

June - September

1787

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File #141  
June 2, 1787.  
Judge: Don  
de Rosales  
CC: F. Perdomo

Doc. #1556.  
Box 48.

File #141 )  
June 2, 1787. )  
P. 1 to 3. )  
Judge: Don )  
Martin )  
Navarro. )  
CC: R. Perdomo. )

PROCEEDINGS INSTITUTED BY DON  
SANTIAGO VINZENT.

Don Santiago Vinzent, a resident of this City, petitioned the Court, for the purpose of obtaining a permit to sell a schooner of his ownership named "La Louisiana", to Don Pedro Sauve, also a resident of this City.

On June 2, 1787, the Court granted Don Santiago Vinzent's petition.

The record is incomplete and the outcome of this case is not known.

Translator #23  
Copyist #10

File #2687.

June 2, 1787.

Judge: Carlos

de Reggio.

CC: F. Rodriguez

P. 1 to 39

Spanish and

French.

Doc. No. 1557.

Box 48.

) PROCEEDINGS INSTITUTED BY GABRIELA,  
) A FREE NEGRESS, OPPOSING THE SALE OF A  
) CERTAIN HOUSE WHICH SHE CLAIMS AS HER  
) OWN, IN A SUIT FILED BY ROBERTO JONES  
) AGAINST JOSEPH BOYAVAL, FOR THE COLLEC-  
) TION OF A CERTAIN DEBT.

Gabriela, a free negress and a resident of New Orleans, petitioned the Court for a certified copy of the records of the attachment illegally made on a certain house alleged to be of petitioner's property, which attachment was carried out in compliance with a decree issued by the court in the suit filed by Roberto Jones against Joseph Boyaval for the collection of a certain debt.

The petitioner was granted the certified copy she solicited, and then filed a new petition alleging that a few days previous the public appraisers appraised petitioner's house on petition of Joseph Boyaval in consequence of the suit filed against him by Roberto Jones; that petitioner has been informed that her said house is being announced for sale in order to satisfy with the proceeds thereof the sum claimed by said Roberto Jones from Joseph Boyaval; that petitioner is extremely surprised to have learned that Joseph Boyaval intends to pay his debts with the petitioner's own properties, without any other title or reason than the ones which his own distorted imagination may have created, since such a strange action cannot be explained otherwise. Petitioner, therefore, begs to inform the Court that the house and land on which the aforementioned attachment was made rightfully belongs to the petitioner and was acquired by her through the legal deed which she duly presents. Wherefore petitioner begs the Court to impose the corresponding penalty on Joseph Boyaval for having attempted to appropriate himself of the petitioner's property and to order all proceedings connected with the attachment and sale of said property suspended, warning Joseph Boyaval that under no excuse whatsoever he should molest the petitioner in the free enjoyment and peaceful possession of said property.

The Court ordered Joseph Boyaval to exhibit within three days whatever title he may have on the property

(cont'd)

in question.

Joseph Boyaval answered the Court's order by presenting two certificates: One from Roberto Jones, plaintiff in the suit filed against Boyaval involving the house in question, stating that said Jones had built said house for Boyaval at the latter's expense, on Gabriela's land with her consent; the other from Mr. Dufossat stating that it was also with Gabriela's consent that said house was to be removed from her land. Petitioner argues that after having built said house, as stated above, Gabriela ejected him from it and attempted to appropriate herself of said house. Petitioner therefore begs the Court to order that, inasmuch as he has proved to be the legitimate owner of the house in question while Gabriela has proved to own only the land on which said house is built, the disputed attachment be carried forward or either to permit the petitioner to remove said house from Gabriela's land and place it on another or to order said Gabriela to pay for it if she desires to remain in possession of same. Petitioner further states to the Court that it had been agreed by both that he was to occupy the house in question free of rent for four years or for six years paying four pesos rent a month, after which term Gabriela was to become the owner. Petitioner also begs the Court to warn Gabriela to be respectful in addressing white people, inasmuch as the remarks contained in her petition and directed to the petitioner hold her liable to be lashed in the public square, as it is customary in this colony for cases of that nature.

The Court admitted the certificates presented by Joseph Boyaval and ordered Gabriela to be notified of the former's answer, warning her as solicited by Boyaval.

A long litigation followed, after which the Court rendered final judgment declaring that Joseph Boyaval has the right to remove the house in question from Gabriela's land; and that Gabriela has the right to remain in possession of said house if she so desires, previous payment of its value which in that case shall be fixed by two competent appraisers. The Court however granted Gabriela the right to claim the sums she alleges are due her by Joseph Boyaval, and ordered

both to pay equally for the cost of these proceedings.

The Court Clerk notified Gabriela and Joseph Boyaval of the Court's judgment, and assigned Luis Liotau to make an itemized statement of the cost of these proceedings, which assignment he accepted.

Don Jose Correas, a resident of this City, petitioned the Court alleging, that when he came from St. Domingo, ten years ago he brought a negro slave and that now he wishes to sell said slave. Wherefore, petitioner begs the Court to grant him a permit to sell said slave.

On June 11, 1767, the Court granted the petitioner's request.

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The record is incomplete and the outcome of this case is not known.

Translator #23  
Coylat #10

Doc. 1558

Box 48.

File #2666

June 11,

1787.

P. 1 to 2.

Judge: Don

Estevan Miro.

CC: F. Rodriguez.

) PROCEEDINGS INSTITUTED BY DON LUIS  
) CORNUE.

Don Luis Cornue, a resident of this City, petitioned the Court alleging, that when he came from St. Domingo, two years ago he brought a negro slave and that now he wishes to sell said slave. Wherefore, petitioner begs the Court to grant him a permit to sell said slave.

On June 11, 1787, the Court granted the petitioner's request.

The record is incomplete and the outcome of this case is not known.

Translator #23

Copyist #10

Doc. #1559.

Box 48.

Luis Llored, Judicial... the cost  
of these proceedings.

File #125.	)	CASE OF
June 18, 1787.	)	DON DANIEL CLARK
P. 1 to 8.	)	VERSUS
Judge: Don E.	)	DON DAVID HODG.
Miro.	)	
CC: R. Perdomo.	)	
Spanish.	)	

The plaintiff, a resident of this City, petitioned the Court alleging, that as evidenced by the testimony and account that he duly presented, the defendant also a resident of this City, owes him the past due sum of 592 pesos. Wherefore, the plaintiff, begs the Court to issue a writ of execution against all the properties of the defendant, enough to cover said sum, plus the interest and the costs of these proceedings.

On June 18, 1787, the Court ordered the Court Clerk, to bring the records in order to be examined, and after they were examined the Court ordered to issue a writ of execution against all the properties of the defendant, enough to satisfy said debt, plus interest and the costs of these proceedings.

On June 26, 1787, Don Nicolas Fromentin, Chief Constable in compliance with the preceding decree went to the defendant's house to request him to pay the claimed sum of 592 pesos and which sum the defendant paid immediately.

On the same day, the plaintiff, appeared before the Court Clerk, stating that the defendant has satisfied the sum claimed, wherefore, he begged the Court to order Don

(cont'd)

File #14

(Doc. 1559  
cont'd.)

Doc. No. 1560.

June 19, 1787.

Box 43.

Judge Martin

PROCEEDINGS INSTITUTED BY DON JOSE  
BENJAMIN TO OBTAIN THE RESTITUTION OF  
A CERTAIN QUANTITY OF PITCH AND TAR

Barreno.

Luis Liotaud, Judicial appraiser to appraise the cost  
of these proceedings.

On July 5, 1787, the Court granted the plaintiff's  
petition.

On the same day Don Luis Liotaud, in compliance with  
the preceding decree presented an itemized statement of  
the cost of these proceedings which amounts to 8 pesos and  
7 reales.

of a certain amount of barrels containing  
pitch and tar which remain stored in the aforesaid wharves  
located in this port, and when the petitioner pur-  
chased from Vicente Hillibon, a resident of this City.  
Whereupon petitioner begs the Court to order said Raymundo  
Goyarre to perform the requested inspection, assisted by  
the Court Clerk, so that the latter may write at the foot  
of this petition the outcome of said inspection as re-  
gards Goyarre's estimate of the amount of jugs of pitch  
and tar which each barrel actually contains.

The Court decrees: petitioned by Pedro Josef Pallas-  
alcazar.

Translator #23 shows that Raymundo Goyarre performed the  
Copyist #10 ordered by the Court, declaring that the  
barrels he was able to inspect because they had not been  
tapped yet, and contained thirty jugs of liquid and  
others thirty-two.

The petitioner then, in view of Raymundo Goyarre's  
report, which showed that the barrels in question did not  
contain the standard amount of pitch and tar established  
for each barrel, proceeded to file suit against Vicente  
Hillibon, the vendor of said barrels, to claim damages,  
begging the Court to safeguard his right to establish  
the legitimacy of his claim on the return of the afore-  
mentioned wharves, at which time he will be able to  
produce evidence obtained from experts of the port of  
Santiago where the barrels in question are to be unloaded.

(cont'd)

File #14	)	Doc. No. 1560.
June 19, 1787.	)	Box 48.
Judge: Martin	)	PROCEEDINGS INSTITUTED BY PEDRO JOSEF
Navarro.	)	PEDESCLAUX TO SECURE THE INSPECTION OF
CC: R. Perdomo.	)	A CERTAIN SHIPMENT OF PITCH AND TAR HE
P. 1 to 4.	)	PURCHASED FROM VICENTE RILLIEUX AND
Spanish.	)	WHICH WAS READY TO BE SHIPPED ON PETI-
	)	TIONER'S BRIGANTINE "EL GUIPUSCOANO".

Pedro Josef Pedesclaux, owner of the brigantine named "El Guipuscoano", through his attorney, petitioned the Court alleging that it is convenient to petitioner's interest to secure the inspection by Reymundo Gayarre, master cooper, of a certain amount of barrels containing pitch and tar which remain aboard the aforesaid brigantine, anchored in this port, and which the petitioner purchased from Vicente Rillieux, a resident of this City. Wherefore petitioner begs the Court to order said Reymundo Gayarre to perform the requested inspection, assisted by the Court Clerk, so that the latter may write at the foot of this petition the outcome of said inspection as regards Gayarre's estimate of the amount of jugs of pitch and tar which each barrel actually contains.

The Court decreed as petitioned by Pedro Josef Pedesclaux.

The record shows that Reymundo Gayarre performed the inspection as ordered by the Court, declaring that the barrels he was able to inspect, because they had not been stowed yet, some contained thirty jugs of liquid and others forty-two.

The petitioner then, in view of Reymundo Gayarre's report, which showed that the barrels in question did not contain the standard amount of pitch and tar established for such barrels, prepared to file suit against Vicente Rillieux, the vendor of said barrels, to claim damages, begging the Court to safeguard his right to establish the legitimacy of his claim on the return of the aforementioned brigantine, at which time he will be able to produce evidence obtained from experts of the port of Cartagena where the barrels in question are to be unload-

File #14	)	Doc. No. 1560.
June 19, 1787.	)	Box 48.
Judge: Martin	)	PROCEEDINGS INSTITUTED BY PEDRO JOSEF
Navarro.	)	PEDESCLAUX TO SECURE THE INSPECTION OF
CC: R. Perdomo.	)	A CERTAIN SHIPMENT OF PITCH AND TAR HE
P. 1 to 4.	)	PURCHASED FROM VICENTE RILLIEUX AND
Spanish.	)	WHICH WAS READY TO BE SHIPPED ON PETI-
	)	TIONER'S BRIGANTINE "EL GUIPUSCOANO".

Pedro Josef Pedesclaux, owner of the brigantine named "El Guipuscoano", through his attorney, petitioned the Court alleging that it is convenient to petitioner's interest to secure the inspection by Reymundo Gayarre, master cooper, of a certain amount of barrels containing pitch and tar which remain aboard the aforesaid brigantine, anchored in this port, and which the petitioner purchased from Vicente Rillieux, a resident of this City. Wherefore petitioner begs the Court to order said Reymundo Gayarre to perform the requested inspection, assisted by the Court Clerk, so that the latter may write at the foot of this petition the outcome of said inspection as regards Gayarre's estimate of the amount of jugs of pitch and tar which each barrel actually contains.

The Court decreed as petitioned by Pedro Josef Pedesclaux.

The record shows that Reymundo Gayarre performed the inspection as ordered by the Court, declaring that the barrels he was able to inspect, because they had not been stowed yet, some contained thirty jugs of liquid and others forty-two.

The petitioner then, in view of Reymundo Gayarre's report, which showed that the barrels in question did not contain the standard amount of pitch and tar established for such barrels, prepared to file suit against Vicente Rillieux, the vendor of said barrels, to claim damages, begging the Court to safeguard his right to establish the legitimacy of his claim on the return of the aforementioned brigantine, at which time he will be able to produce evidence obtained from experts of the port of Cartagena where the barrels in question are to be unload-

ed; said experts will testify to the fact that merchandise such as pitch and tar are sold in said port by weight, from which procedure will originate the damages he will claim.

The Court requested the records of the case in order to study them and then decree accordingly.

The record however is incomplete and therefore the outcome of this case is not known.

The Court requested Antonio Mendez, an attorney for the Republic of Brazil, to appear before the Court and present the records of the case.

By order of the Court a copy of the law will be made of said records and added to the records of the case.

The Court requested Antonio Mendez, an attorney for the Republic of Brazil, to appear before the Court and present the records of the case.

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File #2744. )  
 June 19, 1787. )  
 Judge: Pedro )  
 Chavert. )  
 CC: R. Perdomo. )  
 P. 1 to 71 )  
 Spanish. )

SUCCESSION OF BARTHOLOME BANAN. <sup>MANON?</sup>

In the City of New Orleans on June 19, 1787, the Court was informed that Bartholome Banan had died, leaving legitimate heirs and properties. In order to protect the properties left by said deceased the Court ordered the Court Clerk to investigate his death, to obtain the keys of his residence and to place said keys at the disposal of the court, in order to promote whatever action may be convenient.

The record shows that the Court Clerk complied with the preceding decree issued by the Court.

By order of the Court a copy of the last will and testament of said deceased was added to the record of these proceedings.

The Court appointed Antonio Mendez, as attorney for Pedro Banan, a resident of Marseilles France, and sole and legitimate heir of the properties left by said deceased.

On Antonio Mendez's petition, attorney for Pedro Banan, sole heir of the properties left by said deceased, an inventory, appraisal and sale at public auction was made of said properties; said inventory, appraisal and sale were officially approved by the Court and by Juan Bta. Bacci, Testamentary Executor of the estate left by said deceased.

(BACA)  
 Juan Bta. Bacci, Testamentary Executor of the estate of said deceased, at the request of Antonio Mendez, attorney for Pedro Banan, presented an itemized account of the estate of said deceased, said account was officially approved by the court and by said Antonio Mendez.

The record also shows that the net estate of said deceased amounted to 379 pesos and 6 reales which are the proceeds of the sale at public auction of the properties left by said

(cont'd)

said deceased and 279 pesos and 6 reales in promissory notes which makes a total sum of 657 pesos, and four reales, which sum was placed by order of the court in the hands of the Testamentary Executor.

The cost of these proceedings amounted to 105 pesos and 4 reales.

The plaintiff, petitioner, the Court, showed, as was  
admitted by her executor wife and husband, that she  
was indebted to petitioner in the sum of \$100,000  
the balance due of a larger sum. She also showed  
needed approval of said executor for the purpose of  
to pay elsewhere, petitioner has the authority to  
indulgent to pay said debt, or to issue a bill of exchange  
or against his property, enough to satisfy the debt  
against the cost of these proceedings.

The Court advised as petitioned by the plaintiff.

The record shows that the Court clerk received from  
several parties the statements of the executor, the  
and he was instructed that the defendant was to pay the  
debt, and that the sum of money to satisfy the debt  
of the Court's order.

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The record appears to be incomplete and does not show  
the entire of this case.

Doc. #1562.  
Box 48.

File #3649. )  
June 22, 1787. )  
Judge: Carlos )  
de Reggio. )  
CC: Rodriguez. )  
P. 1 to 2. )  
Spanish. )

CASE OF  
PEDRO BOUSIQUE  
VERSUS  
MR. DUROUSSEAU.

The plaintiff, petitioned the Court alleging, that as evidenced by the promissory note duly presented the defendant is indebted to petitioner in the sum of 89 pesos, the balance due of a larger sum, that petitioner has demanded payment of said debt; that the defendant has refused to pay; wherefore, petitioner begs the Court to order the defendant to pay said debt, or to issue a writ of execution against his properties, enough to satisfy the sum claimed plus the cost of these proceedings.

The Court ordered as petitioned by the plaintiff.

The record shows that the Court Clerk inquired from several persons the whereabouts of the defendant, and that he was informed that the defendant was absent from the city, and therefore was unable to notify the defendant of the Court's decree.

The record appears to be incomplete and does not show the outcome of this case.

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On July 3, 1787, the Court granted the plaintiff's petition.  
(cont'd)

File #2765. )  
 June 23, 1787. )  
 P. 1 to 21. )  
 Judge: Don Estevan )  
 Miro. )  
 CC: F. Rodriguez. )

CASE OF  
 ROBERTO ROGER  
 VERSUS  
 MADAM FRANCISCA VOISIN, WIDOW OF  
 VILLIERS.

