasers, Pontalba and Delagautraye, defaulted on their payments.

Vaugine takes exception to the provisional accounting of the tutorship because in it she charges the losses on the above sale to her children and to herself on a 50-50 basis, Also to the fact that she was a minor and natural tutor. He contends a minor cannot be a natural tutrix, but according to the laws governing this country a tutrix is dative, i.e. elected at a family meeting, which election must be homologated. Such was not the case in this instance. He quotes Bourjon as authority.

He also takes exception to the way the succession of Miss Celeste Elizabeth Dauberville (who died as a minor) was handled by Dame Dauberville.

Vaugine wants Dame Dauberville to be responsible for alleged losses due to the sale of plantation

and negroes and in case she has not even property to take care of the losses, wants Devilemont to be responsible. The latter answers that inasmuch as the sales took place in 1758 and he was married only in 1761, he is not responsible.

Vaugine takes exception to an item of 30,000 livres, expenses of the minors, maintenance, education, trip to France, medicine, doctors, etc., during a period of 7-1/2 years. Of this 30,000 livres, a certain percent would be charged for maintenance of Dame Dauberville.

The account as submitted is:

Total	128,570
Deduction	<u>98,032</u>
Balance	30.528

Half of this goes to the mother and the other half to the two minors (one of whom, Elizabeth, is dead) and from their share is deducted 10,000# as the mother's dowry, thereby reducing their share to 5269#.

The following authorities are quoted in the brief:

Poquet Delivoriere - Rules in French Law;
 Book 4, Chap. 9, Art. 24
 Journal des Andrances, Vol. 1,
 Book 2, Chap. 1
 Bourjon - Common Law, Customs of Paris,
 Chap. 8 (Tutors)

and a few others.

(Signed) Gerard Devilemont

1768

June 18, Order. (Signed) Foucault

June 25, Return on service on Vaugine.

YEAR 1768JUNE 17

176

S U C C E S S I O N

Undersigned Charles de Lavergne and wife, Marie Joseph Carriere, admit having received cash from Sr. Chantalou in charge of funds of the late Sr. Tixerant and his deceased wife, 10,019 livres 14 sols, their share in said succession and declare to consider all other papers and receipts of no value whatever.

(Signed)

Lavergne
Carriere Lavergne

Copy compared to original to remain
in Court.

(Signed) Garic

Not listed in Louisiana Historical Quarterly.

YEAR 1768

JUNE 18

JUDGMENTS

Sieur Henry Voix, Plaintiff
vs
Sieur Gauvain, Defendant.

Judgment in the sum of 191 livres
in favor of Plaintiff.

—
Sieur Reboul, Merchant, Plaintiff
vs
Mrs. Piat, Defendant.

Judgment in the sum of \$18.00 in
favor of Plaintiff.

—
Sieur Reboul, Plaintiff
vs
Sieur Maxant, Defendant.

Judgment in the sum of 10 livres
in favor of Plaintiff, and costs.

Foucault

Not printed in Louisiana Historical Quarterly.

YEAR 1768
1 page

JUNE 22

EXECUTIVE SESSION OF THE
SUPERIOR COUNCIL.

Sieur Rousseau versus Sieur Lfonnafs.

Defendant ordered to pay claim with-
in sennight and cost.

Signed by

Foucalt.

Not printed in Louisiana Historical Quarterly.

64/19

No number

D68 137

see doc
#1768062601
12/29/74
MP

YEAR 1768

JUNE 25

PETITION

Sieur Jean Virot having received from
Sieur Delille Dupart a draft for 940 livres
on Sieur Caresse in payment for son's work
done and being unable to recover, petitions
Honorable Foucault to be allowed to summon
Sieur Caresse before the Court to be order-
ed to pay the amount of said draft and cost.

X (J. Virot, his mark)

Permit to summon.

(Signed) Foucault

Summons issued and delivered by Sheriff.

(Signed) Dupui

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1768

28 JUNE

1 page
In French

RECEIPT BY WIDOW DUBREUIL

Madame widow de la Chaisse du Breuil
acknowledges having received 69,650.13
livres during her term as tutor for
her children from the sale of slaves
in notes of the colony which were not
acceptable to her husband's creditors.

