

1789 ~~Proceedings instituted~~

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File #2195.) PROCEEDINGS INSTITUTED BY DON JAYME
Jan. 5, 1789.) JORDA, TO PROTEST SEVERAL PROMISSORY
P. 1 to 5.) NOTES DRAWN BY SEVERAL PERSONS IN
Judge: Don Josef) FAVOR OF DON ANTONIO PEYTAVIN, AND
de Ortega.) ENDORSED BY SAID PARTY TO HIS FAVOR.
CC: P. Pedesclaux.)
Spanish.)

Don Jayme Jorda, a resident and merchant of this city, instituted these proceedings to recover 3,302 pounds of indigo and 700 pesos in silver coin that Antonio Peytavin owed him; alleging that said party gave him in payment of said indigo and sum claimed several notes from various persons who promised to give him the said amount of indigo claimed, the defendant also gave petitioner a promissory note from one Don Luis Cigue, for 700 pesos, that as said parties are absent from this city, petitioner therefore begs the Court to order the Court Clerk to make a formal protest of said promissory notes presented, so that in case said parties do not comply with their promises, petitioner may be able to bring action against the parties in default.

On Jan. 5, 1789, the Court granted Jorda's prayer, and ordered the Court Clerk, to receive his protest, and the record further shows Jorda's protest was to protect himself against all expenses and damages that may be caused in the collection of said promissory notes.

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File #64.) PROCEEDINGS INSTITUTED BY DON SANTIAGO
 Jan. 7, 1789.) FLECHER, FOR THE PURPOSE OF OBTAINING
 P. 1 to 11.) CERTIFIED COPIES OF SEVERAL PROCEED-
 Judge: Don E.) INGS THAT HE INSTITUTED IN ST. AUGUS-
 Miro.) TIN DE LA FLORIDA, IN REGARD TO THE
 CC: R. Perdomo.) SHIPWRECK OF THE SCHOONER "SANTA CATA-
 Spanish.) LINA".

Santiago Flecher, a resident of this city, and as agent of Juan Landier, instituted this proceeding to obtain a certified copy of the proceedings that were instituted in San Augustin de la Florida, in consequence of the shipwreck of the schooner named "santa Catalina" owned by said principal and mastered by Antonio Wilson, and that in order that said Landier be notified of said shipwreck, petitioner begs the Court to order the court clerk to issue a certified copy of the proceedings of said shipwreck and to forward same to said Landier, and to retain the original in his files.

Besides Santiago Felecher's petition the record only shows a sworn certified testimony of Antonio Wilson, Captain of said schooner, in regard to the incidents leading to said shipwreck.

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

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File #212.)	
Jan. 7, 1789.)	
Judge: Juan)	CASE OF
del Postigo.)	SENDRE LAVIGNE
CC: R. Perdomo.))	VERSUS
P. 1 to 8.	)	THE SUCCESSIONS OF PEDRO CHAVERT
Spanish and	)	AND CARLOTA LALANDA DAPREMON.
French.)	

The plaintiff, a resident of this city, brought this action against the defendants to recover the sum of seven hundred pesos, alleging that as evidenced by the account duly presented the defendants are indebted to him in said sum for wages due him by the deceased Pedro Chavert; and therefore begged the Court to order the Testamentary Executor of said succession to pay said sum from the proceeds of the sale of the properties left by said deceased.

The record shows that Luis Lalanda Dapremon, one of the heirs of said deceased acknowledged the plaintiff's claim and recommended same for payment. The Court taking into consideration this acknowledgement ordered the Testamentary Executor to pay the plaintiff his claim from the funds he has in his possession belonging to said succession.

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DOCUMENT NO. 1965.
BOX 53.

File #2234.)
Jan. 8, 1789.)
Judge: Joseph)
de Ortega.)
CC: P. Pedesclaux.)
P. 1 to 24.)
Spanish.)

CASE OF
SANTIAGO ESTEVAN LEMAIRE
VERSUS
ANDRES FERNANDEZ.

The plaintiff, a resident of this City, brought this action against the defendant to recover the sum of seven hundred fifty-four pesos, alleging that as evidenced by the deed duly presented the defendant is indebted to him in said sum, and that the defendant has refused to make payment on demand; wherefore, he begged the court to issue a writ of execution against the person and properties of the defendant to satisfy the sum claimed, plus interest and costs of these proceedings.

The record shows that the Chief Constable, by order of the court notified the defendant to pay the plaintiff his claim, and as the defendant refused, he seized two slaves of the defendant's property, who later were sold at public auction and from the proceeds of the sale the plaintiff's claim was paid.

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File #128.)
Jan. 10, 1789.)
Judge: Estevan)
Miro.)
CC: R. Perdomo.)
P. 1 to 13.)
Spanish.)
_____)

PROCEEDINGS INSTITUTED BY OLIVERO
POLLOK FOR THE PURPOSE OF PROVING
THAT HE HAS PAID ALL HIS CREDITORS
IN THIS CITY.

Olivero Pollok, a resident of this city, institut-
ed these proceedings alleging that the parties who are
mentioned in the list duly presented, are residents of
the city of Havana and are indebted to him in the sum
of nine thousand five hundred seventy four pesos and
two reales, that last year he left this city for Havana
without paying certain debts which he had contracted
in this city, that on petition of his creditors, the
Captain General of the city of Havana seized said sum
of nine thousand five hundred seventy-four pesos and two
reales to pay said creditors their claims, that he has
returned to this city and has paid all his creditors;
wherefore he begged the court to forward a warrant to
the captain general of Havana informing him that he
has paid his creditors in this city and therefore to
lift the seizure that he made in the sum owed to him
in Havana and to notify the parties who owe him the
money to pay their debts to Thomas Planke, who is his
general agent in Havana.

The record shows that all the creditors of Olivero
Pollok in this city, declared under oath before the
court that they were paid the money owed them by said
Olivero Pollok. The court taking into consideration
these declarations granted said Olivero Pollok's pray-
er and notified the Captain General of the City of Hava-
na to lift the seizure made on the sum owed to said
Pollok.

File #2254.) PROCEEDINGS INSTITUTED BY JUAN
Jan. 13, 1789.) LANGOUZALLE, FOR THE PURPOSE OF
Judge: Estevan) OBTAINING A THREE YEAR MORATORIUM
MIRO.) FROM HIS CREDITORS TO PAY HIS DEBTS.
CC. P. Pedesclaux.)
P. 1 to 13.)
Spanish and French.)

Juan Langouzalle, a resident and merchant of this city, instituted these proceedings to obtain a three year moratorium from his creditors, to pay his debts, alleging that as evidenced by the two statements duly presented he possesses the sum of four thousand two hundred fifty pesos; that he is indebted to several parties in the sum of ten thousand twenty six pesos, and that some of his creditors have granted him a moratorium of three years to pay his debts with the exemption of the firms of Andre and Blanchas, Clark and Rus, and Lasose and Company, to whom he owes the sum of three thousand two hundred and ten pesos; wherefore, he begged the court to declare as valid said moratorium even though it is opposed by the above mentioned firms.

The record shows that the documents presented by Juan Langouzalle were translated from French into Spanish. The translation shows that the majority of Langouzalle's creditors granted the three years moratorium.

The record further shows that the creditors by order of the Court acknowledged their signature affixed on the statements presented by Langouzalle, wherein they granted him the moratorium. The Court taking into consideration these acknowledgements granted Langouzalle's prayer and declared the moratorium valid.

File #2187.)
Jan. 13, 1789.)
Judge: Josef)
de Ortega.)
CC: P. Pedesclaux.)
P. 1 to 17.)
Spanish and French.)

CASE OF
GERONIMO HINARD
VERSUS
GERONIMO LACHAPPELLA.

The plaintiff, as agent of Doña Juana Isner, widow of Vivien, instituted these proceedings to have the defendant, testamentary executor, to render an account of the estate left by the deceased Nicolas Vivien.

The plaintiff to properly form cause of action against the defendant requested, the court to have translated from French into Spanish the documents which he duly presented.

The court granted his petition.

The documents translated were a death certificate of Pedro Vivien, son of the deceased Nicolas Vivien and a power of attorney granted to the plaintiff by the widow of the deceased Nicolas Vivien, wherein she authorizes the plaintiff to have the defendant render an account of the estate left by her deceased husband.

The defendant at the request of the plaintiff presented an account of the estate he had in his posses-

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(Doc. #1968)
cont'd.

ion belonging to the succession of the deceased
Nicolas Vivien.

The account shows that there is in favor of the
succession the sum of six hundred pesos in paper
money and two hundred forty four pesos and two
reales in silver coin which sum was delivered to
Nicolas Vivien by order of the court.

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File #2346.)	CASE OF
Jan. 13, 1789.)	DON PEDRO SAUVE
P. 1 to 4.)	VERSUS
Judge: Don J.)	DON F. RODRIGUEZ.
de Ortega.)	
CC: P. Pedesclaux.)	
Spanish.)	

The plaintiff, a resident and merchant of this city, brought this action against the defendant to recover the past due sum of 252 pesos, the petitioner presented as evidence of said claim an account and a promissory note, and begged the Court to order the defendant to acknowledge his signature on said promissory note presented and to declare under oath whether he owes the sum claimed, and once this is done to deliver to petitioner the defendant's declaration in order to promote whatever may be convenient.

On Jan. 13, 1789, the court granted the plaintiff's prayer.

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

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File #2045.)	PROCEEDINGS INSTITUTED BY CLAUDIO
Jan. 14, 1789.)	BOUGAND FOR THE PURPOSE OF OBTAIN-
Judge: Josef de	)	ING A PERMIT TO SELL A NEGRESS
Ortega.	)	SLAVE BELONGING TO MR. BIDOT.
CC: P. Pedesclaux.)	
P. 1 to 6.)	
Spanish and French.)	

Claudio Bougand, a resident and merchant of this city, instituted these proceedings to obtain a permit to sell a negress slave named Ana belonging to Mr. Bidot, alleging that as evidenced by the document duly presented, said Mr. Bidot, a merchant of the French Guarico, entrusted petitioner with said slave, that as petitioner cannot sell said slave until he proves that it belongs to Mr. Bidot; wherefore petitioner begged the Court to admit the information submitted wherein petitioner proves that the slave belongs to Mr. Bidot, and that the witnesses who he will present for this purpose will declare under oath whether the signature affixed on the document presented is that of Mr. Bidot, they will also declare whether they know that said slave is owned by Bidot, and after this is done to grant him the permit to sell said slave.

The record shows that the witnesses presented by said Claudio Bougand substantiated the allegations made in his petition, and that the court taking this into consideration granted him the permit to sell the slave in question.

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File #2184.)	
Jan. 15, 1789.)	CASE OF
P. 1 to 13.)	DON DAVID HODGE AND DON DAVID
Judge: Don E.)	ROSS
Miro.	)	VERSUS
CC: P. Pedesclaux.	)	THE SUCCESSION OF DON PEDRO BI-
Spanish.	)	DOU HERBERT.

The plaintiff, residents and merchants of this city, brought this action against the succession of Don Pedro Bidou Herbert, to recover the past due sum of 1,570 pesos in Mexican silver coin. The plaintiff presented as evidence of his claim a promissory note, and begged the court to order Don Pedro Sauve, testamentary executor of said succession to acknowledge the signature of said deceased on said promissory note presented, and also to declare whether it is true that said succession owes petitioners the sum claimed.

On Jan. 15, 1789, Don Pedro Sauve, testamentary executor of the succession of said Herbert, acknowledged the plaintiffs' claim and recommended same for payment.

Then on June 8, 1789, the court ordered the court clerk to forward copies of the plaintiffs' petition and of the answer given by the testamentary executor to Don Antonio Mendez, attorney for the widow of said deceased, and also to Don Santiago Felipe Guinault, curator ad litem of the minor sons of said Herbert, all of whom agreed that said claim should be paid from the funds of said succession.

(cont'd)

(Doc. #1971)

BOX 53.

On June 20, 1789, the court after having examined the records and in view of the consent given by the interested parties, ordered the testamentary executor of said succession to satisfy the sum claimed, plus the costs of these proceedings which amounted to 10 pesos and 1 real.

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File #2262.)	CASE OF
Jan. 15, 1789.)	MADAM MARIA LETURNEUR, WIDOW OF
P. 1 to 8.)	SANTILLY
Judge: Don Josef	)	VERSUS
Ortega.	)	THE SUCCESSION OF DON FELIPE CHES-
CC: P. Pedesclaux.	)	NE.
Spanish.)	

The plaintiff, a resident of this city, brought this action against the succession of Don Felipe Chesne, to collect the past due sum of 1,056 pesos, the plaintiff, presented as evidence of his claim five promissory notes, and begged the court to order that from the proceeds of sale of the property left by said deceased to satisfy the sum claimed.

On Jan. 15, 1789, the court granted the plaintiff's prayer.

On the same day the court clerk, in compliance with the preceding decree received the declaration of Madam Eulalia St. Amand, who under oath declared: That the signatures affixed on said promissory notes presented are the authentic signatures of her deceased husband.

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

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File #2313.)
Jan. 16, 1789.)
Judge: Estevan)
Miro.)
CC: P. Pedesclaux.)
P. 1 to 5.)
Spanish.)

CASE OF
JUAN PAILLET
VERSUS
JOSEF LABY.

The plaintiff, a resident and merchant of New Orleans, brought action against the defendant, a surgeon of said city, to recover the sum of two thousand one hundred pesos due on a certain house sold by plaintiff to defendant and mortgaged by the latter in favor of the former to guarantee payment of sum claimed. The plaintiff alleged that the defendant has failed to pay said sum on demand and petitioned the Court to issue a writ of execution against the person and properties of the defendant to satisfy the sum claimed, plus interest and the costs of these proceedings, until the full payment of his claim.

The Court, after having studied the records of this case, issued the writ of execution, as petitioned by the plaintiff.

The record, however, is incomplete and only shows that the Court Clerk notified the plaintiff of the Court's writ.

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File #2342.)
Jan. 16, 1789.)
Judge: Estevan)
Miro.)
CC: P. Pedesclaux.)
P. 1 to 10.)
Spanish.)
_____)

) PROCEEDINGS INSTITUTED BY MARIANA
) ST. AMAND, FOR THE PURPOSE OF CAN-
) CELLING THE MORTGAGE ON HER PROPER-
) TIES.