The plaintiff, petitioned the Court alleging, that as evidenced by the testimony that he duly presented, the defendant owes petitioner the past due sum of 1563 pesos, value of a certain house that was sold to defendant at public auction, and that although petitioner has requested the defendant to pay said sum on several occasions the defendant refused to pay. Wherefore, petitioner begs the Court to issue a writ of execution against all the personal properties of the defendant and specially against said house, in order to satisfy the sum claimed, plus interest and the cost of these proceedings.

On June 25, 1787, the Court ordered the Court Clerk to bring the records in order to be examined and after they were examined the Court granted the plaintiff's petition.

On June 27, 1787, before the Court Clerk, appeared Don Nicolas Fromantin, Chief Constable, and stated: That in compliance with the preceding decree he went to the defendant's house and requested the defendant to pay the sum claimed by the plaintiff of 1565 pesos but that the defendant refused to pay, and that he then seized a certain house of the defendant's ownership.

Then the plaintiff, petitioned the Court alleging, that as evidenced by the information of the Chief Constable, the defendant has refused to pay the sum claimed, for which reason the defendant's house and a negro slave was seized. Wherefore, petitioner begs the Court to order the Court Clerk, to announce said properties for public sale.

On July 2, 1787, the Court granted the plaintiffs petition.

(cont'd)

On July 20, 1787, the Court Clerk in compliance with the preceding decree, order the public Crier, to announce for three consecutive times the house and slave belonging to the defendant.

Then on Oct. 3, 1787, Don Estevan Miro, Governor General of this Province, appeared at the customary place for the purpose of proceeding to the public sale of the house of the ownership of the defendant, and ordered the public crier, to proclaim said house for sale and after several offers were made, it was sold to the highest bidder Don Francisco de Riano for the sum of 1500 pesos.

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The court ordered as petitioned by Philip Segura...  
...that Santiago Ferrer and Juan...  
...were appointed by the court to inspect said...  
...and they declared under oath before the...  
...that they have complied with their duties...  
...in inspecting and passing said merchandise on board...  
...and returning "Mississippi" in accordance with the...  
...instructions they received from Philip Segura.

The record does not show the result of these proceedings.

Translated by  
Copyright 1910

File #55 )  
June 27, 1787 )  
Judge: Estevan )  
Miro )  
Court Clerk: )  
Rafael Perdomo )  
PP. 1 to 4. )  
Spanish )

Document #1564  
Box. 48.

Proceedings instituted by Pablo Segond for the purpose of inspecting certain merchandise that he intends shipping to France.

Pablo Segond, a resident and merchant of this city, petitioned the Court alleging, that the petitioner has been authorized by Joseph Segond Jr., a resident of Marseilles, and Richard Aine, a resident of Paris, to prepare all the shipping documents on shipments cleared from New Orleans to the ports of Rochela and Bordeos; that petitioner has a shipment for the port of Bordeos, consisting of furs for the account and risk of said Richard Aine, on the brigantine named "Mississippi;" wherefore, petitioner begs the Court to appoint several experts, who will go to the petitioner's warehouses to inspect said merchandise, and that for said experts to give their testimony to the court Clerk of this city, as to the quality of said merchandise and as to the means taken to place said merchandise on board of said brigantine "Mississippi," captained by Antonio Delaques, who will sign in the presence of said experts the bill of ladings corresponding to said shipment.

The Court ordered as petitioned by Pablo Segond.

The record shows that Santiago Ferran and Pedro Etchartre, were appointed by the Court to inspect said merchandise, and they declared under oath before the Court Clerk that they have complied with their duties of inspecting and placing said merchandise on board said brigantine "Mississippi," in accordance with the instructions they received from Pablo Segond.

The record does not show the costs of these proceedings.

Translator #24  
Copyist #113.

File #3403.  
June 20, 1787.  
Judge: Pedro  
Chabert.  
CC: E. Pardo.  
P. 1 to 3.  
Spanish.

Doc. 1566  
Box 48.

Doc. #1565.  
Box 48.

JUAN BARTOLOME MAYAN  
VERSES

SUCCESSION OF BARTOLOME MAYAN.

File #2713  
June 27, 1787.  
1 to 2.  
Judge:  
Mr. Chabert.  
CC: F. Rodriguez.

)  
) PROCEEDINGS INSTITUTED BY DON  
) ALEJANDRO LATIL TO BUY A CERTAIN  
) SLAVE ON BEHALF OF HIS DAUGHTER  
) LEONOR.

Wherefore petitioner begs the Court  
to order Don Balthazar Boree, testamentary executor  
of the estate of said deceased, to pay  
him the aforesaid sum so that he may be able to at-  
tend to his most urgent needs.

The Court ordered the testamentary executor to  
be notified of the plaintiff's petition.

Don Alejandro Latil, petitioned the Court alleging,  
that his daughter Leonor, desires to buy a certain small  
negress slave of the ownership of Mr. Boree. Wherefore,  
petitioner begs the Court to grant him the permit to  
buy said slave.

On Feb. 21, 1787, the Court granted the petitioner's  
request.

The record is incomplete and the outcome of this  
case is not known.

Translator #23  
Copyist #10

File #2403.  
June 30, 1787.  
Judge: Pedro  
Chabert.  
CC: R. Perdomo.  
P. 1 to 3.  
Spanish.

Doc. 1566  
Box 48.

Doc. No. 1567.  
CASE OF  
JUAN BAUTISTA BIANQUI  
VERSUS

SUCCESSION OF BARTOLOME MAYAN.

The plaintiff petitioned the Court alleging that the defendant is indebted to petitioner in the sum of fifteen pesos for one month's salary which he earned as a cook in the house of the deceased Bartolome Mayan. Wherefore petitioner begs the Court to order Juan Bautista Baca, testamentary executor and trustee of the estate of said deceased, to pay him the aforesaid sum so that he may be able to attend to his most urgent needs.

The Court ordered the testamentary executor to be notified of the plaintiff's petition.

The testamentary executor answered that the plaintiff's claim is just and, therefore, has no objection to the payment of said claim.

The Court then, in view of the preceding statement, ordered the payment solicited by the plaintiff, with which order the testamentary executor complied through the Court Clerk. The testamentary executor also paid the sum of four pesos and four reales, cost of these proceedings as per itemized statement made by Luis Lietau.

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File #888.  
July 2, 1787.  
Judge: Martin  
CC: R. Perdomo.  
P. 1 to 4.  
Spanish.

DOC. No. 1567.  
Box 48.

YVESUS  
BERNARDI TRAMONT.

File #92. )  
July 2, 1787. )  
Judge: Martin )  
Navarro. )  
CC: R. Perdomo. )  
P. 1 to 4. )  
Spanish. )

PROCEEDINGS INSTITUTED BY JULIAN VIENNE AND JAMELIN TO BE GRANTED AUTHORIZATION TO SELL TO FRANCISCO RIANO THEIR SHARE OF THE BRIGANTINE "LA COMETA".

Julien Vienne and Jamelin, residents and merchants of New Orleans, petitioned the Court alleging that, as evidenced by the duly presented certified copy of a public deed, the petitioners are co-owners of the brigantine "La Cometa", anchored in this port; that petitioners have agreed with Francisco Riano, also a resident and merchant of this City, to sell him their share of said brigantine; wherefore, petitioners beg the Court to order the Court Clerk to draw the proper deed to that effect, after payment of the royal taxes.

The Court decreed as solicited by the petitioners.

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The record shows that the defendant petitioned the Court to order the plaintiff to return the promissory note belonging to him.  
The Court entered as petitioned by the defendant.  
The record does not show whether said promissory note was ever delivered to the defendant.

File #2668. )  
July 2, 1787. )  
Judge: Chabert. )  
CC: Rodriguez. )  
P. 1 to 7. )  
Spanish. )

DOC. #1568.  
BOX 49.

CASE OF  
LUIS CORNU  
VERSUS  
BERNARDO TREMAULET.

The plaintiff, a resident and merchant of this City, petitioned the Court alleging, that as evidenced by the promissory note duly presented, the defendant is indebted to petitioner in the sum of 800 pesos; that petitioner has on several occasions demanded payment of said debt, and that the defendant has refused to pay: Wherefore, petitioner begs the Court to order the defendant to declare under oath, if the signature affixed on said promissory note is his, and if he owes the sum claimed, and after this is done to deliver a copy of the proceedings to petitioner to promote whatever may be convenient.

The Court ordered as petitioned by the plaintiff.

The Court Clerk in compliance with the Court's decree, received the defendant's declaration wherein he substantiated the plaintiff's allegations.

The plaintiff, then petitioned the Court alleging, that the defendant has complied with the payment of said sum; wherefore, petitioner begs the Court to order the official appraiser to appraise the cost of these proceedings.

The Court ordered as petitioned by the plaintiff.

The cost of these proceedings amounted to 4 pesos 1 real.

The record shows that the defendant petitioned the Court to order the plaintiff to return the promissory note belonging to him.

The Court ordered as petitioned by the defendant.

The record does not show whether said promissory note was ever delivered to the defendant.

File #2402. )  
 July 3, 1787. )  
 Judge: Chabert. )  
 CC: Perdomo. )  
 P. 1 to 8. )  
 Spanish. )

SANTIAGO BORREL  
 VERSUS  
 THE SUCCESSION OF BARTOLOMI MANI-  
 AN.

The plaintiff petitioned the Court alleging, that as evidenced by the promissory note duly presented, the succession of the deceased Don Bartholomi Manian, is indebted to petitioner in the sum of 52 pesos 1 real, for merchandise said deceased bought from petitioner. Wherefore, petitioner begs the Court to order the testamentary executor of said deceased to satisfy the sum claimed.

The Court ordered the testamentary executor of said deceased to acknowledge under oath if the signature affixed on said promissory note presented is that of the deceased and to declare if he knew that the deceased owed the sum claimed.

The Court Clerk in compliance with the Court's decree received a declaration from Don Juan Bautista Baca, Testamentary Executor of the deceased, who under oath declared that the signature affixed on said promissory note presented is that of the deceased, and therefore he recognized said debt.

The record shows that Don Antonio Mendez, attorney for the absent heirs of the deceased, in answer to the notification made to him of the suit instituted by the plaintiff states: That in consequence of the declaration made by the Testamentary Executor of the deceased, wherein he acknowledges said debt; and that as attorney for the absent heirs has no objection in paying the sum claimed.

The Court ordered the Testamentary Executor to pay the sum claimed by the plaintiff.

The cost of these proceedings amounted to 10 pesos and 1 real.

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File #2691 )  
July 3, 1787 )  
Judge: Estevan )  
Miro )  
Court Clerk: )  
Fernando Rodri- )  
guez )  
Pages 1 to 5. )  
Spanish. )

DOCUMENT #1570  
BOX #49.

Information submitted by Teresa Gallar, widow of Josef Luis Boucher De Grand Pre, Captain of Infantry and Knight of the Royal and Military Order of Saint Louis, to prove the honorableness of the life and character of her daughter Juana Maria Josefa De Grand Pre, legitimate wife of Cecilio Oduardo, former Military Counsellor and General Assessor of Louisiana.

Teresa Gallar, widow of Joseph Luis Boucher De Grand Pre, Captain of Infantry and Knight of the Royal and Military Order of St. Louis, a resident of New Orleans, petitioned the Court alleging that it is convenient to petitioner's interest to prove the honorableness of the life and character of her daughter Juana Maria Josefa de Grand Pre, legitimate wife of Cecilio Oduardo, former Military Counsellor and General Assessor of Louisiana; wherefore petitioner begs the Court to admit the information of the witnesses she will present to declare regarding their knowledge of the life and character of the petitioner's daughter; to take cognizance of the enclosed certificates and to order that petitioner be furnished with as many certified copies of the witnesses' declarations as may be necessary.

The Court took cognizance of the certificates presented by the petitioner, ordered the Court Clerk to receive the information offered and to furnish the certified copies requested.

The Court Clerk, in compliance with the Court's order, received the information of witnesses Juan Bautista Nicolas Rollend de Guervache Escudero; Pedro Henrique Derneville and Francisco Coulon Devilier, all of whom testified to the fact that they have known the family of Juana Maria Josefa de Grand Pre for a long time,

Doc. #1570.

as also said Juana Maria, and that they know said family and Juana Maria to be of irreproachable character and conduct, and to descend from noble ancestry.

#22  
#113.

File #2720. )  
July 4, 1787. ) PROCEEDINGS INSTITUTED BY CARLOS  
Judge: Pedro ) LATOUR TO OBTAIN AUTHDRIZATION TO  
Chabert ) SELL A PLANTATION OF HIS OWNERSHIP  
CC: F. Rodriguez. ) TO PEDRO BONNE.  
2 pages. )  
Spanish. )

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Carlos Latour, a resident of New Orleans, petitioned the Court alleging that for the period of eleven years petitioner has been and still is the owner and possessor of a certain plantation of irregular measurements, situated six leagues from this city down the river and on the other side of same; that petitioner acquired said plantation from Juan Villanueva, Sr., by private document drawn in the presence of witnesses, and that petitioner desires to sell said plantation to Pedro Bonne, for which petitioner begs the Court to grant him the necessary authorization.

The Court granted the requested authorization.

#22  
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File #2754. (Doc.) #1572. )  
July 4, 1787. (Box) 8. )  
P. 1 to 9. )  
Judge: Don )  
E. Miro. )  
CC: F. Rodriguez. )

DOC. #1572.  
BOX 48.

CASE OF  
SEBASTIAN MAS  
VERSUS  
JUAN BAUTISTA SAVIO.

The plaintiff, a resident of this City, petitioned the Court, alleging that the defendant is indebted to him the past due sum of 189 pesos and 2 reales, value of several goods that petitioner furnished on credit to the store of the defendant, and although petitioner has requested several times said sums, the defendant refused to pay. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature at the foot of the note presented and to declare under oath if he owes the sum claimed.

On July 4, 1787, the Court granted the plaintiff's petition.

On the same day the defendant declared under oath in the presence of the Court Clerk: That it is true that he owes to the plaintiff the sum claimed; that at present he is not able to pay the whole amount, but only 10 pesos monthly, and that if in the meantime some of his debtors will pay him certain amounts of money that they owe him, then he will satisfy the whole amount.

Then the plaintiff petitioned the Court alleging, that as evidenced by the defendant's confession that he owes the sum claimed. Wherefore, petitioner begs the Court to order the Court Clerk to issue a writ of execution against all the properties of the defendant enough to satisfy the sum claimed, plus the interest and the costs of these proceedings.

On July 17, 1787, the Court ordered the Court Clerk to bring the record in order to be examined,

(cont'd)

(Doc. #1572.)  
Box 48.

and after they were examined the Court granted the plaintiff's petition.

On July 18, 1787, before the Court Clerk, appeared Don Nicolas Fromentin, Chief Constable and stated: That in compliance with the preceding decree he went to the house of the defendant to request him to pay to plaintiff, the sum claimed of 165 pesos and two reales, that the defendant refused to pay, and that he therefore seized a chair and a table of his ownership, and placed the defendant in the public jail of this city.

Then the plaintiff, later petitioned the Court to release the defendant from jail, so that he may work and pay in small payment the sum claimed, and that the plaintiff, promised himself to pay the costs of these proceedings.

On July 22, 1787, the Court granted the plaintiff's petition, and ordered Don Luis Liotau, to submit the costs of these proceedings.

Then Don Luis Liotau, Judicial Appraiser, in compliance with the preceding decree presented an itemized statement of the costs of these proceedings which amounted to 16 pesos and 4 reales.

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Cost of the proceedings: 16 pesos

file #2766.

July 4, 1787.

Judges: Baron of

Carondelet, Manuel

de Salcedo and

others.

JCs: Pedro Pedesclaux

and Estevan Quinones.

P. 1 to 152.

Spanish, and English.

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Proceedings instituted by Don David Ross, a resident and merchant of New Orleans, to obtain an order from the Court directing Don Christoval de Armas to deliver him the sum of one thousand two hundred and forty pesos and three reales, that was deposited with said Don

Christoval de Armas in a suit filed by the petitioner against Don Estevan Watts to collect 300 pounds sterling, value of an order of payment or certificate issued against the British Court in favor of said Don Estevan Watta and Don Samuel Flowers as indemnification for the destruction of certain houses of their property by the English Commander of the Fort of Baton Rouge, part of which order of payment was transferred in favor of the petitioner.

The record shows that the Court ordered Don Estevan Watts or his representatives to be notified of Don David Ross' petition, and that a long litigation followed which involved the other creditors of Don Estevan Watts, Don Samuel Flowers and Dona Francisca Asheton, wife and representative of said Don Estevan Watts, who opposed the granting of Don David Ross' petition. During the course of said litigation Don David Ross died, and the case was then settled between Dona Francisca Asheton and the testamentary executors, widow and heirs of Don David Ross.