SUBJECT: Succession, slaves, slavery,
slave sale, money, financial
PERSONS: de la Chaisse du Breuil

#1768062801

#6/68

D 68 138

YEAR 1768

June 29

PETITION

Mr. Briant, tutor of the minors of the late Nicolas Adam and Margueritte Roy, alleges he is ill and unable to continue in his capacity as said tutor, petitions the Council to permit him to transfer the tutorship to Andre Tete, husband of Marie Joseph Adam, sister of said minors, and discharge him of all further obligations therein.

(Signed) Briant

After reviewing above petition, permission is granted to Briant to render an accounting of tutorship to said appointed tutor.

(Signed) Lafreniere

Document includes two medical certificates stating nature of Briant's illness.

(Signed) Bauve
Roussillon

Not listed in Louisiana Historical Quarterly.

60/29

*see back
1768 07/16 01
4/20/95 KPO*

No Number

YEAR 1768

30 JULY

1 page
In French

SUMMONS TO APPEAR

Sr Bayonne, a baker, is ordered
to appear and give information
asked for by the petition of Sr
Roth McPerugieur.

SUBJECT: Court summons, Baker, Bourbon
street

PERSONS: McPerugieur, Bayonne

#1768073003

Not found in Louisiana Historical Quarterly

D 68 139

see doc
#1768073001
12/29/94 W.P. ✓

YEAR 1768

JULY 1

10 1/2 pp.

REJOINDER

Reply from Sieur Daigle, tutor for the minor heirs of Sr. Roman and Melle. Joseph Marie Roman, to Chas. Tarascon, tutor for the minor heirs of Sr. Barre.

This document discusses fully the respective rights of the heirs of Mme. Roman, wife by first marriage of Sr. Jacques Roman, and by second marriage of Sieur Barre. Said successions had never been opened. The motif which prompted Mr. Daigle to render an account was not litigation, but rather to establish the rights of the respective heirs.

There had been a great deal of discussion and dissension about a manual gift, which had been made Sr. Roman, who died quite suddenly. Messrs. Paris Duvernay and Montmartel had given two letters to Sr. Roman addressed to their Commissaries at La Rochelle and at St. Domingo respectively, instructing them to deliver to the said Sr. Roman certain effects to be charged to their accounts. The merchants did as directed and asked that Mr. Roman give them a receipt for same, which he did; however Mr. Roman died before reaching shore and the only proof Me. Roman could have had of the above transaction would have been the testimony of the captain. When the Attorney General and the Judge made the inventory of said succession, they made a separate inventory of said gift and gave credit to the widow until such time as they were able

to contact the benefactors to ascertain their wish relative to the manual gift, whether they wanted to recall it, sell it for their account or give it to the children of Sr. Roman.

The donors decided on the latter as they wished to help defray the cost of rearing and educating the children of Sr. Roman.

2nd. The Roman heirs refused to recognize the claim of Sr. Barre to a child's share, however this claim was established as follows:

1st - On the 2/3 of Mme. Roman's dowry, which remained her paraphernal property.

2nd - On the preciput which was also her personal property.

3rd - On Sr. Barre's personal property, 10,000 livres, which he inherited from his father, and on the property which he acquired during marriage.

Finally the Roman heirs asked the Court to decide the total amount of their inheritance together with the expenses and surplus, and since they had nothing further to write or produce, they asked foreclosure.

New Orleans, July 30, 1768
M. J. Roman, Mr. Daigle

Permission to serve Court summons.

(Signed) de Launay

Summons served by sheriff.

(Signed) Maison

Not listed in Louisiana Historical Quarterly.

Acc. No.
#1768070601
12/29/94 MB ✓

YEAR 1768JULY 5

Copy of statement rendered
by

François Delery, Militia Officer and tu-
tor to minor children of defunct Sr. and
Dame Demorand

to

Sr. Charles Morand, minor partially eman-
cipated and acting by authority of De Val-
liere, former Militia Officer, and curator
ad hoc.