Marian St. Amand, legitimate wife of Antonio Palas, instituted these proceedings to cancel the mortgage on her properties, alleging that her said husband has mortgaged her properties as a security for a personal debt contracted with one Pedro Aragon y Villegas, wherefore she begged the Court to cancel said mortgage.

The record shows that Pedro Aragon y Villegas proved the legitimacy of his mortgage and that said Palas and his wife had illegally sold from the mortgage properties two negress slaves, and that said Villegas therefore begged the Court to punish according to law said Palas and his ^{wife} for illegally disposing of said slaves.

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

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File #2411.)	PROCEEDINGS INSTITUTED BY PEDRO
Jan. 16, 1789.)	MARIA CABARET DETREPIS, KNIGHT OF
Judge: Estevan	)	THE ORDER OF SAINT LOUIS AND RE-
Miro.	)	TIRED CAPTAIN, TO HAVE THE COURT
CC: P. Pedesclaux.	)	DECLARE VALID A POWER-OF-ATTORNEY
P. 1 to 11.	)	CONFERRED ON HIM BY PEDRO ANNIBAL,
Spanish and French.	)	KNIGHT OF DEVILLE AND FORMER LIEU-
	)	TENANT IN MOBILE, PROVINCE OF
	)	LOUISIANA, AND HIS WIFE, MARGARITA
	)	CONSTANCIA DE LUSSIER, BOTH RESI-
	)	DENTS OF LAON, FRANCE, AUTHORIZING
	)	PETITIONER TO ACT AS THEIR LEGAL
	)	AGENT.

Don Pedro Maria Cabaret Detrepis, Knight of the Order of Saint Louis and retired Captain, instituted these proceedings alleging that as evidenced by the power-of-attorney and other documents duly presented he has been appointed legal agent of Pedro Annibal, Knight of Deville and former Lieutenant in Mobile, Louisiana, and his wife, Margarita Constancia de Lussier, both residents of Laon, France, with power to manage, sell etc., their house near New Orleans, as well as any property that they may inherit from Charles Etienne de Bombelle or from Barbe Ursule Bonnille de Bombelle, widow of said Charles Etienne de Bombelle. The petitioner then requested the court to recognize the power-of-attorney presented and give it legal validity, authorizing him to act as the legal agent of said persons.

The Court, after having secured the translation into Spanish of the power-of-attorney and other documents presented by the petitioner, which were in French, and in view thereof, recognized said power-of-attorney and declared the petitioner as the legal agent of Pedro Annibal and his wife, Margarita Constancia de Lussier, as petitioned.

The costs of these proceedings amounted to seven and one and one half reales, which were paid by the petitioner by order of the Court.

File #154.)	
Jan. 17, 1789.)	
P. 1 to 10.)	
Judge: Don E. Miro.	)	PROCEEDINGS INSTITUTED BY TONTON
CC: R. Perdomo.	)	(FREE NEGRESS) FOR THE PURPOSE OF
Spanish.	)	OBTAINING THE FREEDOM OF HER SIST-
	)	ER FELICIANA, A SLAVE OF DON BEL-
	)	TRAN GRAVIER.

Tonton (free negress), through her attorney instituted these proceedings to obtain the freedom of her sister Feliciana, a negress slave of Don Beltran Gravier, because of the love and affections she bears her she is willing to purchase said slave's freedom at her appraised value, for this purpose she appoints as appraiser on her part Don Luis Dauglames and therefore begs the court to order said Beltran Gravier to appoint an appraiser on his part.

The record shows that on Jan. 17, 1789, the court granted the petitioner's prayer, and that Don Beltran Gravier, approved the sale of his slave Feliciana at her appraised value and for this purpose he appointed as his appraiser Don Luis Macarty.

On Jan. 28, 1789, the court clerk, and the appointed appraisers, in compliance with the court's decree, appraised the mulattress Feliciana, slave of Don Beltran Gravier, at 800 pesos, and that said Tonton, presented said sum of 800 pesos to Don Beltran Gravier requesting of him the letter of freedom of her said sister, Feliciana, and binding herself to pay for the costs of these proceedings which amounted to 22 pesos and 1 real.

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File #2210.) PROCEEDINGS INSTITUTED BY
Jan. 17, 1789.) LUIS LAMBERT FOR THE PURPOSE
Judge: Estevan Miro.) OF APPRAISING A CERTAIN PAR-
CC: P. Pedesclaux.) CEL OF LAND BELONGING TO HIS
P. 1 to 3.) DECEASED MOTHER CATHALINA
Spanish.) LAPINE.

Luis Lambert, a resident of this City, with domiciled in the coast of the Allemans in the Parish of San Carlos, instituted these proceedings alleging that his mother Catalina Lapine, widow of Luis Lambert died two months ago in said coast where she was domiciled; that all the properties left by said deceased were inventoried and appraised with the exception of a certain parcel of land located in this city on Dumaine St., bounded on one side by the property of Madame Couso and on the other side by the property of Mr. Marre, and in order to complete the inventory and appraisal of all the properties left by said deceased petitioner begs the Court to order the public appraisers of this city to appraise said parcel of land and that the value be submitted to the Commandant of said cost so that he may add said parcel of land to the regular inventory.

The record shows that the court ordered as petitioned by said Luis Lambert, and that said parcel of land was estimated at four hundred pesos.

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File #2316.)	DOCUMENT NO. 1978.
Jan. 17, 1789.)	BOX 53.
Judge: Estevan Miro.)	PROCEEDINGS INSTITUTED BY JOSEPH PAULY FOR THE PURPOSE OF SETTling HIS ACCOUNTS WITH DOMINGO D'ASSERETO, AND COMPLAINT BY THE LATTER AGAINST THE FORMER FOR AN INSULT RECEIVED.
CC: P. Pedesclaux.)	
P. 1 to 39.)	
Spanish.)	

The record shows that Joseph Pauly, a Captain of Militia in the city of Galveston, filed a petition before Marcos Devillier, Commandant of the Post of Galveston, to compel Domingo D'Assereto to settle the accounts they had pending.

During the earlier part of the proceedings an incident occurred in which the litigants, in the presence of the Commandant, happened to meet on the street and had a heated argument which culminated in the slapping of D'Assereto by the petitioner. The Commandant then arrested and placed them in jail, releasing them on the same day but keeping the petitioner under arrest at his home.

The records of the case were later sent to New Orleans where both parties agreed to have their differences settled by arbitration. Each party then appointed one arbitrator, Juan Briset for the petitioner and Francisco Caiserguer for D'Assereto. Said arbitrator after having examined the accounts, decided that the amounts of the litigants' respective claims were so small that they did not justify this litigation; wherefore in behalf of the litigants they withdrew their claims and abandoned the case which they asked the Court to declare as closed, each litigant to pay for the costs they had individually caused and in equal parts for the common costs.

The record further shows that the court approved the arbitrators' decision, declaring the case closed, and ordering the appraisal and payment of the costs thereof as stated above. The record, however, does not show said costs.

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File #2341.)	CASE OF
Jan. 17, 1789.)	VALENTIN SAULET
Judge: Josef de)	VERSUS
Ortega.)	JUAN BAUTISTA SEIZANT.
CC: P. Pedesclaux.))	
P. 1 to 12.)	
Spanish.)	

The plaintiff, through his attorney, Santiago Felipe Guinault, brought action against the defendant to recover the sum of two thousand pesos balance due on a certain plantation sold by the plaintiff to the defendant and mortgaged by the latter in favor of the former to guarantee payment thereof. The plaintiff begged the Court to issue a writ of execution against the person and properties of the defendant in order to satisfy his claim, plus interest and the costs of these proceedings.

The record shows that the Court issued the writ of execution as prayed for by the plaintiff, but before it was enforced the defendant paid in full the plaintiff's claim and the case was closed.

The costs of these proceedings amounted to eight pesos and one real said costs were paid by the defendant by order of the Court.

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File #2220.)	CASE OF
Jan. 19, 1789.)	MANUEL LANZOS
Judge: Estevan)	VERSUS
Miro.)	THE SUCCESSION OF PEDRO BIDOU
CC: p. Pedesclaux.	)	HERBERT.
P. 1 to 12.)	
Spanish.)	

The plaintiff, Captain of the permanent regiment of this city brought this action against the defendants to recover the sum of four thousand pesos alleging that the deceased Pedro Bidou Herbert was indebted to Gaspar Aranda, a resident of this city in said sum for a house that said deceased purchased, that said Aranda transferred said debt in favor of Manuel Solis, as payment of a certain debt amounting to said sum that said Solis endorsed said debt to petitioner in the terms specified in the document duly presented; wherefore, petitioner begs the Court to order the defendants to pay petitioner said sum and in default thereof to issue a writ of execution against the person and properties of the defendants to satisfy the sum claimed, plus interest and costs of these proceedings.

The court after having examined the plaintiff's petition ordered the court clerk to file the plaintiff's claim with the others against the succession of said deceased, so that it may be paid in due time from the proceeds of the sale of said deceased's properties.

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File #214.)	
Jan. 19, 1789.)	
Judge: Juan del)	CASE OF
Postigo.)	MAURICIO CONWAY
CC: R. Perdomo.)	VERSUS
P. 1 to 9.	)	SUCCESSION OF PEDRO CHABERT.
Spanish and)	
French.)	

The plaintiff, a resident of New Orleans, brought action against the defendant to recover the sum of four hundred forty-seven pesos and six reales in Mexican silver currency, value of certain merchandise purchased by the deceased Pedro Chabert, the plaintiff having paid for said merchandise when said deceased was in urgent need of them and did not have the cash with which to pay for them. As evidence of his claim, the plaintiff presented an itemized statement of said merchandise and a certificate signed by one Charles Norwood, whereby the latter declares to know that the plaintiff had paid out of his funds the sum claimed on account of the deceased. Wherefore, the plaintiff petitioned the court to order that he be paid the sum claimed out of the funds of the succession.

The record shows that in compliance with Court orders the Court Clerk notified Antonio Mendez, attorney for the absent heirs of the deceased; Luis Delalande Dapremont, brother-in-law of the deceased, and Pedro Piernas, his testamentary executor, of the plaintiff's petition and that all of said persons, with the exception of attorney Antonio Mendez, agreed to the payment of the plaintiff's claim, in view of which the Court ordered said payment.

The record, however, is incomplete and only shows that the Court Clerk notified the interested parties of the Court order.

File #2138.)
Jan. 19, 1789.)
P. 1 to 4.)
Judge: Don Joseph)
Ortega.)
CC: P. Pedesclaux.)
Spanish.)

CASE OF
DON GABRIEL FONVERGNE
VERSUS
DON LUIS BELTREMIEUX.

The plaintiff, a resident and merchant of this city, brought this action against the defendant, also a resident of this city, to recover the past due debt of 236 pesos alleging that the defendant has failed to make payment on demand. Wherefore, petitioner begs the court to order the defendant to acknowledge his signature affixed on the promissory note presented and to declare whether he owes the sum claimed.

On Jan. 19, 1789, the court granted the plaintiff's prayer.

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

File #2340.	)	CASE OF
Jan. 22, 1789.	)	DON VIZENTE RILLIEUX
P. 1 to 3.	)	VERSUS
Judge: Don	)	THE SUCCESSION OF DON FELIPE CHESNE.
Joseph de Ortega.)	
CC: P. Pedesclaux.)	
Spanish.)	

The plaintiff, a resident and merchant of this city, brought this action against the succession of Don Felipe Chesne, to recover the past due sum of 50 pesos. The plaintiff presented as evidence of his claim a promissory note and begged the court to order Madam Eulalia St. Amand, widow of said deceased Chesne, to acknowledge the signature of her deceased husband affixed on said promissory note presented, and once this is done to order the payment of the sum claimed from the proceeds of the properties of said succession.

The record further shows that on Jan. 22, 1789, the court granted the plaintiff's prayer, and that the court clerk, in compliance with the preceding decree, received the declaration of the widow of said deceased Chesne, who under oath declared: That the signature on the promissory note presented by the plaintiff is the authentic signature of her deceased husband.

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

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File #2219.)
Jan. 23, 1789.)
Judge: Estevan Miro.)
CC: P. Pedesclaux.)
P. 1 to 24.)
Spanish and French.)

CASE OF
SANTIAGO LE DUC
VERSUS
SUCCESSION OF PEDRO BIDOW HER-
BERT.

The plaintiff, a surgeon in the Charity Hospital of New Orleans, brought action against the defendant to recover the sum of three hundred thirty-six pesos and five reales for medical services rendered and medicines administered to the deceased Pedro Bidou Herbert and to his slaves since the year 1787 until his death. As evidence of his claim the plaintiff presented an itemized statement of the various medical services he rendered and of the medicines he administered, and begged the Court to order the testamentary executor of said deceased to pay the sum claimed out of the funds of the succession in preference to any other creditor, the plaintiff being ready to issue a formal receipt.

The record shows that in compliance with a Court order, the itemized statement presented, which was written in French, was translated into Spanish by Juan Josef Duforest, and that the Court Clerk notified Pedro Sauve, the testamentary executor, Antonio Mendez, attorney for the widow of the deceased, and Santiago Felipe Guinault, curator of the minor heirs, of the plaintiff's petition.

The record further shows that on petition of the testamentary executor, the plaintiff appeared before
(cont'd)

(Doc. #1985)
Box 53.

the Court and declared under oath that the itemized statement he presented is true and accurate, in view of which the interested parties agreed to the payment his claim, and in compliance with a Court order the said testamentary executor paid it in full, the plaintiff extending a formal receipt.

The costs of these proceedings amounted to twenty two pesos.

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The record shows that the defendant denied the amount claimed by the plaintiff and declared that it was the signature of William Barr. The Court then considered evidence presented by the plaintiff to show that the defendant was in the possession of the land in question belonging to said William Barr.

The record further shows that the costs of these proceedings amounted to six pesos and were paid by the plaintiff.

File #2229.)	
Jan. 23, 1789.	)	CASE OF
Judge: Estevan Miro.	)	ANTONIO CAILLOT ALIAS LA-
CC: P. Pedesclaux.	)	CHANSE
Spanish.	)	VERSUS
P. 1 to 12.	)	DANIEL CLARK.