It was decided that Don Christoval de Armas pay to the Succession of Don David Ross the sum of 620 pesos and  $1\frac{1}{2}$  reales, and an equal sum to Don Samuel Flowers, co-owner of the properties destructed by the aforesaid English commander.

Cost of the proceedings: 87 pesos and 3 reales.

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File #2650 )  
 July 5, 1787. )  
 Judge: Carlos )  
 de Reggio. )  
 CC: F. Rodriguez. )  
 P. 1 to 7. )  
 Spanish. )

CASE OF  
 FRANCISCO DESALES BADILLO  
 VERSUS  
 LUIS BELTREMIEUX.

The plaintiff, a resident of this City, through his attorney petitioned the Court alleging that as evidenced by the promissory note duly presented the defendant is indebted to petitioner in the sum of two hundred seventeen pesos and two reales, as last payment of a larger sum that the defendant should have paid to petitioner since November of last year; that defendant has refused to make said payment; wherefore, petitioner begs the Court to order the defendant to acknowledge the signature affixed on said promissory note and to declare under oath if he owes the sum claimed and to order the Court Clerk to deliver the defendant's declaration to the petitioner in order to promote whatever action may be convenient.

The Court granted as petitioned by the plaintiff.

The record shows that the defendant admitted the plaintiff's allegations.

On plaintiff's petition the Court issued a writ of execution against all the defendant's properties to satisfy the sum claimed by the plaintiff, plus interest and costs of these proceedings.

The record also shows that the defendant to avoid further legal action paid to the plaintiff the sum claimed.

The record does not show the costs of these proceedings.

#24

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File #2782.  
July 6, 1787.  
Judge: Carlos  
de Reggio; Andres  
Almonester y Roxas  
and others.  
CC: F. Rodriguez,  
Pedro Pedesclaux.  
P 1 to 42.  
Spanish and French.

DOCUMENT NO. 1575.  
BOX 49.

CASE OF  
FRANCISCO VERRET  
VERSUS  
LUIS LIOTAU.

The plaintiff, through his attorney, petitioned the Court alleging that as evidenced by the past-due promissory note presented the defendant is indebted to petitioner in the sum of 250 pesos, value delivered to said defendant in cash as a loan; that although petitioner on several occasions has requested the defendant to pay said sum the defendant has refused, wherefore petitioner begs the Court to order the defendant to declare under oath whether the signature affixed to the promissory note presented is his and whether it is true he owes the sum claimed. The petitioner further begs the Court to furnish him with a copy of the defendant's declaration in order to promote further proceedings to enforce his claim.

The Court ordered the defendant to declare under oath as petitioned by the plaintiff.

The defendant, in compliance with the Court's order, appeared before the Court and under oath declared: That the signature affixed to the promissory note presented by the plaintiff is his, but that he does not owe the sum represented in said note because he has earned various sums while working for the past three years in different matters which the plaintiff placed in his charge by virtue of several powers-of-attorney, for which work said plaintiff has not paid him; that furthermore he has furnished the plaintiff with various effects and lent him several books, all of which the plaintiff has not returned; that he is ready to prove his allegations.

The plaintiff then, based on the defendant's acknowledgment of his signature and disregarding his allegations  
(cont'd)

which he considered frivolous, petitioned the Court to issue a writ of execution against the properties of the defendant to satisfy the sum claimed plus the cost of these proceedings until the total payment of said sum.

The Court issued the writ of execution as petitioned by the plaintiff.

The record shows that Felipe Ravina, lieutenant chief constable, in carrying into effect the aforesaid writ of execution, found that the defendant had no properties of value, in view of which he made an attachment on the buckles of the defendant's shoes, leaving the proceeding open in order to better the attachment when and if defendant's properties of more value were found.

The defendant challenged the said writ of execution on the ground that proper consideration had not been given to the allegations he made in his declaration.

The Court then took this challenge under advisement and granted both parties 10 days in which to prove their allegations.

A long litigation ensued which resulted in a new attachment placed on a house of the defendant, which property was indicated by the plaintiff. This attachment however was invalidated because it was discovered that at the time of the placement of said attachment the defendant had already sold the abovementioned house, in view of which and on plaintiff's petition the Court issued a new writ of execution against the residence of the defendant, also indicated by the plaintiff.

The record however is incomplete and, therefore, the outcome of this case is not known.

File #67. )  
 July 11, )  
 1787. )  
 P. 1 to 23. )  
 Judge: Don )  
 E. Miro. )  
 CC: R. Perdomo. )  
 Spanish. )

CASE OF  
 DON JUAN LUIS BUAX AND CO.  
 VERSUS  
 DON GRACIANO DEVAUX.

The plaintiff, Don Juan Luis Baux and Co, a merchant of the City of Bordeaux, France, through the attorney General of this city, petitioned the Court alleging, that as evidenced by the document presented, the defendant owes to his principal the past due sum of 1083 pesos and 7 1/2 reales, and that the defendant is at present absent from this city, and that he knows that one Don Renato Faux, owes the defendant, a certain sum of money which sum is in charge of Don Francisco Mayronne. Wherefore, plaintiff, begs the Court to order said Mayronne, to declare under oath the amount of the funds he has in his possession that belong to the defendant and to deposit said funds to the order of the court.

On July 11, 1787, the Court ordered the attorney of the plaintiff, to present his power-of-attorney and the promissory note, in order to be translated into Spanish by Don Josef Duforest, the public translator of this city.

On July 31, 1787, after the court examined the document ordered Don Francisco Mayronne, to declare under oath the amount that he has in his charge, belonging to the defendant.

On Aug. 2, 1787, the court clerk, in compliance with the preceding decree went to the house of Don Francisco Mayronne, to receive his declaration and after he was duly sworn according to law, he declared: That at present he does not have any cash amount in his charge pertaining to the defendant but only few promissory notes against several  
 (cont'd)

persons that should be paid at the end of this year and that its proceeds will amount to 1600 pesos and which promissory notes have been seized by said Devaux. The plaintiff then petitioned the Court to order Myronne, to deposit said promissory notes at the dispositions of the court.

On August 13, 1787, the court ordered the Court Clerk, to bring the record in order to be examined and after they were examined the court granted the plaintiff's petition.

The record is incomplete and the outcome of this case is not known.

The record is incomplete and the outcome of this case is not known. The court ordered the plaintiff to prove their allegations.

The court ordered the plaintiff to prove their allegations.

The plaintiff then petitioned the court alleging that in the defendant's declaration he admits she was wronged, and that she has remained without the result of the appeal made by petitioners to the Superior Court in the city of Bayona, therefore petitioners beg the court to seize all of the defendant's properties with the aid of the Court Clerk, who will be informed that in the event that said properties are sold the purchaser will retain in his possession the cash amount of the purchase price or to deposit said amount in the hands of the General Receiver of this City until said amount is recovered.

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The court ordered to send a copy of the plaintiff's petition to the defendant.

The defendant answered the plaintiff's petition alleging that when an appeal is made to the Superior Court (cont'd)

File #51

July 13,

1787.

Judge: Chabert.

CC: Perdomo.

P. 1 to 12.

Spanish.

PROCEEDINGS INSTITUTED BY CARLOS VIVANT AND COMPANY, IN REGARD TO THE ACTION BROUGHT AGAINST THEM BY PEDRO BONNE AND JUAN APLU, FOR THE COLLECTION OF A CERTAIN SUM OF PESOS.

The plaintiffs, in the proceedings instituted by the defendants regarding the dissolution of a partnership which they had established, petitioned the court alleging; that this case has been finally decided by the court; that the decision has been appealed by petitioners to the Court of Appeal of the City of Havana, and that the petitioners fear that the defendants may sell some of their properties while awaiting for said decision and thereby prejudice the petitioners; wherefore, the petitioners beg the Court to seize all the defendants properties until said decision is rendered.

The Court ordered the plaintiffs to prove their allegations.

The plaintiffs then petitioned the Court alleging, that in the defendant's declaration he admits the sum claimed, and that said sum has remained unpaid as result of the appeal made by petitioners to the Superior Court in the city of Havana, wherefore, petitioners beg the Court to seize all of the defendants properties with the aid of the Court Clerk, who will be informed that in the event that said properties are sold the purchaser will retain in his possession the cash amount of the purchase price or to deposit said amount in the hands of the General Receiver of this City until said decision is rendered.

The Court ordered to send a copy of the plaintiffs petition to the defendants.

The defendants answered the plaintiffs petition alleging that when an appeal is made to the Supreme Court  
(cont'd)

File 383.  
July 12, 1907.  
No. 1 to 8.  
Judge Don  
E. Miró.  
C. P. P. P.

Doc. 1578  
Bm 43.

(Doc. 1578)  
cont'd.

CASE OF  
SANTIAGO CHAFFIN

neither plaintiffs nor defendants are entitled to bring action against each other until the decision of the court is rendered; that the seizure which the plaintiffs intend to make on the defendants properties is not legal by reason that the court of appeals has not rendered its decision; that the plaintiffs are aware of the fact that petitioners are persons of integrity, and that any amount of money which may result in their favor after the decision of the Court of Appeals, the petitioners will immediately pay without hesitation; wherefore, petitioners beg the Court to dismiss the petition made by the plaintiffs and to compel them to pay the cost of these proceedings.

The Court ordered the Court Clerk to forward a copy of the defendants petition to the plaintiffs.

The record shows that by order of the court and on the defendants' petition a copy of the obligation issued by the defendants in favor of one Pedro Jourdan for the sum of 6,120 pesos in which plaintiffs are comakers, was added to the records of these proceedings. It is true that he owes the sum claimed by plaintiff.

The record is incomplete and does not show the outcome of this case. Plaintiff further petitioned the Court alleging that as evidenced by the defendant's declaration

The cost of these proceedings amounted to 9 pesos and 2 reales. Therefore, the petitioner, begs the Court to issue a writ of execution against all the properties of the defendant in order to satisfy said sum, plus interest and the costs of these proceedings.

On Oct. 13, 1907, the Court granted the plaintiff's petition.

Then the plaintiff, petitioned the court alleging that he had come to a friendly agreement with the defendant wherefore, petitioner begs the Court to dismiss the case

(cont'd)

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File #38. )  
July 14, 1787. )  
P. 1 to 8. )  
Judge: Don )  
E. Miro. )  
CC: Perdomo. )  
Spanish. )

Doc. #1579  
Box 49.

CASE OF  
SANTIAGO CHAPRON  
VERSUS  
DON LUIS TUTAN BEAUREGARD.

The plaintiff, a resident of this City, petitioned the Court alleging, that as evidenced by the promissory note presented the defendant owes petitioner the past due sum of 138 pesos; and that although he has requested the defendant to pay said debt on several occasions, the defendant refused to pay. Wherefore, the plaintiff, begs the Court to order the defendant to acknowledge his signature under oath, and to declare whether he owes petitioner the sum claimed.

On July 14, 1787, the court granted the plaintiff's petition.

On Oct. 11, 1787, the Court Clerk, in compliance with the preceding decree went to the defendant's house to receive his declaration. The defendant under oath stated: That the signature affixed on the promissory note presented by the plaintiff is his, and that it is true that he owes the sum claimed by plaintiff.

Then the plaintiff, further petitioned the Court alleging, that as evidenced by the defendant's declaration, wherein he acknowledged his signature and confessed that he owes the sum claimed. Wherefore, the petitioner, begs the Court to issue a writ of execution against all the properties of the defendant in order to satisfy said sum, plus interest and the costs of these proceedings.

On Oct. 15, 1787, the Court granted the plaintiff's petition.

Then the plaintiff, petitioned the court alleging, that he has come to a friendly agreement with the defendant wherefore, petitioner begs the Court to dismiss the case

(cont'd)

and to order the Court Clerk to return him the promissory note that he presented.

On Oct. 18, 1787, the Court granted the plaintiff's petition.

On the same day the plaintiff, appeared before the Court Clerk and stated: That he has received the promissory note that he presented at the beginning of this proceedings, and for which promissory note he issued a receipt to the Court Clerk.

The record is incomplete and the outcome of this case is not known.

The Court Clerk's office at the Court Clerk's office, the petitioner explains, are those listed in the commissioner's inventory which were in the possession of the Court Clerk Fernando Marigny. Petitioner further begs the Court to order the Court Clerk, since he has found the documents in question to be those listed in the inventory, to issue a receipt for them in favor of petitioner for the law-  
yer's safety.

The Court decided as petitioned by Pedro de Marigny and that since the documents were deposited in the Court Clerk's office he may petition whatever  
authorities necessary.

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The Court Clerk, in compliance with the Court's order received from the petitioner the aforementioned documents and after having checked them with the inventory will send them to be those listed, with the exception of a few, issued the proper receipt.

The record ends with a second petition from Pedro de Marigny to be granted a certified copy of the receipt issued by the Court Clerk in his favor.

petition was granted.

File #2740 )  
 July 16, )  
 1787. )  
 Judge: Estevan )  
 Miro. )  
 CC: F. Rodriguez. )  
 P. 1 to 4. )  
 Spanish. )

PROCEEDINGS INSTITUTED BY PEDRO  
 DE MARIGNY TO PLACE CERTAIN DOCU-  
 MENTS IN THE ARCHIVES OF THE COURT  
 CLERK'S OFFICE.

Pedro de Marigny petitioned the Court alleging that Antonio De Mandeville, the petitioner's father, who was in the city of Paris, France, at the death of the latter's half-brother, Ignacio Broutin, took charge of the documents pertaining to the succession of said Broutin; that petitioner has now in his possession the said documents and wishes to be relieved of their custody and place them in safety so that at any moment when necessary they may be available; wherefore petitioner begs the Court to grant him permission to deposit the aforesaid documents in the archives of the Court Clerk's office; said documents, the petitioner explains, are those listed in the succession's inventory which remains in the possession of the Court Clerk Fernando Rodriguez. Petitioner further begs the Court to order said Court Clerk, once he has found the documents in question to be those listed in the inventory, to issue a receipt for them in favor of petitioner for the latter's safety.

The Court decreed as petitioned by Pedro de Marigny and notified him that once the documents were deposited in the Court Clerk's office he may petition whatever he considers convenient.

The Court Clerk, in compliance with the Court's order, received from the petitioner the aforementioned documents and after having checked them with the inventory and found them to be those therein listed, with the exception of a few, issued the proper receipt.

The record ends with a second petition from Pedro de Marigny to be granted a certified copy of the receipt issued by the Court Clerk in his favor.

petition was granted.

File #2639. )  
July 17, 1787. )  
Judge: Chabert. )  
CC: Rodriguez. )  
P. 1 to 19. )  
Spanish. )

DOCUMENT #1581.  
BOX 49.

CASE OF  
DON JACINTO BERNARD  
VERSUS  
DON JOSEF BOYVAL.

The plaintiff, a trustee of the creditors of Don Filiberto Farge, petitioned the Court alleging, that as evidenced by the two accounts duly presented the defendant is indebted to petitioner in the sum of 364 pesos for effects bought at the auction sale of the properties of said Farge, that petitioner has on several occasions demanded payment of said debt: That the defendant refused to pay said debt; wherefore, petitioner begs the Court to order the defendant to declare under oath if the signature affixed on the two accounts presented is his, and if he owes the sum claimed, and after this is done to deliver a copy of the proceedings to petitioner for whatever may be convenient.

The Court ordered as petitioned by the plaintiff.

The Court Clerk in compliance with the Court's decree, received the defendant's declaration, who under /<sup>oath</sup> declared that the signature affixed on the accounts presented is his, but that he does not owe the plaintiff the sum claimed as he gave the plaintiff sufficient properties to cover the amount claimed.

The plaintiff then petitioned the Court alleging, that the defendant has admitted that the signature on said account presented is his, and that even though he denies owing the sum claimed petitioner begs the Court to order a writ of execution against all and any of the properties of the defendant in order to satisfy the sum claimed.

The Court ordered as petitioned by the plaintiff.

Don Nicolas Fromentin, Lieutenant Chief Constable, in compliance with the Court's decree went to the residence of the defendant in order to enforce the writ of execution, but did not find any properties to seize, the

(cont'd)

defendant then declared that Don Juan Gravier, owes him a certain sum of money for work done and that the accounts and promissory notes of said sum are in the possession of the plaintiff and therefore said Fromentin could enforce said writ of execution to cover the sum claimed.

The plaintiff then petitioned the Court alleging, that desiring to settle with the creditors of Filiberto Farge, he is unable to do so as one of said creditors Don Juan Gravier is absent from this city and appears to be a debtor of said Farge, as evidenced by the documents presented and signed in favor of the defendant; wherefore, petitioner begs the Court to order the Court Clerk to note at the bottom of this petition if it is true, and he knows that said defendant bought certain merchandise from said Farge and that not having any funds to pay for same, Don Juan Gravier signed a note for said defendant.

The Court ordered as petitioned by the plaintiff.

The Court Clerk in compliance with the Court's decree stated that it is true that said Gravier signed several notes as bondsman for the defendant. The Court taken into consideration that the defendant is insolvent approved the security rendered by Don Juan Gravier, and ordered the trustee of the creditors of Filiberto to settle with said creditors and to discount the money due Juan Gravier.