There are three other heirs (minors) be-
sides Charles Morand and for this reason
the amounts are divided into fourths.

RECEIPTS

Chapter I (Cash)

- Art. 1--Paid by Latil to Delery, by order of
August 10, 1765, fixing balance between
receipts and expenses at 6365 in old
paper, which when reduced to reel
amounts to 1588#.15
1/4.....397.3.9
- Art. 2--Silverware..... 7# 4 oz.
- Art. 3--Sum left by Charles Morand for
oldest male child of Demorand
and wife.....4000#.0.0

Chapter II (Rents)

- Art. 1--3 years lease of farm and plantation,
to Chataubadeau, (37398 divided in
fourths.).....9349.10
- Art. 2--3 years lease of house and lots
to Valliere, (1650#) 1/4.....412.10

Balance 10,730.15

Chapter III (Interests)

Art. 1--Interest on 7000# loaned to Petit (175#).....	43.15
Art. 2--Interest on 6500# loaned to Le Chevalier de la Ronde (162#).....	40.16. 6
	<u>84.11. 6</u>
Total of the 3 Chapters.....	15,212.10. 3

EXPENSES

Chapter I

Art. 1--Expenses of minors (140#)	37.10
Art. 2--Transportation of 3 minors to France 500# plus furnish- ing to these minors (1835.17.6)..	611.19. 6
Art. 3--2 Bbls of Indigo sent to Mr. Testas in France for account of 3 minors.....	1270. 2. 6
Art. 4--Cash sent to France (98.7.6) 1/3.....	29.15.10
Art. 5--Aid to Sr. Azemar (157# 10) 1/3.....	52.10
Art. 6--Four bales of cotton sent to France (1736.14) 1/3.....	578.18
Total of Chapter I	<u>2580.15.10</u>

Chapter II

Art. 1--Six months' board to Mr. Valliere.....	600.00.
Art. 2--Expenses of Testas at La	

Art. 3--107000 bricks furnished Chas. Morand.....	3210.0. 0
Total	<u>7070.18.6</u>
Chapter III totals.....	7271.13
Chapter IV totals.....	750.
Total of expenses	<u>17673. 7.4</u>
Leaving a deficit of	2461.17.4

Original signed by Delery and further down was
the Order signed by Delaunay.

On his copy is:

July 16, 1768

Return on service on Chas. Morand and D. Valliere.

(Signed)

J. Maison

Not printed in Louisiana Historical Quarterly.

D68¹⁴⁰ ✓

YEAR 1768

JULY 7

3/p.

INVENTORY OF EVIDENCE PRODUCED.

The inventory of evidence of the tutorship exercised by Dame Petit De Coulange, widow of Pierre Dauberville, Seneschal, and wife of Pierre Robert Gerard de Villemont, over her daughters, Misses Marie, Louise and Felicite Celeste Elizabeth Dauberville, is furnished to satisfy the order of September 5, 1767. This inventory itemizes every paper filed in these proceedings and represents the record as it is without anything added or omitted.

(Signed) Gerard de Villemont

1768

July 8,

Order

The foregoing inventory is ordered served.

(Signed) Foucault

1768

July 8,

Report of Sheriff

Undersigned makes his report showing service of inventory of evidence produced by Mr. de Villemont on Mr. Martin de Vaugine, Captain of Infantry.

(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

~~# 27/61~~

D 68 ¹⁴¹

YEAR 1768

JULY 7

15 pp

ANSWER AND BILL OF EXCEPTIONS
FILED BY GERARD de VILEMONT
TO BE SERVED ON MR. MARTIN de VAUGINE.

In this answer and bill, undersigned states the fundamental principle involved in this case is that Mrs. Petit de Coulanges, widow of the late Seneschal Dauberville and tutrix of the minors, issue of her marriage to Mr. Dauberville, was herself a minor and that the guardianship was managed as much by her, herself, as by those holding her power of attorney until she married undersigned, which fact gives rise to several outstanding questions among which four are set out and are argued in detail; these arguments being amply supported by principles of law herein expressed. Mr. Devilemont in conclusion prays the Court to declare the Act of Partition of October 8, 1759, null and void. Also, to declare the Widow Dauberville heir of her late daughter, Celeste Elizabeth, and to further declare the account, filed by him, closed and settled.