The plaintiff, brought this action against the defendant, to recover the sum of five hundred sixty three pesos, in mexican silver coin, alleging that as evidenced by the promissory note duly presented, William Bare is indebted to him in said sum for a schooner purchased, that due to the fact that said Bare is absent from the city, and that the defendant a merchant of this city has in his possession funds belonging to said Bare; wherefore petitioner begged the court to order the defendant to pay him said sum from the funds he has in his possession belonging to said Bare.

The record shows that the defendant examined the signature affixed on the promissory note presented by the plaintiff and declared that it was the authentic signature of William Bare. The Court taking this into consideration ordered the defendant to pay the plaintiff his claim from the funds he has in his possession belonging to said William Bare.

The record further shows that the costs of these proceedings amounted to six pesos and were paid by the plaintiff.

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DOCUMENT NO. 1987.

BOX 53.

File #213.)	
Jan. 24, 1789.)	
Judge: Juan)	CASE OF
del Postigo.)	ROBERTO DOW
CC: R. Perdomo.	)	VERSUS
P. 1 to 8.	)	THE SUCCESSION OF PEDRO CHAVERT
Spanish and French.	)	AND CARLOTA LALANDE DAPREMON.

The plaintiff, a surgeon and physician of this city, brought this action against the defendants to recover the sum of twenty pesos, alleging that the defendants are indebted to him in said sum, for medical treatments and medicines administered to the deceased Pedro Chavert, during his sickness; wherefore, he begged the court to order that from the proceeds of the sale of the properties left by said deceased, he be paid the sum claimed.

The record shows that Antonio Mendez, attorney for the heirs of said deceased, and Luis Lalande Dapremon, one of the heirs, acknowledged the plaintiff's claim and recommended the payment of same. The court taking into consideration this acknowledgement ordered the testamentary executor of the succession to pay the plaintiff his claim from the funds he has in his possession belonging to said succession.

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File #2272.)
 Jan. 24, 1789.)
 Judge: Andres)
 Almonester y Roxas.)
 CC: P. Pedesclaux.)
 P. 1 to 172.)
 Spanish.)

CASE OF
 MARIA TERESA (FREE GRIF-
 FON GIRL)

VERSUS

PETRONA DEMASILIER (FREE MULATRESS)

The plaintiff, through her attorney, instituted these proceedings alleging that in the year of 1789, one Pedro Moris, free mulatto died testate, leaving his properties in this city to his three natural children that he had with petitioner; that said legacy has not been executed because of the death of the testamentary executor; that said properties are now found in the custody of the defendant, sister of the deceased, and that in order to prove the foregoing allegations; petitioner begged the court to order the witnesses to the deceased's noncupative will, to testify under oath if the above allegations are true and to return to petitioner said testimonies to promote whatever action may be convenient.

The record shows that the defendant denied the right of the plaintiff to bring this action on behalf of her minor children on the grounds that she was not their tutress, and that the children had no legal right to deceased's properties. The plaintiff then petitioned for her appointment as tutress of her minor children and the court granted her petition.

The record further shows that the court gave both parties nine days to prepare their proofs of their allegations and that the plaintiff did not satisfactory prove her allegations; however, the court gave the natural children of the deceased the right to 1/6 of the properties in the custody of the defendant, and that the properties were sold at public auction and 1/6 of the proceeds were given to said minors.

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File #2130.)	DOCUMENT NO. 1989.
Jan. 26, 1789.)	BOX 53.
Judge: Don E.)	
Miro.)	
CC: P. Pedesclaux.)	CASE OF
Spanish.	)	ELENA (free negress)
P. 1 to 12.	)	VERSUS
<hr/>		THE SUCCESSION OF JUAN PAQUET
		(Free mulatto).

The plaintiff, through her attorney brought this action against the succession of Juan Paquet, (free mulatto) to recover the past due sum of 550 pesos. The plaintiff, presented as evidence of her claim a promissory note, and begged the court to order Don Thomas Pore and Don Martin Braquier, to acknowledge under oath their signatures as witnesses affixed on said promissory note, and to declare the legitimacy of said debt, and once this is done to give petitioner a copy of their sworn declarations in order to promote whatever action may be convenient.

On Jan. 26, 1789, the court granted the plaintiff's prayer.

On Feb. 11, 1789, the court clerk, in compliance with the preceding decree, received the declarations of Don Thomas Poree, and of Don Martin Braquier, who under oath acknowledged their signatures on the promissory note presented, and admitted the validity of the plaintiff's claim.

Then the plaintiff, further petitioned the Court, alleging that as evidenced by the declaration given by the witnesses presented, she has proven her allegations. Wherefore she begs the Court to order Maria, (free negress), legitimate wife of said deceased Paquet, to pay the sum claimed immediately,

(cont'd)

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BOX 53.

and in default thereof, to issue a writ of execution against the estate of said succession.

The record further shows that on Aug. 20, 1789, the court after several litigations were made ordered the testamentary executors, of the succession of said deceased Paquet, to pay the sum claimed to plaintiff, plus the costs of these proceedings which amounted to 17 pesos and 5 reales.

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File #2154.)	CASE OF
Jan. 26, 1789.)	MATURINO AND LUIS JULIAN
Judge: Estevan Miro.)	GUIEREN
CC: Pedro Pedesclaux.	)	VERSUS
P. 1 to 8.	)	ALEXANDRO BAUDIN.
Spanish.)	

The plaintiffs, residents and merchants of this city, through their attorney, brought this action against the defendant to recover the price of certain quantity of rice, alleging that last year of 1788, they sold to the defendant a certain quantity of rice which he paid with a transferred promissory note issued by the concern of Monsantos, that said drawers failed to pay said promissory note when due, because of their loss they suffered during the great fire, and for this reason they protested the validity of said promissory note so that they may have the recourse of law against the defendant; wherefore they begged the court to order the defendant to declare under oath if he purchased the alleged quantity of rice and paid for it with said promissory note.

The defendant admitted the plaintiff's allegation but stated that they did not have right of action against him because the plaintiffs at the time of the transaction accepted said promissory note, as full payment of the rice purchased.

The record shows that on plaintiffs' petition the court issued a writ of execution against the properties of the defendant to satisfy their claim, and that the firm of Monsantos offered to make payment before
(cont'd)

File #1990
Jan. 25, 1909
Judge: Katsaris
Miro.
Dr. P. Katsaris
P. 1 to 10

(Doc. #1990.
cont'd)

JACOBUS MARIUS
VEROIS
JACOBUS MARIUS, JOHN MARTIN
JACOBUS MARIUS, JOHN MARTIN
JACOBUS MARIUS, JOHN MARTIN

the enforcement of said writ.

The costs of these proceedings which amounted to 9 pesos and 1 real were paid by the defendant.

The record shows that the plaintiff, through his attorney, Santiago Felipe Guzman, instituted proceedings against the defendants to recover the value of several shares purchased from him by said defendants through written sale and for which the latter agreed to pay with various quantities of indigo. In evidence of his claim, the plaintiff presented a certified copy of the record of the said written sale and petitioned the court to issue a writ of enforcement against the parties and production of the documents in order to satisfy his claim of debt, with interest and the costs of the proceedings.

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The court further noted that the court, after having received the translation into Spanish of the record presented by the plaintiff which was written in French, ordered the plaintiff to institute such legal actions and to request the individual claims he holds against each of the defendants.

The plaintiff, then in order to comply with the court's decree, petitioned for a certification of each of the various quantities of indigo due him by the defendants, said certificate to be taken from the certified copy of the written sale he presented.

The court granted the plaintiff's petition.

File #2048.)	
Jan. 28, 1789.)	
Judge: Estevan	)	CASE OF
Miro.	)	MARUIS BRINGIER
CC: P. Pedesclaux.	)	VERSUS
P. 1 to 14.	)	AGUSTIN MACARTY, JUAN BAUTIS-
Spanish and French.	)	TA GLAPION, JR. PEDRO REINE,
	)	PEDRO TREPAGNIER, CRISTOBAL
	)	GLAPION, JR. JUAN BAUTISTA
	)	AUSTIVE, CAVALIER DARENSBOURG,
	)	SANTIAGO RIXUER, SENOR DEL-
	)	HOMME AND ALEXANDRO LABRANCHE.

The record shows that the plaintiff, through his attorney, Santiago Felipe Guinault, instituted action against the defendants to recover the value of several slaves purchased from him by said defendants through auction sale and for whom the latter agreed to pay with various quantities of indigo. As evidence of his claim, the plaintiff presented a certified copy of the record of the said auction sale and petitioned the court to issue a writ of execution against the persons and properties of the defendants in order to satisfy his claim in full, plus interest and the costs of these proceedings.

The record further shows that the court, after having secured the translation into Spanish of the record presented by the plaintiff which was written in French, ordered the plaintiff to institute separate actions and to present the individual claims he holds against each of the defendants.

The plaintiff, then in order to comply with the court decree, petitioned for a certificate of each of the various quantities of indigo due him by the defendants, said certificate to be taken from the certified copy of the auction sale he presented.

The court granted the plaintiff's petition.

File #2140.	)	CASE OF
Jan. 28, 1789.	)	RENATO JUAN RAFAEL FAZENDE
Judge: Josef	)	VERSUS
de Ortega.	)	SUCCESSION OF FRANCISCO DREUX.
CC: P. Pedesclaux.)	
P. 1 to 2.)	
Spanish and French.))	

The plaintiff, a former commissioner of the Navy and pensioner of His Catholic Majesty, with residence in this Province, brought action against the defendant to recover the sum of two hundred pesos, a remnant of a larger sum which he had delivered to the deceased Francisco Dreux to pay to the latter's mother, on the plaintiff's account, a yearly pension of one hundred pesos, with the condition that he was to return to the plaintiff the remnant of the said sum at the death of Dreux's mother. The plaintiff alleged that Dreux's mother died and a remnant of two hundred pesos was left, said Dreux having failed to return same to the plaintiff as agreed. As evidence of his claim the plaintiff presented a certificate signed by Dufossat, showing the plaintiff's claim to be authentic. Wherefore the plaintiff petitioned the court to order the widow, testamentary executrix and trustee of the properties of said deceased, who knows of the legitimacy of his claim, to satisfy it immediately.

The record, however, is incomplete and only shows that in compliance with a Court order the Court Clerk notified the said widow of the plaintiff's petition.

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CASE OF

File #2310.) DON FRANCISCO CINOT
 Jan. 28, 1789.) VERSUS
 P. 1 to 28.) THE SUCCESSION OF DON PEDRO
 Judge: Don E.) BIDOU HERBERT.
 Miro.)
 CC: P. Pedesclaux.)
 Spanish.)

The plaintiff, a resident of this city, instituted these proceedings alleging that when he left for Havana, in charge of the Brigantine named "New Orleans" of the ownership of the deceased Don Pedro Bidou Herbert, petitioner left in charge of said deceased, for safekeeping the sum of 2000 pesos, until his return from Havana, as evidenced by the promissory note presented, but that said Herbert died during his absence without having returned said money. Wherefore, petitioner begs the Court to order the testamentary executor of the succession of said deceased to satisfy immediately the sum claimed.

On Jan. 28, 1789, the court granted the plaintiff's petition.

Then Don Pedro Sauve, testamentary executor of the succession of Herbert, in respond to the plaintiff's petition stated; that he left the matter up to the judgment of the court.

On March 18, 1789, the court ordered the testamentary executor of the succession of Herbert, to show cause why the plaintiff's claim should not
 (cont'd)

(Doc. #1993)
cont'd.

be paid.

The record further shows that after a long litigation the court ordered the testamentary executor of the succession of Herbert, to satisfy the plaintiff's claim, plus the costs of these proceedings which amounted to 37 pesos and 5 reales.

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File #2225.)	CASE OF
Jan. 29, 1789.)	LUIS LALANDE DAPREMONT
Judge: Andres)	VERSUS
Almonester y Roxas.)	THE SUCCESSION OF LAZARO ESTARDY.
Court Clerk: P.)	
Pedesclaux.)	
P. 1 to 6.)	
Spanish.)	

The plaintiff, a resident of this city, brought this action against the defendant to recover the sum of sixty three pesos, alleging that the defendants are indebted to him in said sum for forty loads of bricks which he sold to the deceased Lazaro Estardy; wherefore, he begged the court to order the testamentary executor of said succession to satisfy said claim, for which he will issue the proper receipt.

The record shows that Santiago Monlon, testamentary executor of the succession of Lazaro Estardy, and Estevan Quinones, attorney for the heirs, acknowledged the plaintiff's claim and recommended the payment of same. The Court taking into consideration this acknowledgement ordered the testamentary executor to pay the plaintiff his claim from the funds he has in his possession, belonging to said succession.

The costs of these proceedings amounted to six pesos and two reales.

#24
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File #2041.) CRIMINAL PROCEEDINGS INSTITUTED
Feb. 3, 1789.) BY DON EDGARD GALLARDET AGAINST
P. 1 to 58.) PEDRO BORONY, FOR BREAKING AND
Judge: Don) ENTERING IN THE NIGHT TIME WITH
Josef de) INTENTIONS TO STEAL.
Ortega.)
CC: Pedesclaux.)
Spanish.)

The plaintiff, brought this action against the defendant, alleging that on the night of Feb. 3rd, 1789, the defendant broke and entered into his house and stole several effects and certain effects from his store located on Chartres St. Wherefore, petitioner begs the court to order the arrest of the defendant or of any other person that might be implicated in said theft.

The record further shows that after a long litigation the court decided that since the defendant was a soldier in the Royal Army their case was not within their jurisdiction and therefore ordered the defendant to appear before the military judge of this city, to be judged and sentenced.

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

#23
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File #2281.

Feb. 3, 1789.

Judge: Estevan Miro.)

CC: P. Pedesclaux.)

P. 1 to 4.)

Spanish.)

PROCEEDINGS INSTITUTED BY MARIA
) JUANA (NEGRESS) FOR THE PURPOSE
) OF OBTAINING HER FREEDOM.