File #2669 )  
 July 17 )  
 1787. )  
 Judge: Carlos )  
 de Reggio. )  
 P. 1 to 3. )  
 Spanish. )

PROCEEDINGS INSTITUTED BY PEDRO  
 CAMUS, TO HAVE A CERTAIN SHIPMENT  
 OF SALT PORK AND LARD, INSPECTED.

Don Pedro Camus, petitioned Don Carlos de Reggio, Mayor of this City, alleging that Mr. Chaserai, a resident of Natchez, had shipped him in care of Mr. Walker, 11 bbls of salt pork and 3 lbs of lard to be sold, and that from the proceeds of said sale to pay to Don Phelipe Trevino, to whom the said Chaserai is indebted the sum of 635 pesos for which debt petitioner is surety, and that said pork and lard has decomposed and has become unfit for use. Wherefore, petitioner begs the Court to have said pork and lard inspected by a competent person, and after this is done to forward to petitioner the proceeding.

The Court on July 17, 1787, appointed Don Antonio Mendez, public attorney to represent Mr. Chaserai; and Roman Gallard and Santiago Miguel, to inspect the shipment.

The record shows that said parties accepted their appointments.

The record appears to be incomplete and the outcome of this case is not known.

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File #2673. )  
 July 18, 1787. )  
 Judge: Pedro )  
 Chabert. )  
 CC: F. Rodriguez. )  
 Pages 1 to 5. )  
 Spanish and )  
 French. )

CASE OF  
 FRANCISCO DUREL  
 VERSUS  
 PIERRE LAMOTTE.

The plaintiff, a resident of New Orleans, petitioned the Court alleging that as evidenced by the account duly presented, the defendant is indebted to petitioner in the sum of 136 pesos for certain merchandise supplied to him; that although petitioner has on several occasions requested the defendant to pay said sum, the defendant has refused. Wherefore, petitioner begs the Court to order the defendant to declare under oath whether it is true he owes the sum claimed, and then to furnish petitioner with a copy of the defendant's declaration.

The defendant, in compliance with a Court order, acknowledged under oath to owe the sum claimed by the plaintiff.

The record shows that Nicolas Fromentin, Lieutenant Chief Constable, in compliance with a writ of execution issued by the Court, went to the house of the defendant and, after having unsuccessfully requested him to pay the sum claimed by the plaintiff, made an attachment on various effects belonging to him plus the sum of eighty pesos due him by Juan Bayu.

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

#22 -----  
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File #63 )  
July 20, 1787 )  
Pages 1 to 11. )  
Spanish. )  
Judge: Don E. )  
Miro )  
Court Clerk: )  
R, Perdomo. )

Document #1584 1583.  
Box 49.

Case of  
Don Juan Poussou DON JOSE  
vs. THE KING OF SPAIN  
Pedro Buigas.

The plaintiff, a merchant of this city petitioned the Court alleging that as evidenced by the promissory note presented, the defendant, a baker of this city, is indebted to petitioner in the sum of 1,000 pesos. Wherefore, petitioner begs the Court to order the defendant to acknowledge under oath his signature affixed on said promissory note presented, and to declare whether he owes the sum claimed.

On July 20, 1787, the Court granted the plaintiff's petition. On the same day the defendant in compliance with the preceding decree, declared under oath, before the Court Clerk: That the signature affixed on said promissory note is of his, and that although the tenor of said promissory note reads 1000 pesos, he only owes to plaintiff the sum of 774 pesos because he has already paid to plaintiff the sum of 226 pesos on account, as evidenced by the receipt in his possession, which he will present to the Court in the necessary event.

The plaintiff, further petitioned the Court alleging, that as evidenced by the defendant's declaration, and by the lawful right that results in his favor, petitioner begs the Court to order the Court Clerk to issue a writ of execution against the properties of the defendant in order to satisfy the sum claimed of 774 pesos plus interest and the costs of these proceedings.

On August 3, 1787, the Court granted the plaintiff's petition.

Then the plaintiff petitioned the Court alleging that the defendant has satisfied him the sum claimed of 774 pesos. Wherefore, petitioner begs the Court to dismiss the case and to order the Court Clerk to estimate the costs of these proceedings.

The record is incomplete and the outcome of this case is not known.

Translator #23 - Copyist #113.

File #2655. )  
 July 20, 1787. )  
 Judge: Estevan )  
 Miro. )  
 CC: 1 to 3. )  
 Spanish. )

PROCEEDINGS INSTITUTED BY DON JOSEF  
 BOYAVAL FOR THE PURPOSE OF OBTAINING  
 A PASSPORT.

Jose Boyaval, a resident of this City, petitioned the Court alleging, that Jacinto Bernard, trustee of the properties left by Don Filiberto Farge, and which were sold at public auction at the request of his creditors has petitioned the Court not to issue a passport to the post of Pointe Coupee where he had intended to go on a business trip; that petitioner at the present time has not any affairs pending with said Bernard, and that petitioner has paid to said Bernard what he owed for the properties bought from said Bernard. Wherefore, petitioner begs the Court to order that he be issued the passport in question as soon as possible, and that on the contrary petitioner will protest all the damages caused by the delay of his trip.

The Court ordered to forward a copy of the petitioners prayer to Jacinto Bernard.

Jacinto Bernard in answer to Jose Boyoval's petition alleged that under no circumstances he would allow that said Boyaval leave this City until the affairs he has pending with said Farge are settled, as said Boyaval still owes a certain sum of money to said Farge from the sale of his properties. Wherefore, petitioner begs the Court to order the Secretary of the Government not to issue the passport requested by said Boyoval.

The Court ordered as petitioned by Jacinto Bernard.

The record is incomplete and the outcome of this case is not known.

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DOCUMENT #1586.  
BOX 49.

File #2769. )  
July 20, 1787. )  
Judge: Pedro )  
Chavert. )  
CC: Fernando )  
Rodriguez. )  
P. 1 to 2. )  
Spanish. )

CASE OF  
FERNANDO RODRIGUEZ  
VERSUS  
BERNARDO DUBRUCAR.

The plaintiff, Court Clerk of this City, petitioned the Court alleging that the defendant is indebted to petitioner's office the sum of twenty one pesos and four reales, for the costs of the proceedings instituted by Juan Soulier against the defendant who was sentenced by the Court to pay said costs; that all the defendant's properties have been sold; wherefore, petitioner begs the Court to order the party who has in his charge the proceeds of said sale to satisfy to petitioner the sum claimed.

The Court ordered as petitioned by the plaintiff.

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

The record does not show the cost of these proceedings.

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The record further shows that the defendant requested the plaintiff not to enforce the writ of execution issued by the Court against his properties, and requested the plaintiff that he will pay the balance claimed. The defendant did not comply with his promise to be fully paid to the plaintiff 70 pesos, of said amount. Whereupon the plaintiff petitioned the Court to enforce said writ of execution against the defendant's properties, in order to satisfy the sum claimed.

File #2636 )  
July 24, 1787 )  
Judge: Estevan )  
Miro )  
Court Clerk: )  
Rodriguez )  
Pages 1 to 16 )  
Spanish )

Document 1587  
Box 49.

CASE OF  
Don Francisco De Sales Badillo  
vs.  
Don Pedro Villa Amil.

The plaintiff, a resident of this City, as attorney for Dona Maria Manuela Fernandez, a resident of Havana, petitioned the Court alleging, that as evidenced by the account duly presented the defendant is indebted to said Dona Maria Manuela Fernandez in the sum of 1042 pesos 4 reales for certain effects sent to him from Havana; that petitioner has on several occasions demanded the payment of said debt, and that the defendant has refused to pay said debt. Wherefore, petitioner begs the Court to order the defendant to declare under oath if the signature affixed on said account presented is his and if he owes the sum acclaimed, and after this is done to deliver a copy of the proceedings to petitioner to promote whatever may be convenient.

The Court ordered as petitioned by the plaintiff.

The record shows that the defendant admitted the plaintiff's allegations, and that he paid the plaintiff part of the sum claimed, leaving a balance of 419 pesos 4 reales, promising to pay said balance on December of the same year. The defendant failed to comply with his promise, and the plaintiff petitioned the Court to issue a writ of execution against the defendants properties to satisfy the balance due.

The record further shows that the defendant requested the plaintiff not to enforce the writ of execution issued by the Court against his properties, and promised the plaintiff that he will pay the balance claimed. The defendant did not comply with his promise, as he only paid to the plaintiff 70 pesos, of said balance. Whereupon the plaintiff petitioned the Court to enforce said writ of execution against the defendant's properties, in order to satisfy the sum claimed.

Don Nicolas Fromentin, Lieutenant Chief Constable, notified the defendant to pay the balance claimed by the plaintiff, and as the defendant refused to comply, he seized the defendant's residence.

The record is incomplete and does not show the outcome of the case.

Translator #25.  
 Copyist #113.

The plaintiffs, business associates and resi-  
 dents of Brussels, Belgium, petitioned the Court alleging that  
 the defendant had presented substitution of a  
 power of attorney signed by Jean Emmanuel Lelaux in peti-  
 tioners' favor on December 22, 1924, in the city of Brue-  
 sels, Belgium, before Notary Guillermo Montalvo,  
 the petitioners are the agents of Maria Catharina Jose-  
 pha Joffrais, of Brussels, Belgium; that by said power-  
 of-attorney petitioners are authorized to demand from  
 the defendant to surrender the entire proceeds of the  
 sale of the properties left to said Maria Catharina Jose-  
 pha Joffrais by her husband on her Joseph Joffrais, of  
 whose succession the defendant is in charge. Wherefore  
 petitioners beg the Court to order the defendant to sur-  
 render the entire proceeds of the aforesaid sale.

The Court ordered Esteban Guzman, official  
 translator, to translate into Spanish the power-of-attor-  
 nery presented by the plaintiffs and then to present said  
 translation to the Court so that the latter may decree  
 accordingly.

The record shows that Esteban Guzman complied  
 with the Court order and that the Court then ordered the  
 defendant to surrender to the plaintiffs the sum claimed  
 by them.

The defendant complied at the entire satisfac-  
 tion of the plaintiffs and the Court exonerated him of all  
 responsibility, ordering that the original power-of-attor-  
 nery be removed from the records and delivered to the  
 plaintiffs; also the Court ordered as directed aforesaid.

(Cont'd)

File #2768            ))  
July 24, 1787        ))  
Judge: Pedro Chabert   ))  
CC.: Fernando Rodriguez))  
Pages 1 to 13         ))  
Spanish and French   ))

Document #1588

Box 49

CASE OF

REAUD AND FORTIER

VS.

MARTIN BRAQUIER.

The plaintiffs, business associates and residents of New Orleans, petitioned the Court alleging that as evidenced by the duly presented substitution of a power-of-attorney issued by Juan Emanuel LeLeux in petitioners' favor on December 20, 1786, in the city of Brussels, Belgium, before Royal Notary Guillermo Montaigne, the petitioners are the agents of Maria Cathalina Josepha Joffrois, of Brussels, Belgium; that by said power-of-attorney petitioners are authorized to demand from the defendant to surrender the entire proceeds of the sale of the properties left to said Maria Cathalina Josepha Joffrois by her deceased brother Joseph Joffrois, of whose succession the defendant is in charge. Wherefore petitioners beg the Court to order the defendant to surrender the entire proceeds of the aforesaid sale.

The Court ordered Estevan Quinones, official translator, to translate into Spanish the power-of-attorney presented by the plaintiffs and then to present said translation to the Court so that the latter may decree accordingly.

The record shows that Estevan Quinones complied with the Court order and that the Court then ordered the defendant to surrender to the plaintiffs the sums claimed by them.

The defendant complied at the entire satisfaction of the plaintiffs and the Court exonerated him of all responsibility, ordering that the original power-of-attorney be removed from the records and delivered to the plaintiffs; also the Court ordered an itemized statement

(cont'd)

July 28, 1797.

Doc. #1588 cont'd.

2.

Judge: Kesteven

Niro.

of the cost of the proceedings to be made and ordered the plaintiffsto pay for said cost which the record however does not show.

The record shows that in the City of New Orleans, on July 28, 1797, the Court was informed that a robbery was committed in Antonio Beltrand's residence, located on Magazine St. and in order to investigate whether the robbery had really been committed and to punish the #22 male, the Court instituted these proceedings by #10 ring the Court Clerk to question all those persons who may have knowledge of the crime.

Pedro Malos, a resident and merchant of this City, de-  
 clared before the Court that in the morning of the above  
 mentioned date while he was in the parlor of the second  
 floor of his residence, he heard Antonio Beltrand, who  
 lives in the ground floor explaining about a robbery  
 and that he was uncertain and asked said Beltrand  
 what had happened to which he answered that during the  
 night of that date two negroes went into the house  
 against his wife and robbed her, and that he suspected  
 a free negro from Havana, who frequently bought from  
 his store; Malos further testified that he went out to  
 do his daily work and that when he returned he noticed  
 in front of the store two negroes, that a negro named  
 Catalina informed him that one of the two negroes was  
 who was she saw the night before sitting in front of  
 the store; that with this information he and Francisco  
 Cane called said negro, and demanded from him, to re-  
 turn what he had stolen to which the negro answered that  
 he was not a thief; that they told the negro to return  
 the money that he had stolen and that the negro told  
 Cane to go with him to his house so that he may convince  
 himself that he had not stolen the money; that Cane and  
 the negro went to the house and finally Cane returned  
 and informed him that the negro had returned all but  
 twenty pesos of the money he had stolen; that Malos  
 Beltrand informed said Cane that the same negro or other

(cont'd)

File #2651 )  
July 28, 1787. )  
Judge: Estevan )  
Miro. )  
CC: F. Rodriguez. )  
P. 1 to 94. )  
Spanish. )

DOCUMENT #1589.  
BOX 49.

OFFICIAL PROCEEDINGS INSTITUTED TO  
INVESTIGATE THR BOBBERTY COMMITTED  
IN ANTONIO BELTRAND'S RESIDENCE.

The record shows that in the City of New Orleans, on July 28, 1787, the Court was informed that a robbery was committed in Antonio Beltrand's residence, located on Magazine St. and in order to investigate whether the robbery had really been committed and to punish the criminals, the Court instituted these proceedings by ordering the Court Clerk to question all those persons who may have knowledge of the crime.

Pedro Malos, a resident and merchant of this City, declared before the Court that in the morning of the above mentioned date while he was in the parlor of the second floor of his residence, he heard Antonio Beltrand, who lives in the ground floor complaining about a robbery and that he came downstairs and asked said Beltrand what had happened to which he answered that during the night of that same day someone broke into the house opened his safe and robbed him, and that he suspected a free negro from Havana, who frequently bought from his store; Malos further declared that he went out to do his daily work and that when he returned he noticed in front of the store two negroes; that a negress named Catalina informed him that one of the two negroes was the one she saw the night before sitting in front of the store; that with this information he and Francisco Cane called said negro, and demanded from him, to return what he had stolen to which the negro answered that he was not a thief; that they told the negro to return the money that he had stolen and that the negro told Cane to go with him to his house so that he may convince himself that he had not stolen the money; that Cane and the negro went to the house and lately Cane returned and informed him that the negro had returned all but twenty pesos of the money he had stolen and that said Beltrand informed said Cane that the same negro on other

(cont'd)

(Doc. #1589)

cont'd.

occasions had committed other robberies; and that he ignored the house where said Came obtained the money from the negro.

The Court conducted other investigations and found that Francisco Barba and Francisco Malos were guilty of many other robberies and therefore sentenced Barba to serve six years in the prison of this city, and Malos to be exiled from this Province.

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File #121 )  
July 31, 1787 )  
pp. from 1 to 13. )  
Judge: Don Pedro )  
Chavert )  
Court Clerk: Rafael )  
Perdomo )  
Spanish. )

Document #1590  
Box. #49.

Case of  
Don Daniel Clark  
vs.  
Don Geremias Kelsey.

The plaintiff, a resident of this city, petitioned the Court alleging, that as evidenced by the testimony of the deed duly presented, the defendant, also a resident of this city, is indebted to the petitioner in the sum of 1369 pesos and 6 reales. Wherefore, petitioner begs the Court to issue a writ of execution against the properties of the defendant, in order to satisfy the sum claimed plus interest and the cost of these proceedings.

On July 30, 1787, the Court ordered the Court Clerk to bring the record in order to be examined, and after they were examined, the Court ordered to issue a writ of execution against the properties of the defendant in order to satisfy the sum claimed plus interest and the costs of these proceedings until final payment.

On August 11, 1787, Don Nicolas Fromentin, Lieutenant Chief Consatble, appeared before the Court Clerk, and stated: that he went to the defendant's house to request him to pay the plaintiff the sum claimed of 379 pesos and 6 reales, but that the defendant refused, whereupon he seized three negro slaves belonging to the defendant.

Then the plaintiff further petitioned the Court alleging, that as the defendant has paid the sum claimed, wherefore, petitioner begs the Court to dismiss the case, and to order the Court Clerk to estimate the costs of these proceedings.

On August 13, 1787, the Court granted the plaintiff's petition.

Then Don Luis Lioutou, Judicial Appraiser, in compliance with the preceding decree, presented an itemized statement of the costs of these proceedings which amounted to 11 pesos and 1 real.  
Translator #23 - Copyist #113.