(Signed) Gerard Devilemont

1768

July 8, Order for service of foregoing bill and answer.

(Signed) Foucault

Return of Sheriff

Undersigned makes his return showing service of foregoing answer and bill of exceptions on Mr. Martin de Vaugine.

(Signed) J. Maison

D68 142 ✓

YEAR 1768

JULY 7

45 pp.

ROMAN AND DARE SUCCESSIONS

PREAMBLE

Mrs. Marie Joseph Daigle, widow by first marriage of Jacques Roman and by second marriage of Jacques Dare, *Barne*

At their death, the two successions being mingled together, Sieur Etienne Daigle, in the name of and as tutor of the Roman minors and Miss Marie Joseph Roman, of age, claimed their share and Jacques Tarascon, tutor of the Dare minors, pursuant to an order of the Superior Council, rendered an account of the two successions giving the Roman heirs 28,543 livres 7 sols 1 denier as their share in their father's and mother's succession.

Sieur Etienne Daigle, tutor, and Miss Marie Joseph Roman answered Sieur Jacques Tarascon's statement of account and brought out the fact that a gift by Sieurs Paris Duvernay and Marmontel to Sieur Roman in 1754 during his life-time, consisting of twelve negroes and a case of merchandise, all valued at 22,345 livres, was included in the Roman Succession inventory as community property while it should be itemized as Sieur Roman's personal property revertible directly to his heirs; also that Sieur Dare was not entitled to a child's share.

Rejoinder

Sieur Tarascon, in the name and as tutor of the Dare minors and curator of their father's and mother's succession, in a forty page rejoinder,

with learned citations of the law and clear facts to uphold his contentions (may be a good attorney), refutes some of Sieur Daigle's demands:

The gift of negroes and merchandises was made to Sieur Roman, according to Sieur Duvernay's statement to help him to establish, build and improve his plantation; the said plantation being community property, the negroes and merchandises being accessories given to improve the said plantation, automatically became community property according to the law of Paris.

The inventory of the Roman succession, including the negroes and merchandise presented by Sieur Duvernay, closed and dissolved the community existing between Sieur Roman and Miss Marie Joseph Roman.

The letter addressed by Sieur Duvernay to Widow Roman reminding her of the gift made to her late husband, hoping it would help her to rear and educate her family properly and the opposition hinted at her second marriage with Sieur Dare, without revoking the gift, is proof enough of the validity of the said gift as community property.

The purported revocation made lately at the instance of Miss Marie Joseph Roman and only for the purpose of depriving the Dare heirs of the better part of their mother's share, comes too late to be legal.

The child's share given to Sieur Dare by his contract of marriage with Widow Roman is based:

- First - on the two-thirds of her dowry which remained her paraphernal property
- Secondly - on the preciput which is also her personal property
- Thirdly - on Sieur Dare's personal property and that acquired by him during his marriage

Petitioner states that he has overlooked to include in his report, Sieur Dare's share in his father's succession amounting to 10,731 livres, which belongs to Dare heirs proper, and finally after analyzing and correcting all accounts presented by plaintiff, concludes with the statement that the Dare succession having assets inventoried at 61,614 livres 8 sols 9 deniers and liabilities of 62,841 livres 16 sols 9 deniers, would fall short of 1227 livres 8 sols, while plaintiffs were claiming 69,741 livres 14 sols 4 deniers; the gift of Sieurs Duvernay amounting to 22,345 livres not included, which would bring their claim to 92,086 livres 14 sols 4 deniers, which is absurd and chimerical.

Petitioner demands an answer from plaintiffs within sennigh or a decree by default.

his

Charles Lorrain X dit Tarascon
mark

Permit to summon signed by: Delaunay

Notice of petition and summons issued by sheriff to Etienne Daigle and Marie Joseph Roman.

(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

YEAR 1768JULY 8

9/4.