María Juana, a negress, instituted these proceedings to obtain her freedom, alleging that as evidenced by the certificate duly presented, issued by Miguel Cantrelle, Commandant of the Post of Cabalvanose, the free negro named Nicolas purchased her in a sale at public auction made of the properties left by her deceased mistress Madame Duprene, with the conditions specified on said certificate, that within a short time said negro Nicolas was to grant her freedom; that several years have elapsed and she has been unable to obtain her freedom, as said Nicolas refuses to grant it, thus breaking the conditions specified on said certificate; wherefore she begged the court to order said Nicolas to grant without delay her freedom which she is entitled for her honesty and good work during the past years.

The record shows that the court ordered to forward a copy of Marion Juana's petition to the negro Nicolas.

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

#24

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File #134.)
Feb. 4, 1789.)
Judge: Don E.)
Miro.)
CC: R. Perdomo.)
P. 1 to 6.)
Spanish.)

CASE OF
DON ALEXANDRO BAUDIN
VERSUS
DON LORENZO CALLET.

The plaintiff, a resident of this city, brought this action against the defendant to recover the past due sum of 327 pesos and 4 reales. The plaintiff presented as evidence of his claim a promissory note alleging that the defendant has failed to make payment on demand. Wherefore, petitioner begs the Court to order the defendant to appear before the Court Clerk, and to declare under oath whether it is true that he owes the sum claimed, and once this is done to deliver a copy of the defendant's declaration to petitioner in order to promote whatever action may be convenient.

The record shows that on Feb. 4, 1789, the court granted the plaintiff's prayer, and the defendant in compliance with the preceding decree, appeared before the Court Clerk, and acknowledged the plaintiff's claim.

On March 29, 1789, the court after having examined the records of these proceedings ordered the defendant to pay the plaintiff's claim, plus the costs of these proceedings, which amounted to 11 pesos and 1 1/2 reales.

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DOCUMENT NO. 1998.
BOX 53.

File #117.
Feb. 4, 1789.
Judge: Estevan
Miro.
CC: R. Perdomo.
P. 1 to 6.
Spanish.

PROCEEDINGS IN THE COURT OF JUAN
BAUDIN, FOR THE PURPOSE OF PROVING
THAT AN OBLIGATION OF PAYABLE BY TWENTY
EIGHT THOUSAND SIX HUNDRED FORTY
TWO PESOS AND TWENTY TWO MARAVEDIS
CASE OF
ALEXANDRO BAUDIN
VERSUS
JUAN BACHEMER.

File #117.)
Feb. 4, 1789.)
Judge: Estevan)
Miro.)
CC: R. Perdomo.)
P. 1 to 6.)
Spanish.)

The plaintiff, a resident of this city brought this action against the defendant to recover the past due sum of 303 pesos and two reales, alleging that as evidenced by the promissory notes duly presented the defendant is indebted to him in said sum; and that the defendant has refused to make payment on demand, 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.

The record shows that the defendant admitted owing the plaintiff the sum claimed and that he paid same, also paying the costs of these proceedings.

#24
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File #150.) PROCEEDINGS INSTITUTED BY JUAN
Feb. 4, 1789.) ELLIS, FOR THE PURPOSE OF PROVING
Judge: Estevan) THAT AN ORDER OF PAYMENT OF THIRTY
Miro.) EIGHT THOUSAND SIX HUNDRED FORTY
CC: R. Perdomo.) TWO REALES AND TWENTY TWO MARAVE-
P. 1 to 7.) DIES ISSUED IN HIS FAVOR BY THE
Spanish.) ROYAL ACCOUNTANCY WAS STOLEN FROM
HIM.

Juan Ellis, a resident of the District of Natchez, instituted these proceedings to prove that an order of payment of thirty eight thousand six hundred forty two reales and twenty two maravedies issued in his favor by the Royal Accountancy was stolen from him, alleging that on January 29, 1789, he sold to the Royal Government, nine thousand five hundred sixteen rolls of tobacco for which the Royal Accountancy, as payment issued said order of payment, that the order of payment in question was lost in a robbery committed in the residence of Edgar Gallandet; wherefore he begged the court to order the chief accountant of the Royal Treasury to certify, that said order of payment was issued by the Royal Accountancy.

The record shows that the Chief Accountant of the Royal Treasury, declared under oath that the mentioned order of payment was issued by the Royal Accountancy, The court in view that said Juan Ellis had proved that said note was stolen, ordered the Royal Accountancy to issue a duplicate of same and notify the Royal Treasury ~~Treasury~~ not to pay the original but to arrest the person who may try to collect it notifying immediately the propret authorities.

#24
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File #2070.)
Feb. 6, 1789.)
Judge: Don E.)
Miro.)
CC: P. Pedesclaux.) THE SUCCESSION FRANCISCO CASTRO.
Spanish.)

CASE OF
DON SEBASTIAN BURRY
VERSUS

THE SUCCESSION FRANCISCO CASTRO.

The plaintiff, a resident of this city brought action against the succession of the deceased Don Francisco Castro, to recover the past due sum of 13 pesos, value of two shirts that petitioner made for said deceased. Wherefore, petitioner begs the Court to order the testamentary executor to pay said claim from the proceeds of the sale of the properties of said deceased.

On Feb. 6, 1789, the court ordered the court clerk, to forward a copy of the plaintiff's petition to the testamentary executor of the succession of said Francisco Castro.

Then Don Gilberto Lionard, testamentary executor of the succession of Francisco Castro, admitted the plaintiff's claim, and recommended same for payment.

The record shows that on March the 12, 1789, the court on the heirs' petition ordered the proceedings suspended until the settlement of said succession and further ordered the plaintiff, to pay for the costs of these proceedings which amounted to 8 pesos and 6 reales.

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File #2132.)	CASE OF
Feb. 6, 1789.)	PHILIBERTO FARGE
Judge: Estevan)	VERSUS
Miro.)	SUCCESSION OF FRANCISCO CASTRO.
CC: P. Pedesciaux.)	
P. 1 to 7.)	
Spanish and French.)	

The record shows that the plaintiff, a resident of New Orleans, brought action against the defendant to recover the sum of thirty-one pesos, value of various goods delivered to the deceased Francisco Castro. As evidence of his claim, the plaintiff presented an itemized statement of said goods, and petitioned the court to order that he be paid the sum claimed from the funds of the estate of said deceased.

The court notified Gilberto Leonard, testamentary executor of the succession, of the plaintiff's petition and he approved the payment of said claim.

The court then notified Josef O'con and Christoval Badia, heirs of the deceased, and they answered that they agreed to the payment of the plaintiff's claim which they admitted as legitimate, but stated that said payment should be deferred until the affairs of the succession have been settled and the preferred creditors paid, at which time it will be known whether there are enough funds to pay all the creditors, which in the event there are not enough funds, the payment will have to be made by a proportionate division thereof among said creditors.

(Doc. #2001)
cont'd.

The record further shows that the court, taking into consideration the facts set forth by the heirs of the deceased, deferred the payment of the plaintiff's claim until the settlement of the affairs of the succession.

The costs of these proceedings amounted to eight pesos and six and one half reales.

#22

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File #2134.)
Feb. 6, 1789.)
Judge: Estevan)
Miro.)
CC: P. Pedesclaux.)
P. 1 to 11.)
Spanish.)

CASE OF
GERONIMO FUGET AND JOSEPH
CAMPS
VERSUS
ANTONIO MAXENT, JR.

The plaintiffs, residents of this city, brought this action against the defendant to recover the sum of one thousand pesos, alleging that as evidenced by the deed duly presented the defendant is indebted to them in said sum, and that the defendant has refused to make payment on demand; wherefore, they begged the court to issue a writ of execution against the person and properties of the defendant to satisfy the sum claimed, plus the interest and costs of these proceedings.

The court ordered as prayed for by the plaintiffs.

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

#24
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File #2305.)
Feb. 7, 1789.)
Judge: Don J)
Ortega.)
CC: P. Pedesclaux.)
P. 1 to 8.)
Spanish.)

CASE OF
DON JUAN PAILLET
VERSUS
LUIS LALANNE.

The plaintiff, a resident of this city, through his attorney, brought action against the defendant and his wife, to recover the past due sum of 565 pesos and 5 reales. The plaintiff, presented as evidence of his claim a promissory note, alleging that the defendant has refused to make payment on demand. 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 Feb. 7, 1789, the court granted the plaintiff's prayer, and the defendant appeared and acknowledged the plaintiff's claim.

The record shows that the defendant admitted the plaintiff's claim and that the plaintiff petitioned the court to issue a writ of execution against all the properties of the defendant, sufficient to satisfy the sum claimed, plus interest and the costs of these proceedings.

The record further shows that on May 27, 1789, the court ordered as petitioned by the plaintiff, and that the defendant compromised with the plaintiff, and paid for the costs of these proceedings which amounted to 11 pesos and 7 reales.

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File #2152.)
Feb. 7, 1789.)
Judge: Estevan)
Miro.)
CC: P. Pedesclaux.)
P. 1 to 6.)
Spanish and)
French.)

CASE OF
JUANA GRONDEL
VERSUS
THE GUERIN BROTHERS.

The plaintiff, a resident of this City, brought this action against the defendants to recover the sum of one hundred pesos, alleging that as evidenced by the receipt duly presented petitioner gave to one named Bezou said sum so that he may deliver it to her brother Mr. Grondel, a resident of France, that said Mr. Bezou on his return from Europe has failed on demand to show any document proving that he had given said sum to Mr. Grondel, and that said Mr. Bezou has again left the city; wherefore petitioner begged the court to order the defendants who are merchants of this city, and have in their possession funds belonging to said Bezou to return to petitioner said sum of one hundred pesos.

The record shows that the Guerin Brothers by order of the Court acknowledged the signature of Mr. Bezou affixed on the receipt duly presented and that the court advised the plaintiff to bring direct action against Bezou wherein he is now domiciled and also ordered the Guerin Brothers that in case they have any funds belonging to said Bezou in their possession to hold them until the settlement of this case.

File #2129.)
Feb. 10, 1789.)
P. 1 to 4.)
Judge: Don E.)
Miro.)
CC: P. Pedesclaux.)
Spanish.)

CASE OF
CLAUDIO EUGENIO
VERSUS
DON JOSEF DUSCIEUX.

The plaintiff, (free mulatto) brought this action alleging, that in the former proceedings that he instituted against the defendant, he was ordered by the court to pay 200 pesos for three negro slaves of his ownership, and although he has paid said sum the defendant has failed to deliver said slaves to petitioner. Wherefore, petitioner begs the court to order the Chief Constable, of this City, to go to the farm of the defendant, and order him to deliver to petitioner said slaves.

On Feb. 10, 1789, the court granted the plaintiff's prayer, and the Chief Constable, in compliance with the preceding decree went to the farm of the defendant and requested the slaves in question, but the defendant answered that said slaves ran away from his plantation. The record shows that the plaintiff, then petitioned the court alleging that as evidenced by the declaration given by the Chief Constable the defendant maliciously refused to deliver said slaves. Wherefore, petitioner begs the court to again order said Chief Constable, to compel the defendant to deliver said slaves to petitioner, and to pay for all the costs of these proceedings.

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

File #2185.	)	CASE OF
Feb. 10, 1789.	)	LUISA HARDY, WIDOW OF BIROT
Judge: Estevan Miro.)	)	VERSUS
CC: P. Pedesclaux.	)	JORGE LUBERTA.
P. 1 to 5.)	
Spanish and French.)	

The plaintiff, a resident of this city, brought this action against the defendant to recover the sum of forty-eight pesos, alleging that as evidenced by the obligation duly presented the defendant is indebted to her son Thomas in said sum, and that the defendant has refused to make payment on demand; wherefore, she begged the Court to order that Luis Cudiera, Commandant of the Post of the Acadiana, where the defendant resides, to summon the defendant to appear before him to acknowledge the signature affixed on said obligation and after this is done to compel the defendant to pay said sum from the proceeds of a certain house that the defendant intends to sell to pay all his creditors.

The record shows that the court ordered as petitioned by the plaintiff, and that the defendant admitted owing the plaintiff the sum claimed.

The record further shows that after the lapse of three years the defendant has failed to pay the plaintiff his claim and that the plaintiff has again petitioned the court to order the Commandant of the Post of the Acadians to compel the defendant to pay said sum.

#24
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File #2297.)	CASE OF
Feb. 11, 1789.)	LUIS NICOLAS
Judge: Estevan Miro.)	VERSUS
CC: P. Pedesclaux.)	THE SUCCESSION OF FRANCISCO CASTRO
P. 1 to 6.)	
Spanish and French.)	

The plaintiff, a resident of this City, brought this action against the defendants to recover the sum of four pesos and four reales, alleging that the defendants are indebted to him in said sum for shoes furnished to the deceased Francisco Castro; wherefore, he begged the court to order the Testamentary Executor of said succession to pay him said sum for which he will issue the proper receipt.

The record shows that Gilberto Lionar, Testamentary Executor of said succession acknowledged the plaintiff's claim and recommended the payment of same, and that the court on the heirs petition suspended these proceedings until the settlement of this succession, on the ground that the deceased Francisco Castro did not leave sufficient funds to satisfy all his creditors.

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DOCUMENT NO. 2008.
BOX 53.

File #114.)
Feb. 11, 1789.)
P. 1 to 4.)
Judge: Don E.)
Miro.)
CC: R. Perdomo.)
Spanish.)

CASE OF
DON DANIEL CLARK
VERSUS
DON MAURICIO HRENGUIER.

The plaintiff, a resident and merchant of this city, brought this action against the defendant, a resident of the coast of Cabahance, to recover the past due sum of 2,450 pesos. The plaintiff, presented as evidence of his claim a promissory note, alleging that said debt arises from the sale of seven negro slaves that he sold to the defendant. Wherefore, petitioner begs the court to send a warrant attached to this petition to Don Miguel Cantrell, Commandant of said coast so that he may compel the defendant to pay and in default thereof to seize his properties enough to cover the sum claimed, plus the costs of these proceedings.

On Feb. 11, 1789, the court after having examined the records granted the plaintiff's prayer and Don Luis Liotaud, Public appraiser presented an itemized statement of these proceedings which amounted to 6 pesos and 4 reales.