File #2716.	)	
July 31, 1787.	)	CASE OF
Judge: Estevan Miro.	)	FRANCISCO LUIS DELAGROUE
CC: F. Rodriguez.	)	VERSUS
P. 1 to 14.	)	CATARINA TOUPAR, WIDOW OF BOREL
Spanish.	)	

The plaintiff, a resident of New Orleans, petitioned the Court alleging that as evidenced by the past-due promissory note presented the defendant, now wife of Luis Loiselle and residing in Attakapas, is indebted to petitioner in the sum of 1268 pesos in Mexican money, and that although petitioner has on several occasions requested the defendant to pay said debt the defendant has refused; wherefore petitioner begs the Court to issue a formal order directing Alejandro Declouet, Commandant of Attakapas, to summon the defendant and to order her to acknowledge the signature affixed to the promissory note presented and, after having acknowledged said signature and to owe the sum claimed, to compel her to pay said sum.

The Court issued the order as solicited by the plaintiff and the defendant acknowledged her signature and to owe the sum claimed.

The record shows that after a short litigation the parties reached an agreement whereby the plaintiff was paid the sum he claimed with two slaves of the defendant: One named Juan, thirty years old, and the other Bautista, eleven years old.

The Court approved the aforesaid agreement and ordered the release of several slaves of the defendant that were seized in the course of the litigation, and the case was closed.

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File #94. )  
 Aug. 1, 1787. )  
 P. 1 to 19. )  
 Judge: Don Pedro )  
 Chabert. )  
 CC: R. Perdomo. )  
 Spanish. )

CASE OF  
 DON LUIS LALANDA DAPREMON  
 VERSUS  
 DON FRANCISCO LUIS LAGRORE.

The plaintiff petitioned the Court alleging that as evidenced by the testimony of the deed duly presented, the defendant owes petitioner the past due sum of 500 pesos, and although petitioner has requested the defendant to pay said sum, the defendant has refused. Wherefore petitioner begs the Court to issue a writ of execution against the properties of the defendant in order to satisfy the sum claimed, plus interest and the costs of these proceedings.

On August 1, 1787, the Court ordered the Court ordered the Court Clerk, to bring the record in order to be examined, and after it was examined, the Court granted the plaintiff's petition.

On Aug. 3, 1787, before the Court Clerk appeared Don Nicolas Fromentin, Lieutenant Chief Constable, and stated: That in compliance with the preceding decree, he went to the house of the defendant, to request him to pay the sum claimed to plaintiff, but that the defendant refused whereupon he seized the house in which the defendant lives.

*declared before the Court*  
 Then the defendant, ~~petitioned the Court alleging,~~ that Don Nicolas Fromentin Chief Constable, came to his house to request him to pay to the plaintiff the sum claimed of 500 pesos, but that he only owes to plaintiff the sum of 113 pesos and 2 reales, as evidenced by the account and receipts presented.

Then the plaintiff and the defendant jointly petitioned  
 (cont'd)

File #3483.

(Doc. #1592)

DOCUMENT NO. 1592.

BOX 43.

Aug. 1, 1787.

cont'd.

Judges: Pedro

SUCCESSION OF JUAN BAPTISTA CA-

Robert, Juan

MINY <sup>Clayton</sup>

the Court alleging that they have to a friendly agreement. Wherefore, they beg the Court to dismiss the case and to order the Court Clerk to estimate the costs of these proceedings, which they are willing to pay.

On Aug. 13, 1787, the Court ordered as petitioned.

Then Don Luis Liotau, judicial appraiser in compliance with the preceding decree presented an itemized statement of the costs of these proceedings which amounted to 11 pesos and 5 reales.

the petitioner appointe Pedro Jourdan.

The Court ordered as petitioned by Mariana Riverde and appointed attorney Antonio Mander as curator ad litem of the minors.

The record shows that in compliance with the Court order, Adrian de la Plaza and Vicente Mangui, Public Appraisers, in the presence of the Judge and the Court Clerk, made the inventory and appraisal of the properties of the deceased which amounted to 1018 pesos and four reales.

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On petition of the curator of the minors, the widow of the deceased declared that said deceased had no properties other than those listed in the aforesaid inventory and that in the event other properties appear she will notify the Court.

The record further shows that the proceedings were stopped and not resumed until October 3, 1791, when a petition was filed by the widow of the deceased and her second husband Juan Ostain to have the Court approve the inventory and appraisal.

The Court, after having heard the interested parties express their consent for the approval of the aforesaid inventory and appraisal and con-

(cont'd)

File #2662. )  
 Aug. 1, 1787. )  
 Judges: Pedro )  
 Chabert, Juan )  
 Ventura Moreales )  
 and others. )  
 CCs: Fernando Rodriguez. )  
 and Pedro Pedesclaux. )  
 P. 1 to 48. )  
 Spanish and French. )

SUCCESSION OF JUAN BUATISTA CAMINICHE.

The record begins with a petition filed by Mariana Rivarde, a resident of New Orleans, notifying the Court of the death of her husband Juan Bautista Caminiche who died intestate leaving two minor daughters. The petitioner begs the Court to order an inventory and appraisal of the estate left by her deceased husband to be made so as to determine the share to which said minors are entitled, for which task the petitioner appoints Pedro Jourdan.

The Court ordered as petitioned by Mariana Rivarde and appointed attorney Antonio Mendez as curator ad litem of the minors.

The record shows that in compliance with the Court order, Adrian de la Plaza and Vicente Fangui, Public Appraisers, in the presence of the Judge and the Court Clerk, made the inventory and appraisal of the properties of the deceased which amounted to 1016 pesos and four reales.

On petition of the curator of the minors, the widow of the deceased declared that said deceased had no properties other than those listed in the aforesaid inventory and that in the event other properties appear she will notify the Court.

The record further shows that the proceedings were stopped and not resumed until October 8, 1791, when a petition was filed by the widow of the deceased and her second husband Juan Ostain to have the Court approve the inventory and appraisal.

The Court, after having heard the interested parties express their consent for the approval of the aforesaid inventory and appraisal and con-

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(Doc. 1593)  
cont'd.

sidering said consent sufficient to offset the irregularities therein found, officially approved it.

On January 16, 1792, the Court, by agreement of the interested parties, adjudicated the estate of the deceased to Mariana Rivaude and her husband Juan Ostain, with the proviso that they must furnish a bond for the security of the share belonging to the minors, at the satisfaction of their curator, investing said share to the benefit of said minors, to which effect the Court ordered the proper account and sworn statement to be made of the debits and credits of the estate of the deceased.

Mariana Rivaude and Juan Ostain complied with the Court order, presenting the account and sworn statement with the corresponding vouchers which showed a balance of 279 pesos in favor of the succession.

The Court then, by agreement of the interested parties, approved the aforesaid account and sworn statement and, since no share resulted in favor of the minors, ruled out the bond which had been previously ordered.

Don Luis Liotau, in compliance with a Court order, made an itemized statement of the costs of the proceedings which amounted to 59 pesos and 2 reales to be paid by Mariana Rivaude.

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File #2763. )  
Aug. 1, 1787. )  
P. 1 to 13. )  
Judge: Don C. )  
de Reggio. )  
CC: F. Rodriguez. )  
Spanish. )

DOCUMENT #1594.  
BOX 49.

CASE OF  
DON JUAN PAILLET  
VERSUS  
ANTONIO LEPINE.

The plaintiff, a resident and merchant of this City through his attorney, petitioned the Court alleging, that as evidenced by the testimony duly presented, the defendant is indebted to him in the sum of 500 pesos. Wherefore, petitioner begs the Court to order the Court Clerk to sell at public auction a certain house of the defendant's ownership, and from its proceeds to satisfy the sum claimed.

On Aug. 1, 1787, the Court ordered the Court Clerk to forward a copy of the plaintiff's petition to Don Tomas Poree, attorney for the defendant.

Then Don Tomas Poree, attorney for the defendant, answered the plaintiff's petition alleging that he does not have any objection to the sale of the house of the defendant's ownership and that from the proceeds of said sale to satisfy the sum claimed to plaintiff.

The record shows that on Sept. 4, 1787, Don Carlos de Reggio, Junior Justice of this City, ordered the public crier, to announce the defendant's house for sale and after several offers were made it was sold for the sum of 1007 pesos to one Don Francisco Adan.

On Oct. 25, 1787, the Court ordered the Court Clerk to estimate the costs of these proceedings.

Then Don Luis Liotau, Judicial Appraiser, in compliance with the preceding decree presented an itemized statement of the costs of these proceedings which amounted to 22 pesos and 1 real.

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File #98. )  
Aug. 2, 1787. )  
Judge: Estevan Miro. )  
CC: R. Perdomo. )  
P. 1 to 13. )  
Spanish. )

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CASE OF  
LUIS MORIS  
VERSUS  
JUAN PUSOU.

The record shows that the plaintiff previous to this action had instituted proceedings against the defendant for the purpose of claiming a negress, who was in possession of the defendant; that the Court decided the case in favor of the plaintiff, and the defendant appealed the decision to the Superior Court of the City of Havana; that the plaintiff while awaiting for the decision petitioned the Court, through his attorney, alleging, that petitioner desires to protect his interest as the Court had already decided in his favor; that the defendant while waiting for the decision of the Superior Court may leave the City, and therefore the plaintiff petitioned the Court to order the defendant to give security in his favor until the decision is rendered by the Superior Court.

The Court ordered to forward a copy of the plaintiff's petition, to the defendant.

The record further shows that the defendant appointed Juan Sove, to represent him in the appeal to the Superior Court and instructed said Juan Sove to proceed in accordance with the decision of the Superior Court.

The Court taking into consideration that the defendant had appointed Juan Sove, to represent him in the appeal, denied the plaintiff's petition and ordered him to pay the costs of these proceedings which amounted to 4 pesos and 4 reales.

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File #49 )  
Aug.2, 1787 )  
Judge: Estevan Miro )  
CC.: Rafael Perdomo )  
Pages 1 to 7 )  
Spanish )

Document 1596  
Box 49

CASE OF

PEDRO AUBRY  
VS.  
FELIPE CHESNE.

The plaintiff, a resident of New Orleans, through his attorney Antonio Mendez, petitioned the Court alleging that as evidenced by the duly presented certified copy of a mortgage, the defendant is indebted to petitioner in the sum of 558 pesos; that the defendant has paid 95 pesos on said account, leaving an unpaid balance of 463 pesos; that said mortgage was placed on a slave named Carlos of the defendant's ownership to guarantee payment of the aforesaid sum which represented the value of certain effects supplied by the petitioner to the defendant. Wherefore petitioner begs the Court to issue a writ of execution against all the properties of the defendant and especially against the mortgaged negro.

The Court issued the writ of execution as requested by the plaintiff, and Nicolas Fromentin, Lieutenant Chief Constable, went to the house of the defendant to execute said writ by seizing the mortgaged slave and leaving the writ open for the plaintiff to better it whenever he believed convenient.

The record shows that the case was settled out of Court, the defendant having agreed to pay for the cost of these proceedings.

#22  
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File #68. )  
 Aug. 3, 1787. )  
 P. 1 to 8. )  
 Judge: Don E. )  
 Miro. )  
 CC: R. Perdomo. )  
 Spanish. )

CASE OF  
 DON JUAN PALLET  
 VERSUS  
 DON LUIS CORNU.

The plaintiff, a merchant of this city, through his attorney petitioned the Court alleging, that as evidenced by the promissory note duly presented, the defendant is indebted to petitioner in the sum of 798 pesos and 6 reales and although petitioner has requested the defendant to pay said sum, the defendant has refused. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature on said promissory note presented, and to declare whether he owes petitioner the sum claimed.

On Aug. 3, 1787, the Court granted the plaintiff's petition.

Then the plaintiff, and the defendant, jointly petitioned the Court alleging that they have come to a friendly agreement, wherefore, they beg the Court to dismiss the case and to order the Court Clerk, to estimate the costs of these proceedings which they are ready to pay.

The record does not show the costs of these proceedings.

#23

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File #2773. )  
Aug. 3, 1787. )  
Judge: Estevan )  
Miro. )  
CC:Fernando Rodriguez. )  
Spanish and French. )  
P. 1 to 3. )

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CASE OF  
JUAN SALINEAU  
VERSUS  
JUAN ANGACHE.

The plaintiff, as agent of Tomas Dumford, through his attorney Antonio Mendez, petitioned the Court alleging that the defendant, one of the ship masters traveling between this port and Pensacola, is indebted to petitioner in the sum of 313 pesos and four reales, for value of a small vessel and various merchandise sold to said defendant; that the defendant has surreptitiously left this city, abandoning the aforesaid vessel in Bayou St. John; wherefore, the petitioner, in view of the fact that the defendant has no other properties, begs the Court to authorize petitioner to recover said vessel so that he may not lose all of the money involved in said transaction, this without depriving him of the right to demand from the defendant the balance due him, since the proceeds which may be obtained from the sale of said vessel cannot cover the entire sum claimed and which appears in the document duly presented,

The record shows that the Court instructed the plaintiff to present a copy of the power-of-attorney which enables him to represent Tomas Dumford, and then the Court will decree accordingly.

The record, however, is incomplete and therefore the outcome of the case is not known.

#22  
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File #2695. )  
 Aug. 7, 1787. )  
 Judge: Estevan Miro. )  
 CC: Rodriguez. )  
 P. 1 to 11. )  
 Spanish. )

CASE OF  
 MATIAS HERNANDEZ  
 VERSUS  
 GEORGE ESTIBET.

The plaintiff, first sergeant of the regiment of Louisiana, petitioned the Court alleging, that as evidenced by the document duly presented the defendant is indebted to petitioner in the sum of 543 pesos, that petitioner has on several occasions demanded the payment of said debt and that the defendant has refused to pay. Wherefore, petitioner begs the Court to order the defendant to declare under oath if the signature affixed on said document is his, and if he owes the sum claimed and after this is done to deliver a copy of the proceedings to petitioner for whatever may be convenient.

The Court ordered as petitioned by the plaintiff.

The Court Clerk in compliance with the Court's decree received the defendant's declaration, who under oath declared that it is true that he owes to plaintiff the sum claimed but that said plaintiff owes him a certain sum of money.

The plaintiff then petitioned the Court alleging, that the defendant has declared that he owes the sum claimed. Wherefore, petitioner begs the Court to order a writ of execution against all and any of the properties of the defendant in order to satisfy the sum claimed.

The Court ordered as petitioned by the plaintiff.

Don Nicolas Fromentin, Lieutenant Chief Constable, in compliance with the Court's decree went to the residence of the defendant in order to collect the sum claimed and not being able to collect said sum he executed the writ of seizure on a negro slave belonging to the defendant.

(cont. d)

The record shows that the negro slave was offered at public auction, but that no one appeared to make an offer.

The record further shows that the plaintiff, and the defendant jointly petitioned the Court alleging, that they have reached a mutual agreement. Wherefore, they beg the Court to dismiss these proceedings.

The court orderèd as petitioned.

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File #100. )  
Aug. 11, 1787. )  
P. 1 to 12. )  
Judge: )  
Don M. Navarro. )  
CC: R. Perdomo. )  
Spanish. )

DOCUMENT #1600.  
BOX 49.

CASE OF  
DON ESPIRITU VIRAZEL  
VERSUS  
MESSRS. GAIRAL AND FAGET.

The plaintiff petitioned the Court alleging that as evidenced by the document presented, the defendants employed him in the Port of Guarico, to come to the Port of New Orleans, as second captain and pilot on a certain brigantine of their ownership, under the conditions that if they sold said boat in this City, then they will pay him two months salary at 30 pesos of silver coin a month and that defendants have dismissed him, refusing to pay petitioner as agreed. Wherefore, petitioner begs the Court to order the defendants to pay him the said two months salary and also his back salary since July 4.

On Aug. 13, 1787, the Court granted the plaintiff's petition and ordered the public translator to translate the documents into Spanish and to bring them to court.

On Aug. 14, 1787, the Court Clerk, in compliance with the preceding decree went to the house of the defendants to receive their declarations, and after they were sworn according to law, and after having presenting them with the promissory note presented by the defendant they stated: That it is true that the signature affixed on said promissory note are theirs and that they never refused to pay said salary to plaintiff, and that for this reason they refused to pay for the costs of these proceedings.

On Aug. 16, 1787, the Court after having examined the declaration of the defendants ordered the plaintiff to collect the sum claimed from the defendants, and to pay for the costs of these proceedings.

Then Don Luis Liotau, Judicial Appraiser presented an itemized statement of the costs of these proceedings which amounted to 12 pesos and 3 reales.

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File #2656 )  
Aug. 14, 1787. )  
Judge: Arturo )  
O'Neill. )  
Court Clerk: )  
Francisco de )  
La Rua. )  
P. 1 to 54. )  
Spanish. )

DOCUMENT #1601.  
BOX 49.

THE FOLLOWING PROCEEDINGS WERE  
INSTITUTED IN THE COURT OF ARTURO  
O'NEILL, CIVIL AND MILITARY GOVER-  
NOR OF THE POST OF PENSACOLA.  
CASE OF  
PEDRO BRANLY  
VERSUS  
ZENON BALLS.