STATEMENT & RECEIPT

Statement of fees due Mr. Olivier de Vezin for Abstract and Survey of lands belonging to Messrs. Desruisseaux and Charles Tarascon and situated at Bayou St. John, and also for verification of said operations which were interrupted, as set forth in proces verbal of same dated November 28, 1765, also for fee due on subsequent operations which were again interrupted by said Tarascon, as set forth in proces verbal December 5th and 12th, 1765.

Total amount: 711# 10 sols, which amount is paid in wine and flour at the rate of piastres of full value by Maurice Millon, Guardian of the Desruisseaux Succession.

(Signed) Olivier Devezin

Not listed in Louisiana Historical Quarterly.

YEAR 1765AUGUST 10

COPY OF DECREE OF ANNULMENT
AND FINE IN RE: OLIVIER DEVEZIN
Versus
CHARLES LORRIN, SURNAMED TARASCON,
AND MARIE GIRARDY, HIS WIFE.

Pursuant to order of Mr. D'Abbadie, late Director General, commanding for the King in this Province, Mr. Olivier Devezin repairs to the plantation of Desruisseaux in order to lay out a road leading from Bayou St. John to Chapitoulas and also to do what is necessary and incident to the division of the land belonging to said Desruisseaux and Charles Tarascon for the purpose of determining where the public road should be. Mrs. Marie Louise Girardy, authorized by her husband, subsequently enters an Act of Opposition against the survey made by Mr. Devezin, Surveyor and Keeper of the King's Highways, which Act is passed before Mr. Garic, Clerk of the Registry and entered on said Registry. Whereupon Mr. Devezin then brings suit against said defendants herein to obtain reparation and for the nullification of said Act of Protest. It is therefore decreed by the Council that said Act of Opposition is null and void and is to be blotted out from the minutes of the Registry and in reparation for their outrageous conduct, said Tarascon and wife are condemned in solido to pay 200# in Letters of Exchange to the Charity Hospital of this City, as a fine. For a second offence, defendants shall be prosecuted criminally.

By the Council
(Signed) Garic, Clerk

Rec'd
#1768 07/16/02
12/29/94 KP

YEAR 1768

2 pp

JULY 15

PETITION TO HONORABLE FOUCAULT

Sieur Friere versus Antoine Cauvain.

As defendant has ignored decree of Sieur Delaunay, and the sum of 313 livres, are due to Sieur Friere for several years, and he is unable to collect same.

Suppliant petitions that defendant be brought before Council and be condemned to pay amount plus costs.

Signed by

Friere

Hon. Foucault orders defendant to appear before Superior Council.

Signed by

Foucault

Return of notice of service in above case by Sheriff Maison.

Signed by

J. Maison.

Not printed in Louisiana Historical Quarterly.

YEAR 1768

JULY 15

DOCKET OF THE SUPERIOR COUNCIL
OF THE PROVINCE LISTING NINE SUITS
AND ONE SALE.

Ruby, surgeon vs. Cesar, free negro.

Dame Rillieu vs. Gaillard

Raulen vs. Caresse

Dame widow Raguéd and other heirs Bachemin
vs. Jacob Corbin

Rev. Father Dagabert vs. Loquet

Andre Regnard vs. Garic

Raulon (The sale for which he must give
receipt to Amailon)

Raguéd vs. Chiten de Silegue

Roth vs. Olivier Picheret

Ranson vs. Stuard & Weltz.

Not printed in Louisiana Historical Quarterly.

R/r

YEAR 1768

ip.

JULY 16,

JUDGMENTS

SIEUR JOSEPH BAILLEUX, PLAINTIFF
VS.

SIEUR RAYMOND BARDOU, DEFENDANT.
Judgment in the sum of 400 livres in real
money and thirty six livres 5 sols in
gourdes in favor of plaintiff plus costs.

MME. RIEUX WIDOW, PLAINTIFF
VS.

G OBERD, DEFENDANT.
Judgment by default - Case resumed.

SIEUR VOIX, PLAINTIFF
VS.

SIEUR COURTABAU, DEFENDANT
Judgment in the sum of 14,219 livres in
deniers, in favor of plaintiff, in full
settlement plus court costs.

Foucault.