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

#23
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File #2301.
Feb. 11, 1789.
Judge: Estevan
Miro.
CC: P. Pedesclaux.
P. 1 to 3.
Spanish.

) PROCEEDINGS INSTITUTED BY FRANCIS-
) CA POMET, FOR THE PURPOSE OF RE-
) CORDING IN THE OFFICE OF THE COURT
) CLERK A CERTAIN PROMISSORY NOTE.

The record shows that Francisca Comet, a free quadroon, petitioned the court to order the court clerk to record in his files the promissory note duly presented and to retrun the original to petitioner to promote whatever may be convenient for which petitioner will pay the proper fees.

The court ordered as prayed for by Francisco Comet.

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File #2363.)
Feb. 11, 1789.)
Judge: Don E.)
Miro.)
CC: P. Pedesclaux.)
Spanish.)
P. 1 to 7.)

CASE OF
JUAN BAUTISTA VICTOR (free
negro)
VERSUS
THE SUCCESSION OF DON FRANCISCO DE
CASTRO.

The plaintiff, brought this action against the succession of Don Francisco Castro, to recover the past due sum of 11 pesos and 3 reales. The plaintiff, presented as evidence of his claim a promissory note, alleging that said debt arises for services that he rendered for three months as hair dresser to the deceased Castro. Wherefore, petitioner begs the court to order that from the proceeds of the sale of the properties of said deceased to satisfy the sum claimed.

On Feb. 11, 1789, the court ordered the court clerk to forward a copy of the plaintiff's petition to the testamentary executor of said succession, who after having been informed acknowledged the plaintiff's claim and recommended same for payment.

On Feb. 21, 1789, the court ordered the court clerk, to forward a copy of the plaintiff's petition to the heirs of said succession, who after were informed stated that they have no objection to the payment of any just claim but that at present they will not be able to pay any debt until the complete settlement of said succession.

Then the court ordered to suspend the payment of this claim until the settlement of the properties of the estate of said deceased Castro.

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File #151.) PROCEEDINGS INSTITUTED BY JOHN
Feb. 13, 1789.) GRETION TO OBTAIN A PERMIT TO
Judge: Estevan Miro.) SELL A CERTAIN BILANDER NAMED
CC: R. Perdomo.) "BERMILLION", OF HIS OWNERSHIP.
P. 1 to 3.)
Spanish.)

The record shows that John Gretion, a former resident of Mobile and now of New Orleans, being at the time of this petition in Attakapas, petitioned the Court alleging that he has decided to sell a certain bilander of his ownership and under his command named "Bermillion", and that he has no legal title with which to prove said ownership inasmuch as he acquired it in exchange for a certain plantation which he owned in Mobile, as evidenced by the private document that he duly presented, but that there are several persons who know the petitioner to be the legitimate owner of said brigantine and who will testify to that effect. Petitioner further alleged that there is no Notary Public in Mobile to legalize said transactions; wherefore, he begs the Court to determine in accordance with law in regard to this petition and so as to enable him to sell the aforementioned brigantine.

The record further shows that the Court ordered Juan Josef Duforst, the official translator, to translate into Spanish the document presented by the petitioner which was in English, and also ordered the Court Clerk to receive the testimonies of the witnesses offered by said petitioner.

The official translator complied with the court order, but the record shows that at this stage of the proceedings the petitioner abandoned the case without paying for the costs thereof.

2249
File #2740.)
Feb. 14, 1789.)
P. 1 to 131.)
Judge: Don Josef)
de Ortega.)
CC: P. Pedesclaux.)
Spanish.)

CASE OF
DON FLACIDO LARRIEUX
VERSUS
DON PEDRO AUBRY.

The plaintiff, a resident of this city, brought this action to recover the past sum of 2,322 pesos in Mexican silver coin, alleging that said debt arises from certain merchandise that he brought from the French Cape, and sold to the defendant, who agreed to pay for them on October 11, of last year, as evidenced by the accounts presented and that the defendant has failed to make payment on demand. Wherefore, petitioner begs the court to order the defendant to acknowledge under oath his signature on said account and to declare whether he owes the sum claimed, and once this is done to deliver to petitioner a copy of the records in order to promote whatever action may be convenient.

On Feb. 14, 1789, the court granted the plaintiff's petition. Then the defendant, in compliance with the preceding decree acknowledged under oath his signature on the account presented by the plaintiff, and admitted being indebted to the plaintiff, but that he does not know the exact amount, as he has several unsettled accounts with the plaintiff.

Then the plaintiff, further petitioned the court, alleging that as evidenced by the defendant's declaration, he has proved the validity of his claim, and therefore begs the Court to issue a writ of execution

(cont'd)

against all the properties of the defendant, in order to satisfy the sum claimed, plus interest and the costs of these proceedings.

The record shows that the defendant admitted purchasing said merchandise from the plaintiff but alleges that the plaintiff, misrepresented the merchandise as the merchandise received were of inferior quality. Wherefore he begs the Court to admit his information to prove his allegation.

The record further shows that after a long litigation, the Court ordered the defendant to pay the sum claimed, plus interest and the costs of these proceedings.

In Jan. 14, 1887, the court granted the petitioners' prayer and ordered them to present the titles of ownership of said land and slaves.

They both in their answers, and Jan. 20th last, further petitioned the court alleging that in order to prove their claim, it is convenient to them that the court order the court clerk, to certify at the end of this petition, the legacy of property found in the last will and testament of deceased Mrs. Elizabeth Bessell, whereby it appears that said deceased owned said land and slaves of said estate, and that this is done to what their information.

On Apr. 23, 1887, the court ordered the court clerk to bring to court the original of said will.

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File #2289.)	
Feb. 14, 1789.)	
P. 1 to 17.)	PROCEEDINGS INSTITUTED BY
Judge: Don Josef)	MARIA (FREE NEGRESS) AND DON
de Ortega.	)	JOSEF DUSCIEAUX, FOR THE PUR-
CC: P. Pedesclaux.	)	POSE OF OBTAINING A PERMIT TO
Spanish.	)	SELL A CERTAIN FARM AND A
	)	NEGRO SLAVE.

Maria (free negress), mother of Pedro Battasar, and Pedro Aguston, (mulatto) and Don Josef Duscieaux, tutor of said mulatto, through their attorney, petitioned the court, alleging that said minors inherited from the deceased Don Francisco Demaselliere, a certain farm and a negro slave, and wishing to sell said farm and slave, they begged the court to admit the information and the witnesses that they will present to prove their ownership, and once this is done to grant them the necessary permit to sell said farm.

On Feb. 14, 1789, the court granted the petitioners' prayer and ordered them to present the titles of ownership of said farm and slave.

Then Maria (free negress), and Don Josef Duscieaux, further petitioned the court alleging that in order to prove their claim, it is convenient to them that the court order the court clerk, to certify at the foot of this petition, the legacy of said property found in the last will and testament of the deceased Don Francisco Demaselliere, wherein it is evident that said deceased donated said farm and slave to said minors, and once this is done to admit their information.

On Apr. 20, 1789, the court ordered the court clerk to bring to court the testament of said deceased Demaselliere.

(cont'd)

On July 8, 1789, the court after having examined the documents presented found that according to the last will and testament of said deceased said farm and slave will not be the properties of said minors until they become of age and therefore said properties could not be sold.

#23
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File #2317.
Feb. 14, 1789.
Judge: Estevan Miro.
CC: P. Pedesclaux.
P. 1 to 3.
Spanish.

PROCEEDINGS INSTITUTED BY
} MIGUEL PARRA FOR THE PURPOSE
} OF OBTAINING A CERTIFIED COPY
} OF THE SALE OF A CERTAIN NEGRO
} SLAVE FROM THE COURT CLERK
} FERNANDO RODRIGUEZ.

Miguel Parra, a resident of Pensacola and domiciled in this city, instituted these proceedings alleging, that in the year 1785 petitioner's nephew Jacob, came to this City from Pensacola bringing with him a negro slave of the petitioner's property; that said petitioner's nephew has returned to Pensacola leaving said negro slave hired to Pedro Miraval for the amount of eight pesos a month, that said Miraval went in bankruptcy and his properties were sold including said negro slave; wherefore, petitioner begged the court to order Fernando Rodriguez, Court Clerk, to certify at the foot of this petition who requests the drawing of the bill of sale of said negro, to whom he was sold and for how much, and who were the witnesses in the drawing of said document and to deliver to petitioner the original of this certification to promote whatever action may be convenient.

#24
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DOCUMENT NO. 2015.
BOX 53.

File #2355.)	
Feb. 14, 1789.)	
Judge: Josef)	CASE OF
de Ortega.)	FRANCISCA ST. AMAND, WIDOW OF
CC: P. Pedesclaux.	)	DOMINGO ST. AMAND
P. 1 to 3.	)	VERSUS
Spanish and French.	)	SUCCESSION OF FELIPE CHESNE.

The record shows that the plaintiff, a resident of New Orleans, brought action against the defendant to recover the sum of two thousand fifty pesos in Mexican currency loaned to the deceased Felipe Chesne, to be repaid in the month of January, 1789. As evidence of her claim the plaintiff presented a certified copy of an obligation signed by said Felipe Chesne, alleging that the latter died without having paid the sum claimed. The plaintiff then petitioned the Court to order that she be paid the said sum out of the funds of the deceased's estate and in preference to any other creditor.

The record further shows that the Court took cognizance of the certified copy presented and ordered that it be added to the records of the testamentary execution, the plaintiff's petition to be acted upon in due time.

#22
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File #2267.)
Feb. 14, 1789.)
P. 1 to 6.)
Judge: Don E.)
Miro.)
CC: P. Pedesclaux.)
Spanish.)

CASE OF
MARIA ANA(FREE MULATTRESS)
VERSUS
THE SUCCESSION OF DON FRANCISCO
CASTRO.

The plaintiff, brought this action against the defendants, alleging that the deceased Don Francisco Castro, donated her in his last will and testament the sum of 100 pesos as compensation for assistance and work that she rendered to said deceased during his illness, and that the inventory and sale of the properties of said deceased have been made; wherefore, petitioner begs the court to order Don Gilberto Lionar, testamentary executor of the succession of Castro to satisfy the sum claimed.

On Feb. 14, 1789, the court granted the plaintiff's petition.

Then Don Gilberto Lionar, testamentary executor of the succession of Castro, in answer to the plaintiff's petition, stated; that due to the knowledge he has of the plaintiff's claim, he has no objection to pay same.

The record shows that on Feb. 20, 1789, the court ordered the court clerk to forward a copy of the plaintiff's petition to the heirs of said deceased who acknowledged and recommended the payment of same after the sale of all the properties of said
(cont'd)

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cont'd.

deceased. Then the court in view of this ordered to stop payment of the sum claimed, until the sale of the properties of said deceased is completed.

The costs of these proceedings amounted to 9 pesos.

#23

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File #2372.)
Feb. 14, 1789.)
Judge: Josef)
de Ortega.)
CC: P. Pedesclaux.)
P. 1 to 2.)
Spanish and French.)

CASE OF
JUAN BAUTISTA WILTZ
VERSUS
SUCCESSION OF FELIPE CHESNE.

The record shows that the plaintiff, a resident of New Orleans, brought this action against the defendants to recover the sum of seventy-six pesos and seven and a half reales for certain iron-works performed for the deceased Felipe Chesne, and which appear in the itemized statement presented, as evidence of this claim. The plaintiff therefore petitioned the court to order that in consideration of the privileged nature of his claim he be paid the sum claimed.

The record further shows that the court ordered the plaintiff's petition and the statement presented to be added to the records of the testamentary execution, said petition to be acted upon in due time.

#22
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File #2206.) PROCEEDINGS INSTITUTED BY MADAM
Feb. 16, 1789.) JUANA FRANCISCA LUISA LEBRETON
P. 1 to 21.) DE CHARMEAUX, FOR THE PURPOSE OF
Judge: Don E.) ADMINISTARTING HER PROPERTIES.
Miro.)
CC: P. Pedesclaux.)
Spanish.) Doña Juana Francisca Luisa Lebreton,

instituted these proceedings for the purpose of administrating her properties and to prove that she is a legitimate daughter of the deceased Don Juan Bta. Sesaire Lebreton de Charmeaux, and of Madam Juana Francisca Macarty, alleging that as evidenced by the documents duly presented she is a free person, and that she belongs to the caucasian race. Wherefore, petitioner begs the Court to admit her information and the witnesses that she will present to substantiate her allegations.

On Feb. 1789, the court granted Madam Luisa Lebreton's prayer.

On Feb. 18, 1789, Madam Juana Francisca Luisa Lebreton, presented her witnesses before the Court Clerk, who under oath declared in accordance with Madam Juana Francisca Luisa Lebreton's allegations.

The record shows that Madam Lebreton, further petitioned the Court to inform the attorney general of this city, of these proceedings, so he may approve her request.

Then on Feb. 19, 1789, Don Valentin Roberto Avart, attorney general of this city approved Madam Lebreton's request. Then the court in view of the consent given by the attorney general approved and authorized of said Madam Lebreton, to administrate her own properties.

#23

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File #55.)	
Feb. 16, 1789.)	PROCEEDINGS INSTITUTED BY DON
P. 1 to 203.)	FERNANDO RODRIGUEZ, FOR THE PURPOSE
Judges: Estevan	)	OF SURRENDERING ALL OF HIS PROPER-
Miro, El Baron	)	TIES IN FAVOR OF HIS CREDITORS.
de Carondelet;)	
Manuel Gayoso de)	
Lemos; Gilberto	)	On Feb. 16, 1789, Don Fernando
Guillemard.	)	Rodriguez, a resident of this
CG: Rafael Perdomo,	)	city, instituted these proceedings
Carlos Ximenes.	)	alleging that he is indebted to
Spanish and French.	)	his creditors in the sum of 20,
	)	500 pesos and desiring to satisfy
	)	said creditors; wherefore, he begs the court to inform
	)	said creditors that petitioner has decided to surrender
	)	his properties to them in order to be sold at public
	)	auction to settle his indebtedness.

The record shows that Rodriguez's properties were all mortgaged by his creditors.

The creditors, after they were judicially informed of the above decision of Rodriguez, individually petitioned the court of a writ of seizure against the properties of Rodriguez to satisfy their claims. Their petitions were granted and said creditors took possession of Rodriguez's properties and they appointed their syndic Don Mathias Alpuerte, in order to witness the public sale of Rodriguez's properties.