The plaintiff, Captain and Pilot of the packet-boat named "Santa Rita" petitioned the Court alleging, that the defendant in partnership with Francisco Pruna y Sanz is indebted to petitioner in the sum of one thousand three hundred fifty pesos; that said sum should have been paid on the fourth of the current month as evidenced by the judicial obligation duly presented, and which was attested by Arturo O'Neill, Civil and Military Governor of the Post of Pensacola; and that the defendant has refused to pay said debt; wherefore, petitioner begs the Court to order the defendant to comply with said obligation and if he refuses to immediately seize the properties which were given as security for said payment and which are stipulated on said obligation.

The Court ordered as petitioned by the plaintiff and instructed the defendant to comply with said obligation within the term of seventy two hours.

The defendant petitioned the Court alleging, that he refused to comply with said obligation, as Francisco Pruna y Sanz his business associate, who also signed said obligation, had died, and that said Francisco Pruna y Sanz induced petitioner to grant and sign said obligation; wherefore, petitioner begs the Court to order the plaintiff to declare under oath what is the origin of said obligation and several other obligations that the plaintiff has in his possession and to deliver to petitioner a copy of the plaintiff's declaration so that petitioner may inform the Court the cause why petitioner refused to comply with said obligation.

(cont'd)

(Doc. #1601)  
cont'd.

CASE OF  
JAMES FONDA  
VERSUS

The plaintiff alleged that said obligation is originated from plaintiff's salaries that he earned while working as Captain on one of the partnership's boat and cash money that the plaintiff deposited to help in the development of said partnership under the condition that at anytime the plaintiff had the right to withdraw his investment upon presentation of said obligation.

The record shows that the case was in litigation for some time and that the plaintiff presented another claim against the defendant for the amount of one thousand eight hundred pesos presenting an obligation as evidenced thereof and the court taking into consideration the evidence presented by the plaintiff to justify both claims, ordered the Court Clerk to sell at public auction the defendant's properties stipulated on one of the obligations presented by the plaintiff and from the proceeds of said sale to satisfy the plaintiff's claims.

The Court ordered as petitioned by the plaintiff.

The record shows that the defendant admitted the plaintiff's allegations, but to avoid any further legal action the defendant paid to the plaintiff the sum claimed of eighty-six pesos.

The defendant also paid the costs of these proceedings, which amounted to 5 pesos and several reales.

#24  
#10

CASE OF  
JAIME JORDA  
VERSUS  
JUAN RIGUERO.

File #44. )  
Aug. 16, 1787. )  
Judge: Estevan Miro. ) The plaintiff, a resident and  
CC: R. Perdomo. ) merchant of this City, petitioned  
P. 1 to 6. ) the Court alleging, that as evi-  
Spanish. ) denced by the promissory note  
\_\_\_\_\_ ) duly presented the defendant is  
indebted to petitioner in the sum

of eighty six pesos, as last payment of the amount stipulated on said promissory note; that on several occasions petitioner has demanded said sum and the defendant has refused to pay. Wherefore, petitioner begs the Court to order the defendant to acknowledge said promissory note and to declare under oath whether he owes the sum claimed and to surrender said written declaration to the petitioner to promote whatever action may be convenient.

The Court ordered as petitioned  
by the plaintiff.

The record shows that the defendant admitted the plaintiff's allegations, but to avoid any further legal action the defendant paid to the plaintiff the sum claimed of eighty-six pesos.

The defendant also paid the costs of these proceedings, which amounted to 5 pesos and seven reales.

#24  
#10

File #113 )  
Aug. 16, 1787. )  
Judge: Estevan )  
Miro. )  
CC: R. Perdomo. )  
P. 1 to 15. )  
Spanish. )

DOCUMENT #1603.  
BOX 49.

CASE OF  
CLAUDIO FRANCISCO GIROD  
AND JUAN DUCHESNE  
VERSUS  
CHACHERE AND PEDRO BISSARDON.

The plaintiffs, merchants and residents of this City, petitioned the Court alleging, that as evidenced by the obligation duly presented the defendants are indebted to petitioners in the sum of 856 pesos 2 reales. Wherefore, petitioners beg the Court to order Don Pedro Bissardon, one of the defendants, who is at present in this City to declare under oath if the signature affixed on said obligation is his, and if it is true that in company of his business partner, they owe the sum claimed and after this is done to deliver a copy of the proceedings to petitioner for whatever may be convenient.

The Court ordered as petitioned by the plaintiffs.

The record shows that the defendant Bissardon admitted the plaintiffs' allegations and that on plaintiffs' petition a writ of execution was issued by the Court against the defendants properties, to satisfy the sum claimed, plus the costs of these proceedings.

The record further shows that Don Nicolas Fromentin, Lieutenant Chief Constable went to the residence of the defendant Pedro Bissardon to collect the sum claimed or to enforce the writ of execution against his properties; the defendant declared that he had dissolved his partnership, with Mr. Chachere and that said Chachere had all of the funds of said partnership, and that said Chachere is at present in the Post of Natchez.

The plaintiffs then petitioned the Court to order the Court Clerk to issue a warrant to the Commandant of the Post of Natchez, to summon the defendant Charchere to acknowledge the signature affixed on said obligation, and to declare under oath whether he owes the sum claim-

(cont'd)

(Doc. #1603)

cont'd.

ed and to inform said defendant Chachere the answer given by the defendant Bassardon to the Lieutenant Chief Constable, Don Nicolas Fromentin; and in case he refuses to pay, to seize the properties and to sell them at public auction in order to satisfy the sum claimed.

The record shows that the defendants admitted the plaintiffs allegations and that they promised to pay the sum claimed on December of the same year 1787, and that the promise was accepted by the plaintiff.

The costs of these proceedings amounted to 23 pesos and 4 1/2 reales.

#25

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File #2735. )  
 Aug. 17, 1787. )  
 P. 1 to 9. )  
 Judge: D. P. Chavert. )  
 CC: F. Rodriguez. )  
 Spanish. )

The petitioner Don Santiago Monlon, tutor and curator ad litem of the minor Elenar Juer, petitioned the Court alleging, that the deceased Madam Maria Mutar widow of Charpontier, and grandmother of said minor, left a certain house in this City, and that said house was not included in the inventory of the properties left by deceased. Wherefore petitioner, begs the Court to order said house to be appraised and announced for public sale, so that from the proceed of the sale of said house petitioner would get said ward's share.

On Aug. 17, 1787, the Court granted Don Santiago Monlon's petition.

On Aug. 18, 1787 before the Court Clerk, appeared Don Adrian de la Plaza, and Don Vicente Fangui, public appraisers, and, stated: That in compliance with the preceding decree they went to the house in question left by the deceased Madam Maria Mutar, widow of Charpontier, and they estimated said house (Note: the record does not show the amount for which said house was estimated)

On Sept. 13, 1787, Don Pedro Chavert, Sr. Justice of this City being at the customary place to perform the sale of the house belonging to the Succession of Madam Maria Mutar, widow of Charpontier, which house is situated on Toulouse St, ordered the public crier to announce said house for sale but no bidder appeared and then said Judge, ordered to stop these proceedings.

The record is incomplete and the outcome of this case is not known.

File #2750. ) DOCUMENT #1605.  
Aug. 21, 1787. ) PROCEEDINGS INSTITUTED BY NARCISO  
Judge: Estevan ) DE ALVA TO OPEN THE LAST WILL AND  
Miro. ) TESTAMENT OF CLAUDIO MERCIER.  
CC: F. Rodriguez.)  
P. 1 to 29. ) Narciso de Alva, a resident and  
Spanish. ) merchant of New Orleans, petitioned  
\_\_\_\_\_ ) the Court alleging that Claudio

Mercier, a resident of New Orleans, had died in the Post of Islas Negras (Black Island, Illinois); that the deceased had made a sealed last will and testament before Notary Public and Court Clerk Fernando Rodriguez to whom he entrusted it; and that petitioner believes he was appointed testamentary executor in said testament. Wherefore petitioner begs the Court to order that said last will and testament be opened with the formalities prescribed by law and then made public and recorded, furnishing petitioner with a certified copy of said will and testament.

The record shows that the Court Clerk, in compliance with a Court order, presented the sealed last will and testament and that the Court then examined the persons who served as witnesses to said testament and also persons who testified as to the authenticity of the signature of the deceased. All of the witnesses' testimonies proved that said last will and testament was authentic. In said will the deceased declared that his assets and liabilities were all recorded in his books and documents; that he named his business associate Francisco Marmillon, as his sole heir and in the event of the latter's death his sister Maria Mercier, widow of Sibon, and that he appointed Narciso de Alva and Pedro Dupain, as the testamentary executors of his estate.

The Court then, in view of the evidence produced, declared authentic and valid the last will and testament of Claudio Mercier and ordered that it be recorded and duly executed, as petitioned by Narciso de Alva.

#22  
#10

File #2688.

Aug. 23, 1787.

Judge: Estevan Miro

CC: Fernando Rodriguez.

P. 1 to 7.

Spanish.

) DOCUMENT #1607.

) BOX 49.

) PROCEEDINGS INSTITUTED BY

) MARIA GODIN, FOR THE PURPOSE

) OF OBTAINING A PERMIT TO SELL

) AT PUBLIC AUCTION FOUR ARPANTS

) OF LAND, OF HER OWNERSHIP.

\_\_\_\_\_

Maria Godin, widow of Antonio Dupre Derbonne, by first marriage, and of Juan Villeneuve, by second marriage, petitioned the Court alleging, that petitioner has four children and has inherited four arpants of land, three negro slaves and several heads of cattle from her deceased husband Derbonne, as evidenced by the inventory made of the properties left by said deceased, which may be found in the archives of Fernando Rodriguez, Court Clerk; that petitioner has two children, from her second deceased husband Villeneuve and did not inherit anything from said second husband, as also evidenced by the inventory made of the properties left by said deceased Villeneuve, and which also may be found in the archives of said Fernando Rodriguez; that due to the fact that said four arpants of land do not produce sufficient means to support petitioner and family, petitioner had decided to sell at public auction said arpants of land; that with the proceeds of the sale petitioner intends to purchase six arpants of land adjoining to the other six parcels of land which petitioner has already purchased in the Post of LaFourche; wherefore, petitioner begs the Court to order the Public Crier to announce said land for sale and that said arpants of land be sold to the highest bidder, and that petitioner be permitted to administer the rest of the property including the twelve arpants of land to secure the shares of petitioner's children or for the Court to decide whatever is of justice regarding said properties.

By order of the Court the petitioner through several witnesses substantiated her allegations and the Court granted her the requested permit.

The record shows that Pedro Dray, purchased said four arpants of land for the amount of one thousand eight hundred pesos.

The record does not show the costs of these proceedings

File #2751. )  
Aug. 29, 1787. )  
Judge: Estevan Miro. )  
CC: Rodriguez. )  
P. 1 to 2. )  
Spanish. )

CASE OF  
FRANCISCO MENAR  
VERSUS  
ANSELMO BILLET.

The plaintiff, a resident of this City, petitioned the Court alleging that as evidenced by the inventory and documents pertaining to the sale of the properties belonging to the minor heirs of the deceased Don Pedro Perthuy, the defendant as bondsman for Captain Baltasar de Viller, is indebted to petitioner in the sum of 384 pesos, the price of a negress slave bought by said Captain, that the succession of said Captain is insolvent; and that said succession is unable to pay as evidenced by the proceedings instituted against Doña Francisca Voisin, widow of said deceased. Wherefore, petitioner begs the Court to order a writ of execution against all and any of the properties of the defendant in order to satisfy the sum claimed, plus interest and costs of these proceedings, and to order the Court Clerk to forward a warrant to the commandant of the Post of Arcansas (Arkansas) instructing said commander to execute the writ of execution against the defendant.

The Court ordered as petitioned by the plaintiff.

The case is incomplete and does not show the outcome of this case nor the costs of these proceedings.

#25  
#10

File #2749 )  
Aug, 30, 1787 )  
Judge: Pedro Chabert )  
CC.: Fernando Rodriguez )  
Pages 1 - 2 )  
Spanish )

DOCUMENT NO.1609

Box 49

APPOINTMENT OF ATTOR-  
NEY ANTONIO MENDEZ AS CU-  
RATOR AD LITEM OF THE GA-  
RIC MINORS.

Francisco Broutin, former curator ad litem of the minor heirs of the deceased Juan Bautista Garic, petitioned the Court alleging that the Court has not yet appointed a new curator ad litem for said minors; that the petitioner has been informed that the widow of said deceased has sold many slaves of the succession and is ready to sell the main house of said succession, all of which might cause detriment to the interest of said minors; that inasmuch as petitioner has renounced his commission as attorney of this city in favor of Antonio Mendez, petitioner begs the Court to appoint said Antonio Mendez curator ad litem of the minors, and to release petitioner of all responsibility in this case. Petitioner further begs the Court to order the Notaries of this city not to draw any deeds of sale involving the properties of the succession until the aforementioned widow has insured the share belonging to the minors, in accordance with the statement and partition that are to be made of said properties.

The Court appointed attorney Antonio Mendez curator ad litem of the Garic minors and ordered the Notaries of this city not to draw any deeds of sale involving the properties of the succession.

The record shows that attorney Antonio Mendez accepted his appointment.

#22  
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The Court ordered to deliver a copy of the present  
to the Notary Public.  
The record shows that after a long time  
Court granted the passport and order  
in the return of his properties.  
The record further shows that the  
(cont'd)

File #2635. )  
Aug. 31, 1787. )  
Judge: Estevan ) PROCEEDINGS INSTITUTED BY DON PEDRO  
Miro. ) ACHER FOR THE PURPOSE OF OBTAINING A  
CC: Rodriguez. ) PASSPORT.  
P. 1 to 11. )  
Spanish record ) is incomplete and does not show the  
outcome of this case.

Don Pedro Acher, a merchant and resident of this City, petitioned the Court alleging that the arbitrators appointed have failed to come to a decision as to petitioner's claim against Don Beltran Gravier, as ordered by this Honorable Court, granting said arbitrators fifteen days to submit their report. Wherefore, petitioner begs the Court to order the release of his properties and to condemn said Gravier to pay petitioner's back salaries of five years, plus interest and the cost of these proceedings and to grant petitioner a passport to sail back to Europe on the next vessel.

The Court ordered to deliver a copy of these proceedings to Don Beltran Gravier.

Don Beltran Gravier answered Don Pedro Acher's petition, alleging that Don Pedro Acher is not entitled to a passport nor to the release of his properties, as said properties belong to him that said Acher is also indebted to him in other sums; wherefore, he begs the Court not to issue to said Acher a passport.

The Court ordered to deliver a copy of these proceedings to Don Pedro Acher.

The record shows that after a long litigation the Court granted the passport <sup>to</sup> Don Pedro Acher, but denied him the return of his properties.

The record further shows that Don Pedro Acher again  
(cont'd)

petitioned the Court requesting that Don Beltran Gravier assign him a pension for his maintenance or to return his properties.

The record is incomplete and does not show the outcome of this case.

The plaintiff, a merchant and resident of this City, petitioned the Court alleging, that the defendant Comandante of the Post of Laredo, is indebted to petitioner in the sum of 250 pesos Mexican coin, as evidenced by the two documents presented, wherein the defendant was indebted to one Don David T. Chi and that said Don David T. Chi assumed said obligation to petitioner. Therefore, petitioner begs the Court to order the Comandante Don Miguel General to demand from the defendant the sum owing and in default thereof to seize the defendant's properties in order to satisfy the sum claimed, plus interest and costs of these proceedings.

The Court ordered as petitioned by the plaintiff.

The record shows a note from the Court Clerk, that the said Comandante Don Miguel General, was

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The record is incomplete and does not show the outcome of this case.

File #143.

Aug. 31, 1787.

Judge: Martin

File #2644. )

Aug. 31, 1787. )

Judge: Estevan )

Miro. )

CC: Rodriguez. )

P. 1 to 2. )

Spanish. )

PROCEEDINGS INSTITUTED BY SANTIAGO  
 DON PEDRO BIDOU HERBERT  
 VERSUS  
 DON LUIS JUDICE.

The plaintiff, a merchant and resident of this City, petitioned the Court alleging, that the defendant Commandant of the Post of LaFourche, is indebted to petitioner in the sum of 950 pesos Mexican coin, as evidenced by the two documents presented, wherein the defendant was indebted to one Don David Y Chi and that said Don David Y Chi endorsed said obligation to petitioner. Wherefore, petitioner begs the Court to order the Commandant Don Miguel Centrel to demand from the defendant the sum claimed and in default thereof to seize the defendants properties in order to satisfy the sum claimed, plus interest and costs of these proceedings.

The Court ordered as petitioned by the plaintiff.

The record shows a note from the Court Clerk, that he had forwarded to Commandant Don Miguel Centrel, said warrant.

The record is incomplete and does not show the outcome of this case.