Not entered in Louisiana Historical Quarterly.

YEAR 1768

JULY 20

2 1/2 pp

COPY OF JUDGMENT IN MATTER OF
DAME WIDOW RILLIEUX, THROUGH
PIERRE RILLIEUX, HER SON,
Versus
GAILLARD, COOPER

Judgment in favor of plaintiff.
Defendant is condemned to pay 596 livres in
piastres gourdes, plus interest. This amount
is the purchase price of 149 barrels of tar and
for which a note was given by Gaillard.

Original was signed by Foucault as Ordinator
and First Judge of Superior Council.

Copy is signed: Garic, Clerk

July 23, Return on service of notice of judgment
on Gaillard.

(Signed) J. Maison

After signature is a little memorandum of Court
costs amounting to 27¹/₂ 10^s 0.

Not listed in Louisiana Historical Quarterly.

YEAR 1768

JULY 20

1p.

EXECUTIVE SESSION OF THE
SUPERIOR COUNCIL.

Sieur Voix, represented by the Sieur Barre,
versus
Sieur Courtableau.

Litigants ordered to appear before the Sieurs
Braud and Bogart, arbiters, and Sieur Mellet,
arbitrator.

Sieur Roux, acting for his mother,
versus
Sieur Galard.

Defendant ordered to pay within two months,
amount plus cost.

(Signed) Foucault

Not listed in Louisiana Historical Quarterly.

YEAR 1768JULY 22

Debate submitted to Piot Delaunay
by
Sr. Charles De Morand and Dauterive
de Valiere, his curator ad hoc

This debate is on statement rendered by Delery.
Receipts

The first two articles are accepted as submitted
by Delery.

Art. 3 - 4000# left to oldest male child.
Valiere had been paid 1000# of this, as husband
of Dame Valiere. Normand contests this and
says he has been unable to collect from tutor
neither balance of pension which Latil, former
tutor, turned over, nor this amount of 1000#.

Art. 4 - Cattle - Latil still owes some cows, etc.,
and wants Delery to collect.

Expenses

Art. 1 - Auditor's share in expense of electing tutor stands -	37.	10.	0
Art. 2 - Auditor says he should bear only his personal expenses which amount to 300#, namely 50# for clothing and 250# for pas- sage, since the King paid half- 300.		0.	0
Art. 3 - Charge for indigo is accepted -	1270.	26.	0
Art. 4 - Take exception to charge for family meeting in terms of dollars, when reduced to livres, the amount totals -	32.	10.	0

Cont'd.

Art. 5 - Court cost for succession accepted -	52.	10.	0
Art. 6 - Cotton sent to France for account of minors accepted -	<u>578.</u>	<u>18.</u>	<u>0</u>
Total -	2268.	16.	4
instead of 2580.	15.	10	as charged.

Chapter Two

Articles One and Three accepted but Two is re-
jected, making the chapter total 3810 instead of
7070. 18. 2. as charged.

The Chapter on recoveries as accepted totals -	1630.	0.	0.
Expenses of statement -	50.	0.	0.

Recapitulation

Receipts -	12523.	5.	
Expenses -	<u>7758.</u>	<u>16.</u>	<u>4.</u>
Balance -	4764.	8.	8.

(Signed) Dauterive Valiere
De Morand

July 23, Order for service. (Signed) Foucault

July 23, Return on service on Delery.
(Signed) J. Maison

Not listed in Louisiana Historical Quarterly.

YEAR 1768

JULY 26

1p.

SESSION OF THE SUPERIOR COUNCIL

JUDGMENTS

Sieur Courtablais, Plaintiff

vs.

Sieur Grevinbert, Defendant

Plaintiff's case is thrown out of Court
without cost.

Plaintiff has the right to file suit against
Sieur Guillory.

Sieur Reboul, Plaintiff

vs.

Sieur Lamothe, Defendant

Defendant condemned to pay Plaintiff, 1,783
livres, payment in full, and Court costs.

(Signed) Foucault

Not listed in Louisiana Historical Quarterly.

YEAR 1768

JULY 27

1 p.