The record, also shows that the proceeds of the aforesaid sale amounted to 12,865 pesos which was proportionally divided among Rodriguez's creditors by the syndic Alpuerte.

The cost of these proceedings amounted to 279 pesos 5 reales, as appraised by the official appraiser Don Luis Liotau, on June 5, 1789, and said costs were deducted from the proceeds of the public sale.

#27

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File #2315.)
 Feb. 17, 1789.)
 Judge: Estevan)
 Miro.)
 CC: P. Pedesclaux.)
 P. 1 to 8.)
 Spanish.)

CASE OF
 THOMAS POREE
 VERSUS
 PEDRO BROUSSART.

The record shows that the plaintiff, a resident of New Orleans, through his attorney Felipe Guinault, brought this action against the defendant to recover the sum of nine hundred pesos, the value of two slaves sold to said defendant and for which the latter agreed to pay in the month of December 1788. As evidence of his claim the plaintiff presented a deed of sale and a mortgage of the said slaves in his favor to guarantee payment of the sale price. The plaintiff alleged that the defendant failed to pay the said mortgage upon maturity in spite of his demands. Wherefore he begged the court to issue a writ of execution against the person and properties of the defendant in order to satisfy the sum claimed, plus interest and the costs of these proceedings. The plaintiff further begged the Court to withhold the defendant's passport to Attakapas for which Post he intends to leave, until the final settlement of this case.

The record also shows that the Court withheld the defendant's passport as petitioned and that after having studied the records of the case the Court issued a writ of execution against the person and properties of the defendant and especially against the two mortgaged slaves to satisfy the sum claimed, plus interest and the costs of these proceedings until the final settlement of this case.

The record further shows that nearly three months elapsed after the court issued the aforesaid writ of execution without it being carried into effect or
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File #2361.)
Feb. 18, 1789.)
Judge: Estevan)
Miro.)
CC: P. Pedesclaux.)
P. 1 to 10.)
Spanish.)

CASE OF
SEBASTIAN VAZQUES
VERSUS
SUCCESSION OF FRANCISCO DE CASTRO.

The plaintiff, a resident of New Orleans, brought this action against the defendant to recover the sum of one hundred and six pesos in newly Mexican silver coin balance due on a certain bill of exchange drawn by the deceased Francisco de Castro in favor of the petitioner and on Juan de Ambroa, a merchant of Havana, Cuba, which bill had been duly protested. As evidence of his claim, the plaintiff presented the said bill of exchange and the protest drawn before Notary Public Felipe Antonio Amado, of Havana, Cuba, and petitioned the Court to order the testamentary executor of said deceased to pay the said sum, plus the interest that is customary to pay in commercial transactions of this nature, said payment to be made out of the funds of the succession and in preference to any other creditor thereof. The plaintiff further stated that his claim was acknowledged by the deceased in one of the clauses of his testament.

The record shows that in compliance with Court orders the Court Clerk notified Gilberto Leonard, testamentary executor of the deceased, and Josef Ocon and Christoval Badia his heirs, of the plaintiff's petition. The testamentary executor agreed to the payment of the plaintiff's claim, but the heirs opposed it on the grounds that the affairs of the succession had not
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Doc. No. 2021.
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yet been settled and therefore it was not known whether there would be funds enough to satisfy in full all the claims against the succession, which claims, in the event of insufficient funds, which after having paid the preferred claims, would have to be paid in proportion and at a discount. The said heirs then petitioned the Court to suspend the payment of the plaintiff's claim until the settlement of the succession's affairs.

The court then in consideration of the allegations of the heirs, suspended the payment of the plaintiff's claim, as petitioned.

The costs of these proceedings amounted to two pesos and five reales.

#22
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File #281.)	
Feb. 20, 1789.)	
Judges: Estevan)	CASE OF
Miro; Carondelet;)	ALEXANDRO BAUDIN
Joseph de Ortega;	)	VERSUS
Antonio Morrejon y	)	OLIVERO POLLOCK.
Gato of the Supreme)	
Court of Havana.	)	Plaintiff instituted these
CC: R. Perdomo,	)	proceedings for the purpose
Carlos Ximenez, Pedro	)	of compelling the defendant
Pedesclaux.	)	to pay for certain damages
English, Spanish	)	he suffered by enjoining
French and Portuguese.	)	petitioner from disposing
	)	of his properties. Peti-
	)	tioner alleges that on
	)	March 20, 1789, the defen-

dant brought action against him to collect the sum of 2,793 pesos for certain bills of exchange which were protested by certain merchants of Nantes and London; that later the petitioner learned that said bills were never protested; and that the said injunction affected 63000 pesos worth of petitioner's properties, causing petitioner to suffer great damages. Wherefore, petitioner begs the court to lift the said injunction on his properties and to accept an itemized account of the damages caused by said injunction.

The record shows that the plaintiff presented an account covering all the losses he suffered by the injunction, said damages amounted to 15,000 pesos and that the Court of New Orleans, previously had granted a judgment to the defendant against the plaintiff, compelling the latter to settle accounts with the defendant, but the plaintiff failed to comply with the court's order and petitioned the court to lift the injunction and also sued for damages caused by said injunction. The record also shows that the defendant was trying to

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(Doc. #2022)
cont'd.

collect 2,793 pesos from the plaintiff but the plaintiff, in view of the previous decision of the court of N. O., and considering unjust its decision and with the consent of said court was allowed to appeal his case to the Supreme Court of Appeals of Havana, where the defendant was compelled to appear in court. At this time said defendant was arranging a trip to Philadelphia and the court stopped his trip on plaintiff's petition. Then the plaintiff requested the defendant for a guarantee during his absence or to appoint an agent to request him in court. The defendant appointed as his agent Don Antonio Mendez, who declined. Then defendant granted his power-of-attorney to one Don Mauricio Conway, who was accepted by the plaintiff because said appointee bound all of his properties to guarantee the plaintiff's claim of 15000 pesos. The record also shows that the plaintiff appointed as his agent Don Felipe Guinault and after a long litigation the plaintiff petitioned the court of N. O. to cancel the proceedings in the Supreme Court of Havana and his petition was granted.

After several months of litigation the injunction was lifted, and the plaintiff still continued his action to recover the damages he suffered by said injunction which amounted to 15000 pesos and for this reason he gave his power-of-attorney to Don Joseph Piernas to continue his action. At this time Don Mauricio Conway, the defendant's agent, died from dropsy and the defendant then gave his power of attorney to Don Antonio Mendez. The record further shows that the plaintiff thru his agent Joseph Piernas proved all of his allegations while the defendant vainlessly presented worthless proofs until the court of Baron de Carondelet on Dec. 23, 1794, gave the final judgment in favor of the plaintiff and condemned the defendant to pay all the costs of the court, plus the ~~damages~~ claimed by the plaintiff.

(cont'd.)

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cont'd.

Don Antonio Mendez desiring to resign left this city for St. Bernard, but the court ordered him to return to N. O. to settle this case. The defendant, however appointed as his agent one Guillermo Gil Garland, from Philadelphia, said agent was accepted by the court and was ordered to pay the plaintiff's claim, he informed the court that he did not have any funds from his principal, but that he instead was a debtor of defendant.

In view of the above the plaintiff petitioned the court for a writ of seizure against the properties left by deceased Don Mauricio Conway, who bound his properties to guarantee the plaintiff's damages as Agent of Pollock.

The plaintiff's petition was granted and the properties of Conway were seized to satisfy the plaintiff's claim.

The costs of these proceedings amounted to 7200 reales or (750 pesos).

Note: This record shows that when Baudin presented the evidence of the damages he suffered he included the loss of a number of negro slaves, who were afflicted with a rare disease called (lombrices de Guinea) (Guinea worms), found across the flesh of their legs and other negroes with venereal disease. These negroes, with infective diseases were lodged at the house of Dr. Luis Giovellina, where they were treated, according to the report of said doctor.

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CASE OF

File #2302.)
 Feb. 21, 1789.)
 Judge: Estevan)
 Miro.)
 CC: P. Pedesclaux.)
 P. 1 to 13.)
 Spanish and)
 French.)

FRANCISCA POMET (FREE MULATRESS)
 VERSUS
 THE SUCCESSION OF FRANCISCO
 CASTRO.

The plaintiff, a resident of this city, brought this action against the defendants to recover the sum of two hundred twenty one pesos and three reales, alleging that as evi-

denced by the account duly presented the defendants are indebted to petitioner in said sum, and that the properties left by the deceased Francisco Castro are to be sold at public auction; wherefore, petitioner begged the court to pay said claim from the proceeds of the sale of the properties of said deceased.

The record shows that Gilberto Lionard, Testamentary Executor of the deceased Francisco Castro, acknowledged the plaintiff's claim and recommended the payment of same.

The record further shows that the court taking into consideration the validity of the plaintiff's claim ordered Josef Ocon, one of the heirs and acting as Testamentary Executor of said deceased to pay the plaintiff's claim from the funds he has in his possession belonging to said succession.

#24

#10

File #2683.

Feb. 26, 1789.

Judge: Estevan

Miro.

CC: P. Pedescalux.

P. 1 to 183.

Spanish and

French

PROCEEDINGS INSTITUTED BY FRANCIS-
 CA REYNAR, WIDOW OF ESTEVAN REINE,
 REQUESTING THE COURT TO MAKE AN IN-
 VENTORY AND APPRAISAL OF THE PROPER-
 TIES LEFT BY HER DECEASED HUSBAND.

Francisca Reynard, widow of Estevan Reine, through her attorney, instituted these proceedings alleging that as evidenced by the last will and testament duly presented she has been appointed Testamentary Executrix and Trustee of the properties left by her said deceased husband, and that she desires to divide said properties among her children, who are of age; wherefore, petitioner begs the Court to have an inventory and appraisal made of the properties left by said deceased.

The record shows that by order of the Court an inventory and appraisal was made of the properties left by said deceased, and that said properties, with the consent of all the heirs, were adjudicated to Francisca Reynard.

The record also shows that later said properties were sold at public auction and that the proceeds were divided among all the legitimate heirs.

File #2339.	)	PROCEEDINGS INSTITUTED BY JUAN
Feb. 27, 1789.	)	BAUTISTA ROUGIEU FOR THE PURPOSE
Judge: Estevan Miro.	)	OF OBTAINING A MORATORIUM OF
CC: P. Pedesclaux.	)	ONE YEAR AND SIX MONTHS TO PAY
P. 1 to 8.	)	HIS CREDITORS.
Spanish.)	

Juan Bautista Rougieu, instituted these proceedings for the purpose of obtaining a moratorium of one year and six months to pay his creditors, alleging that as evidenced by the statement duly presented he is indebted to several persons, who are mentioned in said statement in the sum of five thousand one hundred seventy five pesos; that to some of said persons whom petitioner owes the sum of four thousand two hundred seventy five pesos, have accepted the conditions specified in said statement by receiving as payment of their claims the properties owned by petitioner together with certain debts due petitioner; and that of said group of creditors only one Juan Pollet is not satisfied with said agreement. Wherefore petitioner begs the court to order said Pollet to accept said conditions or to grant him a moratorium of one year and six months to pay his creditors.

The record shows that the court ordered Juan Joseph Duforset, official translator, to translate from French into Spanish the statement presented by said Juan Bautista Rougier. The court after having examined the translation of the statement ordered all the creditors of said Rougier to acknowledge their signatures affixed on said statement.

The record further shows that these proceedings were discontinued and that Luis Liotau appraised the

(cont'd)

(Doc. #2025)
cont'd.

costs of these proceedings which amounted to
4 pesos and 3 reales.

#24
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File #2789.)	PROCEEDINGS INSTITUTED BY DON
March 2, 1789.)	MATHIAS DE ALPUENTE, TO OBTAIN
P. 1 to 43.	)	THE POSITION OF ATTORNEY GENERAL
Judge: Don E.)	
Miro.)	
CC: R. Perdomo.)	
Spanish.)	

Don Mathias de Alpuente, a resident of this City, petitioned the Court alleging that as evidenced by the document presented, Don Pedro Bertonier renounced his position of attorney general, who recommended petitioner as a capable person to fulfill said position.

On Sept. 18, 1787, the court ordered to forward a copy of the petition of Don Mathias de Alpuente to the Accountant of the Army of this Province.

The record shows that said Mathias Alpuente, complied with the requisites of the law to take charge of said position of Attorney General, and that the Court after having been informed of Alpuentes' compliance, ordered to issue the applicant the requested title of attorney general, so he may perform his duties as such.

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DOCUMENT NO. 2029.

BOX 53.

File #143.)
March 2, 1789.)
P. 1 to 5.)
Judge: Don E.)
Miro.)
CC: R. Perdomo.)
Spanish.)

PROCEEDINGS INSTITUTED BY JOSEF
PIVERNAT Y MUNGOL, FOR THE PURPOSE
OF OBTAINING A PERMIT TO SELL A
BOAT OF HIS OWNERSHIP NAMED "ST
JOSEF".

Josef Pivernat y Mungol, a resident of this City, instituted these proceedings for the purpose of obtaining from the Court a permit to sell a boat of his ownership named "St. Josef", alleging that as evidenced by the deed duly presented, petitioner is the owner of said boat. Wherefore, petitioner begs the Court to order the Court Clerk, to issue a permit requested and to issue the deed of sale, after petitioner has paid the necessary Royal Fees for this sale.

On March 2, 1789, the court granted the petitioner's prayer.

#23

#19

File #2209.)
 March 2, 1789.)
 Judge: Estevan)
 Miro.)
 CC: P. Pedesclaux.)
 P. 1 to 10.)
 Spanish.)

CASE OF
 PEDRO LAVERGNE
 VERSUS
 SIMON DUCOURNAU.

The plaintiff, as proxy of Juan Landier, instituted this action to recover the sum of seven hundred pesos, in Mexican coin, alleging that as evidenced by the deed duly presented, the defendant is indebted to his principal Juan Landier in said sum, for the first installment on the value of four slaves sold to the defendant by said Juan Landier; and that the defendant has refused to make payment on demand; wherefore petitioner begs the Court to issue a writ of execution against the defendant's properties in order to satisfy the sum claimed, plus interest and costs of these proceedings.