#25

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File #140. )  
Aug. 31, 1787. )  
Judge: Martin )  
Navarro. )  
CC: R. Perdomo. )  
P. 1 to 11. )  
Spanish and French. )

PROCEEDINGS INSTITUTED BY SANTIAGO MONLON TO BE AUTHORIZED TO SELL HIS BRIGANTINE NAMED "SAN MIGUEL".

Santiago Monlon petitioned the Court alleging that as evidenced by the document duly presented petitioner is the owner of a certain brigantine named "San Miguel" which he has agreed to sell to Pedro Aubry, a resident of this city; that the Court has ordered petitioner to make said sale according to law. Wherefore, petitioner begs the Court to grant him the necessary authorization to perform the intended sale, and, consequently, to order the Court Clerk to draw the proper instrument, after the payment of the Royal Taxes.

The Court ordered the document presented by the petitioner, which was written in French, to be translated into Spanish by Juan Jose Duforest and to present said translation to the Court.

The record shows that Juan Jose Duforest, in compliance with the Court order, made a translation of the aforesaid document which he presented to the Court. Said document contained a transaction performed in Santo Domingo between Miguel Juan Roze and Francisco Garreau, which involved a certain amount of flour and the brigantine in question, but it fails to prove that the petitioner is the owner of said brigantine.

The record, however, does not show whether or not the Court granted the authorization solicited.

#22  
#10

File #2660. )  
Sept. 3, 1787. )  
Judge: Estevan )  
Miro. )  
CC: Fernando )  
Rodriguez. )  
P. 1 to 10. )  
Spanish. )

CASE OF  
FRANCISCO CHEVAL  
VERSUS  
LUIS ANTONIO BLANC.

The plaintiff, a resident of New Orleans, through his attorney, petitioned the Court alleging that as evidenced by the two past-due promissory notes presented the defendant is indebted to petitioner in the sum of 4500 pesos; and that although petitioner has on several occasions requested the defendant to pay said sum the defendant has refused. Wherefore petitioner begs the Court to order the defendant to declare under oath whether the signatures affixed to the promissory notes presented are his and whether he owes the sum claimed, and after this is done to furnish petitioner with a copy of the defendant's declaration so that petitioner may enforce his claim.

The record shows that the Court ordered as petitioned by the plaintiff and that the defendant, in compliance with the Court order, appeared and declared under oath that the signatures affixed to the promissory notes in question are his and that it is true he owes the sum claimed.

Then, on plaintiff's petition, the Court issued a writ of execution against the person and properties of the defendant to satisfy the 4500 pesos due the plaintiff, plus the cost of these proceedings.

The record further shows that Nicolas Fromentin, Lieutenant Chief Constable, carried into effect the aforesaid writ of execution by attaching an empty lot of land of the defendant's property, situated on Borgona (Burgundy) street, the defendant having declared that the rest of his properties were especially mortgaged for considerable amounts in favor of Antonio Ventura de Morales, Leonardo

(cont'd)

(Doc. #1613)  
cont'd.

Mazange, Agustin Jung, Madame Liotau and the free mulatto woman Francisca Pomet, as per public instruments drawn before the Court Clerk.

The plaintiff was not satisfied with the attachment made by the Lieutenant Chief Constable, considering the empty lot attached as too little to cover the sum due him, and petitioned the Court alleging that the defendant's declaration with respect to the rest of his properties was malicious, wherefore he begged the Court to order the incarceration of the defendant until the latter furnishes a worthy bond to guarantee the petitioner's claim.

The Court granted the plaintiff's petition.

The plaintiff then petitioned the Court to deliver him the two promissory notes that he presented.

The record shows that <sup>the</sup> Court Clerk, in compliance with a Court order, detached from said record the aforesaid promissory notes which he delivered to the plaintiff.

The record however, is incomplete and therefore the outcome of the case is not known.

#22

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#11  
#10

DOCUMENT #1614.

BOX 49.

File #2741. )  
Sept. 5, 1787. )  
Judge: Estevan )  
Miro. )  
CC: F. Rodriguez. )  
P. 1 to 4. )  
Spanish. )

CASE OF  
SANTIAGO MONLON  
VERSUS  
MANUEL RAMOS.

The plaintiff, a resident and baker of this City, petitioned the Court alleging, that it is convenient that the defendant, a Senior Officer of the Audits Bureau of the Community and Friendship of the Indians of this Province of Louisiana, acknowledge under oath his signature affixed at the foot of the document that petitioner duly presented and also to declare the price of the biscuits at the time when defendant held the position as Officer of the Accountancy of the Royal Treasury during which time the defendant made all the payments on account of the Royal Treasury of all expenses required for the expeditions leaving from this country against the British Nation.

The Court ordered as petitioned by the plaintiff.

The record shows that the defendant acknowledged his signature affixed on the documents presented by the plaintiff and declared that the price of the biscuits was thirty pesos per quintal during the time he held the position as Officer of the Accountancy of the Royal Treasury.

The record does not show the costs of these proceedings.

#24  
#10

File #99. )  
Sept. 6, 1787. )  
P. 1 to 9. )  
Judge: Don E. )  
Miro. )  
CC: Antonio Mendez. )  
Spanish. )

CASE OF  
DON LUIS TOUTAN BEAUREGARD  
VERSUS  
DON NICOLAS DE BERBOIS.

The plaintiff, Permanent Alderman of this City, petitioned the Court alleging, that as evidenced by the promissory note presented, the defendant, Captain of Militia and Commandant of the Coast of Iberville owes petitioner the past due sum of 300 pesos and although petitioner, has requested the defendant on several occasions to pay said debt the defendant has refused. Wherefore, petitioner begs the Court to order the defendant to acknowledge under oath his signature on said promissory note presented, and to declare whether he owes the sum claimed.

On Sept. 7, 1787, before the Court Clerk, appeared the defendant, who under oath stated: That the signature affixed on said promissory note is his, and that it is true that he owes said sum to petitioner.

Then the plaintiff petitioned the Court alleging, that as evidenced by the defendant's declaration where-in the defendant had acknowledged his signature and confessed that he owes the sum claimed. Wherefore, petitioner begs the Court to issue a writ of execution against all the properties of the defendant in order to satisfy the sum claimed plus interest and the costs of these proceedings.

On Sept. 11, 1787, the Court ordered the Court Clerk, to bring the record in order to be examined and after it was examined the Court granted the plaintiff's petition.

Then the defendant petitioned the Court to return to him the plaintiff's promissory note, as he has paid plaintiff said note, and to estimate the cost of these proceedings, which he is ready to pay.

On Sept. 1, 1788, the Court granted the defendant's petition.

Then Don Luis Liotau, Judicial Appraiser, presented an itemized statement of the costs of these proceedings which amounted to 7 pesos and 6 reales.

#23  
#10

File #2753. )  
 Sept. 7, 1787. ) INVENTORY APPRAISAL AND SALE  
 Judge: Pedro Chabert. ) OF THE PROPERTIES LEFT BY THE  
 CC: Rodriguez. ) DECEASED MARIA LUISA A MESTEE.  
 P. 1 to 18. )  
 Spanish. ) The record shows that in the  
 ) City of New Orleans, on the 7th  
 day of September 1787, the Court was informed that Maria  
 Luisa, a mestee had died intestate, leaving a minor heir.  
 In order to safeguard the properties left by the deceased  
 the court instituted this proceeding and ordered the  
 Court Clerk to obtain the keys of the residence and to  
 investigate her debts and to present to the Court all the  
 documents pertaining to these proceedings to promote  
 whatever may be convenient.

The Court Clerk in compliance with the Court's decree went to the residence of the deceased and one named Santiago Miguel delivered to him a key of a wardrobe.

The record shows that the Court in order to avoid unnecessary expenses and further action ordered that an inventory and appraisal be made of the properties left by the deceased Maria Luisa.

The record further shows that Don Adrian de la Plata, and Don Vincent Fangui, were appointed to appraise said properties.

The record shows that the properties were sold at public auction on Sept. 19, 1787, for 152 pesos 4 reales and the Court ordered the Court Clerk to appraise the cost of these proceedings and that they be paid from the proceeds of said sale.

The costs of these proceedings amounted to 23 pesos 6 reales.

The record does not show what was done with the balance of the money.

File #2644  
 Sept. 10, 1787.  
 Judge: Pedro  
 Chabert.  
 CC: F. Rodriguez.  
 P. 1 to 15.  
 Spanish and French.

)  
 ) PROCEEDINGS INSTITUTED BY MARIA  
 ) THERESA CHEVAL, A FREE MULATTO  
 ) WOMAN, TO RESCIND A CERTAIN CON-  
 ) TRACT SHE MADE WITH FRANCISCO  
 ) DURCY, BY PRIVATE DEED.

)  
 ) Maria Theresa Cheval, a free  
 ) mulatto woman and a resident of  
 ) New Orleans, petitioned the Court  
 alleging that as evidenced by the private document  
 which remains in the possession of Francisco Durcy,  
 petitioner contracted with said Durcy to purchase from  
 him a certain parcel of land for the sum of 300 pesos;  
 that inasmuch as said contract lacks the requisites and  
 formalities prescribed by law, and that such contracts  
 are prohibited by Government proclamation, and taking  
 into consideration that petitioner is at present great-  
 ly indebted and in a critical financial condition,  
 petitioner begs the Court to declare the aforementio-  
 ned contract null and void and to release petitioner  
 from all obligations on said contract.

The record shows that the Court  
 ordered Francisco Durcy to present the contract in  
 question, with which Durcy complied.

The record further shows that  
 Durcy vigorously opposed the rescission of the said  
 contract, alleging that intrinsically said contract is  
 not a private document but a mutual agreement performed  
 in accordance with law and therefore should be duly  
 fulfilled. Durcy ends by petitioning the Court to order  
 Maria Theresa Cheval to acknowledge the signature af-  
 fixed to said contract and the contents thereof.

Maria Theresa Cheval, in com-  
 pliance with a Court order, appeared and acknowledged  
 her signature but declared that she signed the contract  
 in question without having read it, trusting that  
 Durcy had granted her the two years he had promised her

(cont'd)

for the payment of the 300 pesos stipulated as value of the parcel of land involved in said contract. The declarer further charged Durcy with malice in the drawing of said contract which he did personally at his will without any witnesses.

After a short litigation the Court rendered judgment against Francisco Durcy, denying his petition to make a legal contract to replace the one in question, the court citing for so doing the Government proclamations of November 9, 1770 and June 1, 1786, which prohibited such contracts. The Court, however, granted Durcy the right to claim from Maria Theresa Cheval whatever he believed is due him as damages.

By mutual agreement, the opposing parties appointed two appraisers to make an estimate of the rentals due Durcy by Maria Theresa Cheval for the use of the parcel of land in question of which said Cheval is in possession since the signing of the aforesaid contract. The appraisers fixed the sum of 44 pesos which she paid to Durcy.

The plaintiff, then petitioned the Court alleging that the defendant has declared that he owes the sum of 44 pesos, wherefore, petitioner begs the Court to order a writ of execution against all and any of the defendant's properties in order to satisfy the sum claimed plus interest and the costs of these proceedings.

#22  
#10

The Court ordered as petitioned by the plaintiff.

The record shows that Don Nicolas Tronatin, Lieutenant Chief Constable, went to the residence of the defendant to collect the sum claimed, that the defendant failed to pay, whereupon he executed the writ of execution against the defendant's house.

The record further shows that the plaintiff petitioned (cont'd)

File #2759. )  
Sept. 11, 1787. )  
Judge: Pedro )  
Chabert. )  
P. 1 to 7. )  
Spanish. )

CASE OF  
THOMAS PORREE  
VERSUS  
PHELIPE CHESENE.

The plaintiff, through his attorney petitioned the Court alleging, that as evidenced by the promissory note duly presented, the defendant is indebted to petitioner in the sum of 200 pesos; that petitioner has on several occasions demanded the payment of said debt; and that the defendant has refused to pay said debt; wherefore, petitioner begs the Court to order the defendant to declare under oath if the signature affixed on said promissory note is his, and if he owes the sum claimed.

The Court ordered as petitioned by the plaintiff.

The Court Clerk in compliance with the Court's decree received the defendant's declaration, who under oath declared that the signature on said promissory note presented is his, and that he owes the sum claimed by the plaintiff.

The plaintiff, then petitioned the Court alleging, that the defendant has declared that he owes the sum claimed, wherefore, petitioner begs the Court to order a writ of execution against all and any of the defendant's properties in order to satisfy the sum claimed plus interest and the costs of these proceedings.

The Court ordered as petitioned by the plaintiff.

The record shows that Don Nicolas Fromantin, Lieutenant Chief Constable, went to the residence of the defendant to collect the sum claimed, that the defendant failed to pay, whereupon he executed the writ of execution against the defendant's house.

The record further shows that the plaintiff petitioned  
(cont'd)

the Court alleging, that the proceeds of the sale of the defendant's properties after his death, were not enough to cover his wife's dowry. Wherefore, petitioner begs the Court to order the Court Clerk to return to petitioner the promissory note presented in these proceedings.

The Court ordered as petitioned by the plaintiff.

The record is incomplete and does not show the outcome of this case.

The plaintiff, a resident of New Orleans, through his attorney, petitioned the Court alleging that the defendant instituted writs against petitioner demanding payment of a certain sum of pesos which defendant alleges petitioner owes him; that the defendant, to substantiate his claim, presented to the Court an account which does not bear the petitioner's acceptance as it is prescribed by law in order to give validity to such accounts; that petitioner has been notified verbally to pay said sum and at the same time was warned that if he did not comply he would be arrested; that inasmuch as the defendant's action is malicious he should be severely reprimanded as a disturber of the Courts and, for the good of the community, should be refrained from committing such acts. Wherefore petitioner begs the Court to order the defendant to prove the legitimacy of his claim and in the event he fails to do so to punish him as the Court may deem convenient.

#25

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The Court ordered that the defendant be notified of the plaintiff's petition.

The record however is incomplete and does not show the outcome of the case.

DOCUMENT #1619.  
BOX 49.

File #10 )  
Sept. 12, 1787. )  
Judge: Pedro )  
Chabert. )  
CC: R. Perdomo. )  
P. 1 to 2. )  
Spanish. )

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CASE OF  
JOSEF HUGUES  
VERSUS  
ONE NAMED HUMAS, AN INN-KEEPER.

The plaintiff, a resident of New Orleans, through his attorney, petitioned the Court alleging that the defendant instituted action against petitioner demanding payment of a certain sum of pesos which defendant alleges petitioner owes him; that the defendant, to substantiate his claim, presented to the Court an account which does not bear the petitioner's acceptance as it is prescribed by law in order to give validity to such accounts; that petitioner has been notified verbally to pay said sum and at the same time was warned that if he did not comply he would be arrested; that inasmuch as the defendant's action is malicious he should be severely reprimanded as a disturber of the Courts and, for the good of the community, should be refrained from committing such acts. Wherefore petitioner begs the Court to order the defendant to prove the legitimacy of his claim and in the event he fails to do so to punish him as the Court may deem convenient.

The Court ordered that the defendant be notified of the plaintiff's petition.

The record however is incomplete and does not show the outcome of the case.

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File #149.

Sept. 14, 1787.

P. 1 to 10.

Judge: Don E. Miro.

Court Clerk: R.

Perdomo.

Spanish.

CASE OF

DON FELIX DEMATERNE

VERSUS

DON PEDRO PEDESCLAUX.

The plaintiff, as agent of Hugues Pedesclaux, brought this action against the defendant, brother of said principal, for the purpose of enforcing judgment rendered in his favor by this honorable Court, ordering the defendant to surrender an account of the cargo shipped aboard the brigantine "El Joham de Hambourg", that was sold by the defendant on behalf of his said brother (petitioner's Principal) and also to surrender a certain promissory note for 25,726 pesos and 5 reales made in his favor as agent of petitioner's principle by Don Manuel de Quintanilla, a resident of Havana, and that the defendant has only surrendered said promissory note to petitioner and has failed to surrender an account of said cargo sold. Petitioner, further alleges that he has not received direct instructions from his principal, but from Don Francisco Barran a merchant from Bordeaux authorizing petitioner to collect on said promissory note, and claim any funds in possession of said defendant as evidenced by the document presented. Wherefore petitioner begs the Court, to order the defendant to surrender said account and funds in/<sup>his</sup> possession; and to recognize petitioner as an authorized agent to enforce collection on said promissory note.

On Sept. 14, 1787, the Court ordered Don Josef Duforest, public translator to translate the documents presented by the plaintiff into spanish.

Then the plaintiff, petitioned the Court alleging that in order to legalize collection of Don Manuel de Quintanilla's promissory note petitioner begs the Court to deliver him a testimony in due form of all the proceedings, including the original documents that he pre-

(cont'd)

(Doc. #1620)  
cont'd.

presented in French, which are already translated into Spanish, and that he is ready to pay for all the expenses.

On Oct. 8, 1787, the Court granted the plaintiff's petition.

Then Don Luis Liotau, Judicial Appraiser, in compliance with the preceding decree presented an itemized statement of the costs of these proceedings which amounted to 8 pesos and 1 real.

Commission by appointment, issued by the Governor of the Province of Louisiana, for your valuable services in conquering the French and English settlements on the Mississippi river.