Delery as tutor to minors Morand
vs
Chateaubodau.
8027 livres 6 sols.

Delery alleges that Chateaubodau rented the farm lands belonging to succession of Mr. & Mrs. De Morand, and this amount of 7027 livres 6 sols is for three years rental of a plantation which he leased.

He therefore prays that defendant be ordered to pay this amount, plus all costs.

(Signed)
Delery

July 27

Order

(Signed)
Foucault

July 29

Return on service of notice.

(Signed)
J. Maison

Not printed in Louisiana Historical Quarterly.

68 ¹⁴⁶
 needs
 #1768 8070602
 12/21/94 KP ✓
 JULY 27

YEAR 1768

12 p.p.

Copy of remarks by Delery on accounts rendered by Latille, before Piot de Launay, Councillor, Superior Council of Louisiana, in matter Sr. Delery, tutor of minors Morand

vs partially
 Sr. Charles Morand, minor, emancipated, and acting by authority of Sr. Valiere, his curator; and

Sr. Valiere, as auditor or hearer.

The remarks are divided into: Receipts and Expenses.

RECEIPTS
 Chapter I

- Art. I. --Accepted as such397#.3.9
 Art. II --Accepted as such (silverware).7 lbs. 2 ozs
 Art. III--4000# left by Chevalier
 Morand to oldest male
 child of deceased
 Charles Morand, his
 brother, and father of
auditor, which auditor
 wants to retain only
 1000#, giving the other
 3000# to his brothers &
 sisters. But the item
 stands at.....4000#
- Art. IV-- Auditor wants Chapter One
 to have a fifth article
 included to cover one
 plantation with negroes,
 cattle, buildings, etc.,
 situated on Bayou St.
 John, also some other
 land at Chapitoulas and
 a house in this city.

CHAPTER II

No exceptions taken. Stands at10,730.39

CHAPTER III

Art. I.--Interest, formerly 43# 15, increased to.....	58.6.8
Art. II--Interest formerly 40#.16.6, increased to.....	54.3.6
Art.III--Auditor claims interest for 2 yrs. on 4000# note of his uncle Chev. Morand.....	Thrown out
Total of Receipts	<u>15,240#.8.9</u>

EXPENSES

Chapter I

Art. 1.--Expenses for 4 minors, in- cluding the three sent to France. This is allowed.....	37.10
Art. II--Passage to France, disputed by Auditor who says he should not be made to pay any of these expenses. Accepted.....	611.19.6
The other articles of this Chapter have been accepted, making the total of Chapter.....	2580.15.10

Chapter II

Personal expenses of Auditor, (board
and advances.)
Of the three articles submitted, Auditor
accepted two;
The first for.....600.00
The third for.....3810.00

Art. II--He takes exception to rate of ex-

change; in transaction of indigo
and cotton sent to France.
Finally fixed at.....1411.18.0

Total, Chap. II..... 5821.18

Then follows a Chapter of recoveries.

Recapitulation

1st. Chapter.....	2580.15.10
2nd. " 	5821.18
3rd. " 	7381.16.6
4th. " 	750.
	<hr/>
	16534.10.4

Latille accepts this total as just and
equitable.

Receipts.....	<u>15240. 8.9</u>
Leaving a deficit of	1294. 1.7

Which deficit Latille demands be reimbursed
to him from share coming to Auditor.

Original was signed Delery

and further down was the Order, signed by
Foucault.

On this copy is:

July 28, 1768

Return on service of notice on
Charles Morand and Valiere.

(Signed)

J. Maison

YEAR 1768JULY 30

1/2

Report made by Louis Delaunay, to the Court, as Counsellor, in the examination of the account rendered of the Succession of the late Sieur Lalande, of which Sieur Monget Lalande had been made Testamentary Executor.

Total amount of the Succession: 13,947 livres
Expenses .. 11,722 livres
Remainder .. 2,124 livres

Said remainder to be placed in the hands of creditors by the Testamentary Executor, and said Testamentary Executor shall be discharged of further obligation to said succession.

New Orleans, 7/30/1768

Signed: Delaunay

Not listed in Louisiana Historical Quarterly.