The record shows that the Court ordered as petitioned by the plaintiff.

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

#24

#10

File #2243)	
March 2, 1789.	)	CASE OF
P. 1 to 16.	)	DON PEDRO LAVERGNE, AGENT OF
Judge: Don E.	)	DON JUAN LANDIER
Miro.	)	VERSUS
CC: P. Pedesclaux.	)	DON PEDRO LACOUR.
Spanish.)	

The plaintiff, a resident of this City, and agent of Don Juan Landier, as evidenced by the power-of-attorney presented, brought this action for the purpose of recovering from the defendant, the past due sum of 280 pesos, alleging that the defendant failed to make payment on demand. 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 March 2nd, 1789, the court issued a writ of execution against properties of the defendant in order to satisfy the plaintiff's claim, plus interest and the costs of these proceedings.

On March 11, 1789, the Chief Constable of this city in compliance with the preceding decree, went to the farm of the defendant, to request him to make payment of the sum claimed, and the defendant failed to comply, whereupon he seized the defendant's farm. Then the plaintiff petitioned the Court to announce the defendant's farm for sale at public auction, in order to satisfy his claim.

The record further shows that the Court Clerk announced said farm for sale at public sale, for three consecutive times, but no bidder appeared.

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

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DOCUMENT NO. 2032.
BOX 53.

File #2248.)	PROCEEDINGS INSTITUTED BY JOSEF
March 2, 1789.)	WILTZ, REQUESTING THE COURT TO
Judge: Josef	)	MAKE AN INVENTORY AND APPRAISAL
Ortega.	)	OF THE PROPERTIES LEFT BY SUSANA
CC: P. Pedesclaux.	)	LABRANCHE, HIS DECEASED WIFE.
P. 1 to 23.)	
Spanish.)	

Josef Wiltz, a resident of this City and domiciled in the District of Chapitoula, instituted these proceedings, alleging that his wife Susana Labranche died intestate in the year, 1777 leaving three legitimate children named Hortencia, Luis and Evaristo the latter dying in the year 1779 and the other two remaining under his tutorship and that he desires to make an inventory and appraisal of the properties left by his deceased wife in order to give his said children their shares of the properties which lawfully belong to them; wherefore he begs the Court to make an inventory of said properties and to appoint a curator ad-litem to represent said minor children in the making of said inventory.

The record shows that Leonardo Mazange was appointed Curator Ad-litem of said minor children; that an inventory and appraisal was made of the properties left by said deceased, that with the approval of the Curator Ad-litem said properties were adjudicated to Josef Wiltz for the price of its estimation with the condition that said minors are to be given their share of said properties when they become of age.

#24
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File #2133.)
March 3, 1789.)
P. 1 to 12.)
Judge: Don Josef)
de Ortega.)
CC: P. Pedesclaux.)
Spanish.)

CASE OF
FRANCISCO (FREE NEGRO)
VERSUS
MR. DUTILLET.

Francisco, (free negro) instituted these proceedings for the purpose of obtaining the freedom of his daughter named "Carlota", who is a slave of the defendant, alleging that the defendant mistreated, punished and compelled her to very hard work, for which reasons she ran away from her master's home. Wherefore, petitioner wishing to free her from slavery, begs the Court to order the defendant to appoint an appraiser, on his part to appraise said negress, which petitioner is ready to pay.

On March 3, 1789, the Court granted the plaintiff's petition, and ordered the Court Clerk, to notify the defendant, so he may appoint his appraiser, and further ordered to place said negress slave in jail to avoid her escape.

Then the defendant appeared before the Court and denied that he has mistreated said negress, and that he agreed that said negress be appraised, appointing as his appraiser Don Pedro Fabrot.

The record further shows that after a long litigation, said negress slave was appraised at the sum of 650 pesos, and that the Court ordered the Court Clerk,
(cont'd)

(Doc. #2033)
cont'd.

that once he has received said sum from the interested party to issue said negress her letter of freedom, and release her from jail, and further ordered the plaintiff to pay for the costs of these proceedings which amounted to 19 pesos.

The plaintiff, a resident of this City, and ex-patry of Juan Landier, instituted these proceedings to recover the sum of one thousand three hundred fifty five pesos in Mexican silver coin, alleging that as evidenced by the deed duly presented the defendant is indebted to said Juan Landier in said sum, which is the first payment for eleven negro slaves, who the defendant purloined from said Juan Landier, and that the defendant has refused to make payment on demand; and the plaintiff begs the Court to issue a writ of execution against the person and properties of the defendant in order to satisfy the sum claimed, plus interest and costs of these proceedings.

The Court granted the plaintiff's petition.

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

File #2240.)
March 3, 1789.)
Judge: Josef)
de Ortega.)
CC: P. Pedesclaux.)
P. 1 to 7.)
Spanish.)

CASE OF
PEDRO LAVERGNE AS PROXY
OF JUAN LANDIER
VERSUS
ANTONIO LEYTAVIN.

The plaintiff, a resident of this City, and as proxy of Juan Landier, instituted these proceedings to recover the sum of one thousand three hundred fifty five pesos in Mexican silver coin, alleging that as evidenced by the deed duly presented the defendant is indebted to said Juan Landier in said sum, which is the first payment for eleven negro slaves, who the defendant purchased from said Juan Landier, and that the defendant has refused to make payment on demand; wherefore petitioner begs the Court to issue a writ of execution against the person and properties of the defendant in order to satisfy the sum claimed, plus interest and costs of these proceedings.

The Court granted the plaintiff's petition.

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

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File #2353.)	
March 3, 1780.)	
Judge: Josef de)	CASE OF
Ortega.)	PEDRO CENAS
CC: P. Pedescalux.)	VERSUS
P. 1 to 4.	)	THE SUCCESSION OF PHELIPE CHESNE.
Spanish and French.))	

The plaintiff, a resident of this City, brought this action against the defendant to recover the sum of two hundred thirty pesos, alleging that as evidenced by the two promissory notes duly presented, the defendants are indebted to petitioner in said sum; wherefore petitioner begs the Court to order the widow of said deceased to acknowledge under oath the signatures affixed on said two promissory notes presented, and after this is done to order the Testamentary Executor of said succession to pay petitioner the sum claimed from the proceeds of the sale of the properties left by said deceased.

The record shows that the Court ordered as petitioned by the plaintiff and that Eulalia St. Amand, widow of said deceased, admitted the plaintiff's allegations.

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

#24
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File #7.)
 March 4, 1789.)
 Judge: Governor)
 Miro.)
 CC: R. Perdomo.)
 _____)

CASE OF
 DON FRANCISCO CAISERGUER
 VERSUS
 LUIS ADAN.

Plaintiff instituted these proceedings for the purpose of compelling the defendant to acknowledge his past due promissory note for 290 pesos 4 reales.

The Court by decree of March 4, 1789 ordered the defendant to appear in court to declare and acknowledge said promissory note, as petitioned.

Said defendant on March 7th, 1789 appeared in court and acknowledged the said promissory note and his usual signature.

Plaintiff, in view that said defendant had acknowledged his past due debt, petitioned the court to issue a writ of execution in his favor to seize the properties of the defendant in order to satisfy the aforesaid sum of 290 pesos 4 reales.

Then the court on March 9th, 1789, granted the plaintiff's petition.

Plaintiff on March 31, 1789, before the Court Clerk, declared to have received from the Defendant the aforesaid sum, and requested said clerk to return
 (cont'd)

VILLA 2474

March 3, 1909 (Doc. #2036.)
cont'd.

Juan de Dios
Andres Alvarado
Don Felix Aguilar, Attorney
Don Luis Antonio Becallegre
Don F. Trujillo
CASE OF
DON FELIX AGUILAR, ATTORNEY
FOR DON LUIS ANTONIO BECALLEGRE
VS
JUAN DE DIOS

to defendant said promissory note. *Don Felix, Jr.*

The court costs which amounted to 5 pesos 4 reales, were paid by the defendant.

The deceased Becallegre, brought this action to recover the sum of 225 pesos, alleging that the defendant owed said sum to the possession of Felix Becallegre, for certain articles as purchased at public auction from said defendant as evidenced by the account presented, and that the defendant had failed to make payment on account. Therefore, petitioner begs the Court to order the Court Clerk to certify whether it is true that the account was audited corresponded with the bill of sale to all files, and also whether it is true that the defendant received all the articles listed on said account.

The record shows that on March 8, 1909, the Court granted the plaintiff's petition, and that the Court Clerk, compared the account presented by the plaintiff with the bill of sale in his files, and found both accounts to be accurate.

Then the plaintiff, further petitioned the court alleging that as declared by the declaration given by the court clerk, he has proved his claim. Therefore, begs the Court to issue a writ of execution against the possession of said deceased in order to satisfy the sum claimed, plus interest and the costs of these proceedings.

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The record further shows that on March 23, 1909, the court after having examined the records of these proceedings granted the plaintiff's petition.

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

File #2174)
March 5, 1789.)
P. 1 to 8.)
Judge: Don)
Andres Almonester) DON FELIPE GUINAULT, ATTORNEY
y Roxas.) FOR DON LUIS ANTONIO DECALLON-
CC: P. Pedesclaux.) GNE
Spanish.)
VERSUS
DON PEDRO ST. MARTIN, JR.

The plaintiff, tutor of the minor sons left by the deceased Decallogne, brought this action to recover the sum of 862 pesos, alleging that the defendant owes said sum to the succession of Madam Decallogne, for certain merchandise purchased at public auction from said succession as evidenced by the account presented, and that the defendant has failed to make payment on demand. Wherefore, petitioner begs the Court to order the Court Clerk, to certify whether it is true that the account presented correspond with the bill of sale in his files, and also whether it is true that the defendant received all the articles listed on said account.

The record shows that on March 5, 1789, the Court granted the plaintiff's petition, and that the Court Clerk, compared the account presented by the plaintiff with the bill of sale in his files, and found both accounts to be accurate.

Then the plaintiff, further petitioned the court alleging that as evidenced by the declaration given by the court clerk, he has proved his claim. Wherefore, begs the Court to issue a writ of execution against the succession of said deceased in order to satisfy the sum claimed, plus interest and the costs of these proceedings.

#23
#10 The record further shows that on March 26, 1789, the court after having examined the records of these proceedings granted the plaintiff's petition.

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

File #2278.)
 March 5, 1789.)
 Judge: Joseph)
 de Ortega.)
 CC: P. Pedesclaux.)
 P. 1 to 126)
 Spanish.)

CASE OF
 JUAN BAUTISTA MACARTY
 VERSUS
 JOSEPH TERRY.

The plaintiff, a resident and merchant of this City, brought action against the defendant to recover the sum of 1,160 pesos, alleging that the defendant is indebted to petitioner in said sum as evidenced by the accounts of the liquidation of a certain partnership which the plaintiff had with the petitioner at Opelousas; wherefore petitioner, having appointed Antonio Cavallier as his arbitrators to audit said accounts, prayed the Court to appoint a second arbitrator on behalf of the defendant who was not in the position to secure one.

The Court appointed Christobal de Armas as Arbitrator for the defendant who declined his appointment on account of his business in this City.

The record further shows that the Court appointed several other arbitrators, two of whom went to the post of Opelousas to audit said accounts and found that the defendant owed the plaintiff 541 pesos which the Court ordered to be paid by defendant; that the defendant was imprisoned because he failed to pay the plaintiff and that by order of the Court the defendant's properties were seized and surrendered to the plaintiff to satisfy said sum of 541 pesos.

The cost of these proceedings amounted to 107 pesos which were paid by defendant.

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File #2193.) PROCEEDINGS INSTITUTED BY JOSETA,
March 6, 1789.) A MULATRESS SLAVE, REQUESTING
Judge: Estevan) HER FREEDOM FROM MADAME BRAZEAU.
Miro.)
CC: P. Pedesclaux.)
P. 1 to 18.)
Spanish.)

Joseta, a mulatress, slave of Madame Brazeau, through her Attorney, instituted these proceedings, alleging that she desires to free herself from slavery; wherefore she begs the Court to order the Court Clerk to certify at what price she was estimated in the last will and testament of her deceased master Carlos Brazeau.

The Court ordered as petitioned by Joseta.

The record shows that according to the last will and testament of said deceased the mulatress Joseta was appraised for the sum of three hundred fifty pesos and that her mistress Madame Brazeau refuses to accept this appraisal, and that said mulatress Joseta was appraised again for the sum of seven hundred pesos. The court then ordered Madame Brazeau to grant Joseta her freedom for the said sum of seven hundred pesos.

File #2250.)	
March 6, 1789.	)	CASE OF
P. 1 to 7.	)	DON FRANCISCO LUIS DE LAGUE
Judge: Don E.	)	VERSUS
Miro.	)	DON FRANCISCO DELERY DESILET.
CC: P. Pedesclaux.)	
Spanish.)	

The plaintiff, a resident of this city, through his attorney brought this action against the defendant to recover the past due sum of 50 pesos, presenting as evidence of said claim a promissory note, and alleging that the defendant has failed to make payment on demand. 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 March 6, 1789, the Court granted the plaintiff's petition.

On the same day the defendant admitted under oath before the court clerk that the signature on the note presented, is his, but that he only owes the plaintiff, the sum of forty pesos as he has already paid ten pesos to Don Santiago Chapreon, who endorsed said promissory note in favor of the plaintiff.

The record further shows that the plaintiff, and the defendant compromised and that the plaintiff, begged the court to return the promissory note to the defendant and to condemn him to pay for the costs of these proceedings which amounted to 4 pesos and 2 1/2 reales.

File #2352.) PROCEEDINGS INSTITUTED BY DON
 March 7, 1789.) PEDRO SAINT PE, FOR THE PURPOSE
 P. 1 to 5.) OF OBTAINING HIS EMANCIPATION.
 Judge: Don E.)
 Miro.)
 CC: P. Pedesclaux.)
 Spanish.)

Don Pedro Saint Pe, of 17 years of age, and a distinguished soldier in the Permanent Regiment of this City, petitioned the Court to be placed in possession and administration of his properties, alleging that as evidenced by his reputation and good conduct, he is capable of administering his properties. Wherefore, petitioner begs the Court to admit his information and to issue his emancipation.