I have instructed the acting Captain General of the said Province to issue the necessary orders, so that you may take charge of the said company, and also order all the officers and privates of the said company to accept you as their captain, and to obey all orders issued by you.

Instructions given to the Intendant of the Province to issue the necessary orders for receiving the same. Given at San Ildefonso, September 17th, 1787.

Countersigned by -  
D. Antonio Valdes.

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Let endorsements:  
Commission of Captain of Artillery of Militia, at the post of New Orleans, in favor of Don Miguel Fortier.

Havana, December 12th, 1787. Orders given in this Commission, must be complied with.

Signed Joseph de Espinosa.

(Continued)

COMMISSION TO MIGUEL FORTIER  
BY THE KING OF SPAIN WITH  
ENDORSEMENTS ATTACHED

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SPANISH  
COMMISSION  
SEPT. 17th,  
1787  
011680

On September 17th, 1787, the King of Spain, granted Miguel Fortier, a Commission as Captain of the Artillery of Militia at New Orleans, his seniority to be counted from July 1st, 1781, which position he is now filling by appointment, issued by the Governor of the Province of Louisiana, for your valuable services in conquering the Forts and English settlements on the Mississippi river.

"I have instructed the acting Captain General of the said Province to issue the necessary orders, so that you may take charge of the said company, and also ordered the officers and privates of the said company to accept you as their captain, and to obey all orders issued by you.

Instruction given to the Intendant of the Province to issue the necessary orders for recording the same. Given at San Ildefonso, September 17th, 1787.

Countersigned by -  
D. Antonio Valdes.

1st endorsement:

Commission of Captain of Artillery of Militia, at the post of New Orleans, in favor of Don Miguel Fortier.

Havana, December 12th, 1787. Orders given in this Commission, must be complied with.

Signed Joseph de Espeleta.

(Continued)

PC-A87-24

COMMISSION TO MIGUEL FORTIER  
BY THE KING OF SPAIN WITH  
ENDORSEMENTS ATTACHED

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2nd endorsement:

New Orleans, January 27th, 1788.

This commission to be recorded  
in the main office of the Accountant  
General for the Army and Royal Finance.

Signed Martin Navarro.

3rd endorsement:

This commission duly recorded in the  
main office of the Accountant General for  
the Army and Royal Finance.

New Orleans, January 27th, 1788.

Signed - Joseph de Orue.

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See master card-  
Commission of Captain granted to Miguel  
Fortier, September 17th, 1787, at San  
Ildefonso by the King of Spain. Counter-  
signed by D. Antonio Valdes, and record-  
ed in Havana, Dec. 12, 1787-Jos. de  
Espleta, New Orleans, Jan. 27, 1788 -  
Martin Navarro, Royal Finance Jan. 27,  
1788- Joseph de Orue.

Miscellaneous collection

2 pages  
62/LJ.

J. Barcenas Sr.

File #78. )  
 Sept. 17, )  
 1787. )  
 Judge: Estevan )  
 Miro. )  
 CC: R. Perdomo. )  
 P. 1 to 29. )  
 Spanish. )

CASE OF  
 AUGUSTINA CONCHA  
 VERSUS  
 JUAN RIQUER.

The plaintiff, a resident of this City petitioned the Court alleging, that on the night of Sept. 15 about nine o'clock petitioner was seated in the doorstep of her house enjoying the breeze; that the defendant, her husband, appeared disguised, and taking petitioner by surprise struck her in the left arm with a saber, causing an injury; that the defendant tried to strike her a second time, and that petitioner ran into the house. Wherefore, petitioner begs the Court to admit witnesses to substantiate said allegations, and to order a certificate from the medical doctor of the regiment Don Jose Fernandez, who treated the injuries received by petitioner.

The Court ordered as petitioned by the plaintiff.

The record shows that several witnesses appeared before the Court and their testimonies substantiated petitioner's allegations.

The record also shows that a certificate of said medical doctor was presented, wherein he certified that the plaintiff was injured and that he treated her.

On plaintiff's petition, and taking into consideration the testimony of the witnesses, the Court ordered the imprisonment of the defendant. The plaintiff then petitioned the Court to seize the defendant.

(cont'd)



File #2733. )  
 Sept. 17, 1787. )  
 Judge: Estevan )  
 Miro. )  
 CC: F. Rodriguez. )  
 P. 1 to 8. )  
 Spanish. )

CASE OF  
 JOSEPH MORA  
 VERSUS  
 PEDRO BUIGAS.

The plaintiff, a resident and merchant of this City, petitioned the Court alleging, that the defendant is indebted to petitioner in the sum of seven hundred seventy-two pesos and four reales, for money loaned and for certain quantity of grease that petitioner sold to the defendant; that on several occasions petitioner has demanded said sum and defendant has refused to pay; wherefore, petitioner begs the Court to order the defendant to declare under oath whether he owes the sum claimed and to deliver said written declaration to the petitioner to promote whatever action may be convenient.

The Court ordered as petitioned by the plaintiff.

The record shows that the defendant admitted the plaintiff's allegations.

On plaintiff's petition the Court Clerk by order of the Court issued a writ of execution against the defendant's properties to satisfy the sum claimed by the plaintiff, plus the interest and costs of these proceedings.

Nicolas Fromentin, Lieutenant Chief Constable, in compliance with a Court's decree notified the defendant to pay the plaintiff the sum claimed of seven hundred seventy pesos and four reales, and as the defendant refused to pay he seized a house located on St. Ann St., of the defendant's property.

The record also shows that the plaintiff and the de-  
 (cont'd)

defendant compromised and the Court dismissed the writ of execution on the defendant's house and ordered the defendant to pay the costs of these proceedings.

The record does not show the costs of these proceedings.

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the defendant was to sell Succession...  
with the rest of the land of 555 acres and 4 rods...  
and although petitioner...  
petitioner begs the Court...  
to order the defendant to settle said debt, and to confess...  
debt, received from the deceased...  
the said debt.

On Sept. 17, 1887, the Court ordered...  
the Court Clerk to bring the documents presented by the...  
plaintiff to forward a copy of the plaintiff's petition...  
to the defendant.

Then the defendant, petitioned the...  
Court to allow of the plaintiff's petition and to enter...  
into the record the costs of these proceedings, for the...  
following reasons: That as evidenced by the documents...  
presented by the plaintiff, the deceased and the defendant...  
were business partners and that their business could not...  
be dissolved before the death of the deceased Don Juan...  
Miles, because the defendant and deceased were both...  
of the same blood.

On Oct. 22, 1887, the Court ordered...  
the Court Clerk, to forward a copy of defendant's petition...  
to the plaintiff.

Then the plaintiff petitioned the...  
Court to order the defendant to acknowledge his signature...  
affixed in each of the documents presented, and...  
to deliver the proceedings to him, to present...

File #2758. )  
Sept. 17, 1787. )  
P. 1 to 46. )  
Judge: Don )  
Pedro Chabert. )  
Court Clerk: F. )  
Rodriguez. )  
Spanish. )

DOCUMENT #1623  
BOX 49

CASE OF  
JUAN PAILLET  
VERSUS  
MR. DELONGUE.

The plaintiff, a resident of this City, as testamentary executor of the estate left by the deceased Juan Villar, petitioned the Court alleging, that as evidenced by three promissory notes and receipts presented, the defendant owes to said Succession of Juan Villar the past due sum of 595 pesos and 4 reales, and 59 long leafs of tobacco, and although petitioner has requested the defendant to settle said debt, the defendant has refused. Wherefore, petitioner begs the Court to order the defendant to settle said debt, and to confess how much money the defendant, received from the deceased Don Juan Villar.

On Sept. 17, 1787, the Court ordered the Court Clerk to bring the documents presented by the plaintiff to forward a copy of the plaintiff's petition to the defendant.

Then the defendant, petitioned the Court to disregard the plaintiff's petition and to order him to pay for the costs of these proceedings, for the following reasons: That as evidenced by the documents presented by the plaintiff, the deceased and the defendant were business partners and that their business could not be dissolved before the death of the deceased Don Juan Villar, because the defendant and deceased were both ill at the same time.

On Oct. 23, 1787, the Court ordered the Court Clerk, to forward a copy of defendant's petition to the plaintiff.

Then the plaintiff petitioned the Court to order the defendant to acknowledge his signature affixed in some of the documents presented, and once this is done to deliver the proceedings to him, to promote

(cont'd)

whatever is convenient.

On Oct. 24, 1787, the Court granted the plaintiff's petition.

On the same day the Court Clerk, in compliance with the preceding decree received the defendant's declaration. The defendant declared under oath, that the signatures on said documents are his, and that he owes the sum claimed by the plaintiff.

Then the plaintiff, petitioned the Court alleging, that he received a copy of defendant's declaration, wherein the defendant acknowledged his signatures on the documents presented by petitioner. Wherefore, petitioner begs the Court to issue a writ of execution against all the properties of the defendant in order to satisfy the sum claimed, plus interest and costs of these proceedings.

On Nov. 3, 1787, the Court ordered ~~to~~ Don Estevan Quinonez, public translator, to translate into Spanish the promissory notes presented by the plaintiff. The Court also ordered the Court Clerk to issue a writ of execution against the defendant's properties, as petitioned.

On Nov. 12, 1787, before the Court Clerk appeared Don Nicolas Fromentin, Lieutenant Chief Constable, and stated that in compliance with the preceding decree, he went to the defendant's house and demanded the sum claimed by plaintiff and that the defendant failed to comply with said payment, whereupon he seized 6 casks of liquor, 19 baskets of anisette and 1 alembic.

The record is incomplete and the outcome of this case is not known.

CASE OF

ANGELA LAVERGNE, A FREE NEGRESS,  
VERSUS  
ONE NAMED LENFANT.

File #93. )  
Sept. 18, 1787. )  
Judge: Estevan )  
Miro. )  
CC: R. Perdomo. )  
P. 1 to 3. )  
Spanish. )

The plaintiff petitioned the Court alleging that as evidenced by the past-due promissory note presented the defendant, jointly with Francisco Magnon, is indebted to petitioner in the sum of one hundred seven pesos which petitioner loaned them; that Francisco Magnon has died and that the defendant is residing in Natchitoches where he is employed by Monsieur Cade Lafit. Wherefore, petitioner begs the Court to issue a warrant instructing Josef de la Pena, Commandant of Natchitoches, to summon the defendant and to order him to acknowledge the promissory note presented, and, once he has done so, to compel him to pay the sum claimed or, in the event he is not able to comply, to garnishee his wages.

The Court issued the warrant as petitioned by the plaintiff, instructing the Commandant of Natchitoches to summon the defendant and to order him to declare whether it is true he owes jointly with Francisco Magnon the sum claimed by the plaintiff; if he acknowledges the debt, to order him to satisfy it; if he fails to comply, to attach and sell his properties and, in the event he has no properties, to garnishee one third of his wages to satisfy the sum claimed and the cost of these proceedings. The Court further ordered Juan Josef Duforest to translate into Spanish the promissory note in question which was written in French.

The record shows that Juan Josef Duforest complied with the Court order, but, being incomplete, the record does not show the outcome of the case.

File #2643. )  
Sept. 18, 1787. )  
Judge: Pedro )  
Chabert. )  
CG: F. Rodriguez. )  
A. 1 to 6. )  
Spanish and )  
French. )

CASE OF  
PEDRO BOUZIGUE  
VERSUS  
ESTEFANIA DE GOYON, WIDOW OF GARIC.

The plaintiff, a resident of New Orleans, petitioned the Court alleging that as evidenced by the past-due promissory note presented the defendant is indebted to petitioner in the sum of forty-two pesos and six reales for merchandise supplied to her by Monsieur Tremoulet, who endorsed said note to Valautain Soulet, who in turn endorsed it to petitioner, a holder in due course; and that although petitioner has on several occasions requested the defendant to pay said sum the defendant has refused. Wherefore, petitioner begs the Court to order the defendant to declare under oath whether the signature affixed to the promissory note presented is her own and after this is done to order her to pay the sum claimed.

The Court ordered as petitioned by the plaintiff.

The defendant then, in compliance with the Court order, appeared and declared that the signature affixed to the promissory note presented is her own, but that she owes only twenty pesos.

The record shows that the plaintiff, disregarding the defendant's declaration with respect to the amount she owes him and based upon her acknowledgment of her signature, petitioned the Court for a writ of execution against the properties of said defendant to satisfy the sum claimed.

The Court issued the writ of execution as petitioned by the plaintiff, adding to the sum claimed the interest thereof plus the costs of these proceedings.

The Lieutenant Chief Constable, after having unsuc-  
(cont'd)

...cessfully requested the defendant to pay the sum claimed, carried said writ into effect by attaching a house of said defendant situated on Bourbon Street.

The record ends with a petition filed by the plaintiff to have the attached house announced for sale for the term prescribed by law.

Petition was granted.

The record however is incomplete and the outcome of the case is not known.

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...which he requested the defendant to pay the sum claimed, carried said writ into effect by attaching a house of said defendant situated on Bourbon Street.

The record shows that the Court granted Surgeon General... and that the... of this he... his properties... their claims.

File #2663	)	
Sept. 20, 1787.	)	
Judge: Pedro	)	
Chabart.	)	PROCEEDINGS INSTITUTED BY
Court Clerk:	)	FELIPE CHESNE TO OBTAIN AN EX-
Fernando Rodriguez.	)	TENSION OF TIME FROM HIS CREDI-
P. 1 to 3.	)	TORS.
Spanish.	)	

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Felipe Chesne, a resident and surgeon of New Orleans, petitioned the Court alleging that as evidenced by the statement duly presented, petitioner is indebted to the persons therein listed in the sum of 7979 pesos; that petitioner owns properties valued at 9000 pesos; and that, as it is publicly known, petitioner has been ill for six consecutive months which has prevented him from paying the debts he has contracted since. Wherefore, petitioner begs the Court to summon all his creditors so that they may formally state whether the deplorable situation to which he has been reduced by his illness warrants their granting him the term of eighteen months which he requests to pay their respective claims. Petitioner further begs the Court to furnish him with a copy of the creditors' decision so that he may use it to his convenience, and also to stop any proceedings which some of his creditors might have instituted against him until a final decision regarding the extension of time he is requesting is reached.

The record shows that the Court granted Surgeon Felipe Chesne's petition in all its parts, and that his creditors granted him the extension of time he solicited so as to enable him to sell his properties and pay with the proceeds thereof all their claims.

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File #150 )  
Sept. 24, 1787. )  
Judge: Estevan Miro. )  
Court Clerk: Rafael )  
Perdomo. )  
Spanish. )  
P. 1 to 14. )

CASE OF  
FRANCISCO CARCASSES  
VERSUS  
ANGEL BABINY.

The plaintiff, Agent of Josef Briones, as evidenced by the power of attorney duly presented, petitioned the Court alleging, that as evidenced by the promissory note duly presented, the defendant is indebted to petitioner's principle the past due sum of two hundred sixty seven pesos; that prior to principle's departure from this City, said principle demanded said sum, and that the defendant refused to pay. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature affixed on said promissory note and to declare under oath whether he owes the sum claimed to petitioner's principle.

Moreover: The plaintiff also petitioned the Court alleging, that he has to settle other affairs on behalf of his principle; that it is necessary for petitioner to obtain the power of attorney that petitioner presented in order to settle said affairs; and that the defendant intends to leave the city; wherefore, petitioner begs the Court to order the Court Clerk to withhold a copy of said power of attorney and to return to petitioner the original; and to instruct the Secretary of the Governor not to issue a passport to the defendant and in case that the passport had been issued to void it and to order the defendant not to leave the City until this case is settled.

The Court ordered as petitioned by the plaintiff.

The record shows that on Sept. 22, 1787, the Secre-  
(cont'd)

tary of the Governor issued a passport to the defendant, that on the same date the defendant left the City, that sometime later the defendant returned, and that on Nov. 12, 1787, on plaintiff's petition the defendant was questioned as to the allegations in plaintiff's petition; and that also on plaintiff's petition the Court issued a writ of execution against the defendant's properties to satisfy the sum claimed of two hundred sixty seven pesos, plus interest and costs of these proceedings.

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

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File #2709. ) PROCEEDINGS INSTITUTED BY ESTEVAN  
Sept. 25, 1787. ) LUNAN FOR THE PURPOSE OF PROVING  
Judge: Pedro ) THAT PEDRO BRUCHE OWES HIM THIRTY  
Chabert. ) SIX PESOS FOR BOARD.  
Court Clerk: F. )  
Rodriguez. )  
P. 1 to 5. )  
Spanish. )

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Estevan Lunan, a resident of this City, petitioned the Court alleging, that the deceased Pedro Brouche was indebted to petitioner in the sum of thirty pesos for board; wherefore, petitioner begs the Court to admit the testimonies of witnesses that petitioner will present in order to prove the above allegation and after this is done to the satisfaction of the court, to order the Succession of said deceased to pay the sum claimed.

The record shows that several witnesses appeared before the Court to testify, and their testimonies substantiated Estevan Lunan's allegation and the Court taking this into consideration ordered the Succession of said deceased to pay the sum claimed, plus the costs of these proceedings.

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