On March 7, 1789, the Court granted Don Pedro Saint Pe's petition.

On the same day Saint Pe, presented before the Court as his witnesses Don Joseph Devillard, Knight of the Military Order of St. Louis, Don Santiago de Livaudais, commander of Chapitoulas, and Don Francisco Xavier Fernandez, first-officer to the Secretary of the Government of this City, who declared under oath before the Court Clerk: That due to the knowledge they have of the good conduct and reputation of said Sainte Pe, they are of the opinion that he is capable of administering his properties. Then the Court after having examined the records granted said Sainte Pe, his emancipation.

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DOCUMENT NO. 2042.

BOX 53.

File #211.)
March 9, 1789.)
Judge: Juan del)
Postigo.)
CC: R. Perdomo.) THE SUCCESSION OF PEDRO CHAVERT AND
P. 1 to 8.) CARLOTA LALANDA DAPREMON.
Spanish.)

The plaintiff, a resident of this city, brought this action against the defendants to recover the sum of one hundred twenty-five pesos, alleging that the defendant is indebted to him in said sum for the value of five hundred wooden boards which the deceased Pedro Chavert sold for his account and that said deceased during his life refused to make payment on demand; wherefore petitioner begs the Court to order the testamentary executor to pay said claim from the proceeds of the sale of the properties left by said deceased.

The record shows that Luis Lalanda Dapremon, one of the heirs of said deceased approved and acknowledged the plaintiff's claim, and that the Court taking into consideration this acknowledgement ordered the testamentary executor to pay the plaintiff his claim from the funds he has in his possession belonging to said succession.

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File #2042.) COPY OF THE CRIMINAL PROCEEDINGS
 March 10, 1789.) INSTITUTED AGAINST PEDRO BIDOU,
 Judge: Estevan) FOR HAVING COMITTED A MURDER.
 Miro.)
 CC: P. Pedesclaux.)
 P. 1 to 4.)
 Spanish.)

In the City of New Orleans, on March 10, 1789, Estevan Miro, Governor of the Province of Louisiana, was informed that at three o'clock in the morning of the same date a man had been murdered in the plantation of the deceased Pedro Herbert, and that said crime had been committed by Pedro Antonio Bidou. In order to investigate said crime the Court of Gov. Miro, instituted these proceedings by ordering Pedro Pedesclaux, Court Clerk, to go to said plantation and to attest to the death of the victim and also ordered Estevan Fougnet de Pelegnie and Josef Montegut, both surgeons, of the Royal Hospital of this city to accompany said Court Clerk and to examine the wounds inflicted on the body of the deceased, and to ascertain the weapon used to commit the crime.

Joseph de la Peña, Jail-keeper was ordered to arrest the accused and to imprison him in the Public Jail of this City notifying the Court when said Bidou was placed under custody in order to promote whatever action may be convenient.

The record shows that the above orders issued by Governor Miro were carried out, and that the Court Clerk testified that the name of the man murdered was Juan De Fare, whose body was found lying near the room of the accused with two wounds inflicted on the skull and chest and that the statement of the surgeons substantiated the Court Clerk's testimony.

[cont'd]

(Doc. #2043)

cont'd.

The record further shows that several witnesses from the plantation testified that said murder was committed involuntarily, declaring that the accused struck his victim believing he was a thief.

The record further shows that the accused Antonio Bidou admitted the crime as testified by the witnesses.

The case was in litigation for some time, and the court of N. O. after hearing the prosecution and defense of the Attorneys, appointed for this purpose, found said Bidou guilty of murder and condemned him to capital punishment, by hanging.

The case was appealed to the Supreme Court of Appeals of Havana, and that Court commuted the sentence pronounced by New Orleans' Court, from Capital punishment to two years of exile in the jail of Pensacola.

#24

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CASE OF
MADAM MARGARITA DESILLET, WID-
OW OF DON PATRICIO MACNEMARA
VERSUS

File #215.)
March 11, 1789.)
Judge: Don Juan) THE SUCCESSIONS OF MADAM CARLOTA
del Postigo.) LALANDE DAPREMON AND DON PEDRO CHAV-
CC: R. Perdomo.) ERT.
P. 1 to 9.)
Spanish.)

The plaintiff, brought this action against the succession of the deceased Chavert, to collect the past due sum of 25 pesos in silver, alleging that her deceased husband Patricio Macnemara loaned said sum to said deceased, as evidenced by the promissory note presented; that from said sum is to be deducted 4 pesos which is the value of $\frac{3}{4}$ of a barrel of beans that the widow of said deceased delivered to petitioner. Wherefore, petitioner begs the Court to order said succession to pay the balance of said sum.

On March 11, 1789, the Court ordered the Court Clerk to forward a copy of the plaintiff's petition to the attorney of the succession of Chavert.

The record shows that Don Antonio Mendez, attorney for the absent heirs of Madam Carlota Lalanda Dapremon and Don Luis Lalanda Dapremon, acknowledged the plaintiff's claim, and recommended same to be paid from the funds of the succession.

The record shows that on March 30, 1789, the court in view of the approval of the plaintiff's claim by the interested parties ordered the Testamentary Executor of said succession to pay the sum claimed, plus interest and the costs of these proceedings.

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File #2047.)	CASE OF
March 11, 1789.)	HILARIO BOUTTE
Judge: Joseph)	VERSUS
de Ortega.)	THE SUCCESSION OF FELIPE CHESNE.
CC: P. Pedesclaux.)	
P. 1 to 13.)	
Spanish and French.)	

The plaintiff, a resident of this city, brought this action against the defendant to recover the sum of ten pesos and four reales, alleging that as evidenced by the promissory notes duly presented the defendants are indebted to petitioner in said sum for meat supplied to the deceased Felipe Chesne, and that petitioner is aware that Santiago Leduc, has funds in his possession belonging to said deceased; wherefore, petitioner prayed the court to order said Leduc to pay said claim from said funds in his possession belonging to said deceased.

The record shows that Eulalia St. Amand widow of said deceased acknowledged the signatures of her deceased husband affixed on said promissory notes, presented and also acknowledge the validity of the plaintiff's claim.

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

DOCUMENT NO. 2046.
BOX 53.

File #2147.	)	CASE OF
March 11, 1789.	)	DON NICOLAS FROMENTIN
P. 1 to 3.	)	VERSUS
Judge: Don Josef	)	THE SUCCESSION OF DON FELIPE CHES-
Ortega.	)	NE.
CC: P. Pedesclaux.)	
Spanish.)	

The plaintiff, a resident of this city, brought this action against the succession of the deceased Don Felipe Chesne, to recover the past due sum of 30 pesos. The plaintiff presented as evidence of his claim a promissory note, and begged the Court to order the widow of said deceased to acknowledge the signature on said promissory note presented, and once this is done to order said widow to pay said claim from the proceeds of the sale of the properties left by said deceased.

On March 11, 1789, the court granted the plaintiff's petition and that on the same day the Court Clerk, in compliance with the preceding decree went to the house of the widow of said deceased Chesne, who after having been sworn according to law, acknowledged the plaintiff's claim.

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

#23
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File #2258.)	CASE OF
March 11, 1789.)	SANTIAGO ESTEVAN LEMAIRE
Judge: Josef)	VERSUS
Ortega.	)	SUCCESSION OF FELIPE CHESNE.
CC: P. Pedesclaux.)	
P. 1 to 3.)	
Spanish and French.)	

The plaintiff, a resident of New Orleans, brought this action against the defendant to recover the sum of sixty-six pesos, covering a certain promissory note which was endorsed by Monsieur Delagroue in his favor and which he presented as evidence of his claim. The plaintiff petitioned the Court to order Doña Eulalia St. Amand, widow of the deceased, to declare whether the succession owes the sum claimed, and once this has been ascertained satisfactorily to order that said sum be paid to him out of the funds of the succession.

The record shows that the Court granted the plaintiff's petition, and that the widow appeared before the Court Clerk and after having been shown the promissory note in question declared under oath that the signature affixed thereto is that of her deceased husband and that the plaintiff's claim is legitimate.

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

#22
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File #2170.)
March 12, 1789.)
P. 1 to 20.)
Judge: Don E.)
Miro.)
CC: P. Pedesclaux.)
Spanish.)

PROCEEDINGS INSTITUTED BY DON JUAN
GIRAULT, FOR THE PURPOSE OF OBTAIN-
ING FROM HIS CREDITORS AN EXTENSION
OF TIME TO PAY HIS DEBTS.

Don Juan Girault, a resident of
this city, with domicile in the
Post of Natchez, instituted these
proceedings for the purpose of obtaining an extension
of time from some of his creditors in order to pay his
debts, alleging that as evidenced by the statement of
accounts presented he owns in said post a certain par-
cel of land, slaves utensils and various debts in his
favor which all together amount to the sum of 9363 pes-
os and 2 reales; and that he owes the sum of 314 pesos
to several persons in said post of Natchez and to some
persons in this city. Petitioner further alleges that
some of his creditors have granted him an extension
of time as evidenced by their signatures affixed at the
foot of said statement presented. Wherefore, petition-
er begs the Court to order the rest of his creditors
to grant him the extension that he solicits in order
to pay his debts.

On March 12, 1789, the Court
ordered the Court Clerk, to notify the creditors of
Don Juan Girault, who signed at the foot of said state-
ment presented, and declare whether said signatures are
theirs, and if they gave their consent for said exten-
sion of time solicited by petitioner. The Court also
ordered Don Juan Josef Duforst, Public translator to
translate said document into Spanish, and to bring them
to Court.

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(Doc. #2048.)

cont'd.

The record further shows that the creditors who signed said statement presented, acknowledged their signatures and admitted having granted petitioner said extension of time. Then the Court ordered said Girault, to specify where the rest of his creditors, who denied to grant him said extension of time, reside.

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

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[cont'd]

File #2128.)
March 12, 1789.)
P. 1 to 12.)
Judge: Don E.)
Miro.)
CC: P. Pedesclaux.)
Spanish.)

CASE OF
JUAN ESCAU VS THE SUCCESSION OF DON PEDRO BIDOU HERBERT.

The plaintiff, a cooper and resident of this City, instituted these proceedings against the succession of Don Pedro Bidou Herbert, to recover certain tools of his ownership that he left while he was working in the plantation of said Herbert, alleging that due to illness he was forced to come to this City, for medical treatment, and that during his absent said Herbert died, without petitioner having time to gather his tools, and that said tools were included in the inventory of the properties of said Herbert. Wherefore, petitioner begs the Court to order the heirs of said succession to deliver to petitioner his tools which are listed in the document presented.

On March 12, 1789, the Court ordered the Court Clerk to forward a copy of the plaintiff's petition to the defendants.

Then Don Pedro Sauvre, testamentary executor of the succession of Bidou, answered the plaintiff's petition alleging that the plaintiff should have in his possession a note signed by the deceased Bidou, to prove he left the tools claimed in the plantation. Wherefore, petitioner begs the Court to order the plaintiff, to present said note to Court, and in failure thereof, to disregard his petition.

The record shows that on May 25, 1789, the Court ordered the Court Clerk, to for-

(cont'd)

(Doc. #2049)
cont'd.

ward a copy of the answer of the testamentary executor, to the plaintiff, who presented as evidence of his claim a note signed by the son of said deceased Bidou, who certified that the tools claimed were of the plaintiff's ownership.

Then the Court in view of the consent given by the interested parties, ordered the testamentary executor, to deliver to plaintiff, all the tools that are listed on the note presented.

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record shows that after a long litigation the defendant appeared before the Court and denied that he owes the plaintiff the sum claimed of 3,245 francs, but that he owes a balance of 1,225 francs, as he has already paid on account of said debt the sum of 2,020 francs, and that he is ready to pay said sum of 1,225 francs. Then the Court Clerk, petitioned the court to close the case as the plaintiff and the defendant had compromised, and to condemn the defendant to pay the costs of these proceedings.

On April 25, the Court ordered Don Louis Liotou, judicial appraiser, to estimate the costs of these proceedings which amounted to 25 francs and 1 real.

File #2246.)	
March 12, 1789.)	
P. 1 to 29.	)	CASE OF
Judge: Don E.	)	DON JUAN HENRIQUE LASTRAPE
Miro.	)	VERSUS
CC: P. Pedesclaux.	)	DON FRANCISCO DUPLESSIS.
Spanish.)	

The plaintiff, a merchant of this City, brought this action against the defendant to recover the past due sum of 4,345 pesos in the new Mexican currency, alleging that since the fire which occurred last year in this City, the defendant went to reside in Opelousas, without paying said sum, as evidenced by the document presented. Wherefore, petitioner begs the Court to issue a warrant to the Commandant instructing said commander to demand the defendant to pay the sum claimed, and in default thereof to seize the 14 negro slaves, who were mortgaged in petitioner's favor, and to sell them at public auction, but that in the event the proceeds of the sale of said slave would not be sufficient to cover the sum claimed, to then seize more properties to satisfy the sum claimed.

On March 12, 1789, the court ordered as petitioned by the plaintiff.

The record shows that after a long litigation the defendant appeared before the Court and denied that he owes the plaintiff the sum claimed of 4,345 pesos, but that he owes a balance of 1232 pesos, as he has already paid on account of said debt the sum of 3113 pesos, and that he is ready to pay said sum of 1252 pesos. Then the Court Clerk, petitioned the court to close the case as the plaintiff and the defendant had compromised, and to condemn the defendant to pay the costs of these proceedings.

On April 22, the Court ordered Don Luis Liotau, judicial appraiser, to estimate the costs of these proceedings which amounted to 26 pesos and 1 real.

File #2356)
March 12, 1789.)
Judge: Estevan)
Miro.)
CC: P. Pedesclaux.)
P. 1 to 65.)
Spanish and French.)

CASE OF
RICARD DE RIEUTORD
VERSUS

THE SUCCESSION OF LUIS PATTUS.

The plaintiff, a resident of Pointe Coupée, as tutor of the minors Bordelon instituted proceedings against the defendants to recover the sum of three hundred seventy three pesos and five reales contending that the defendants are indebted to said minors in the above mentioned sum as evidenced by the document duly presented.

The petitioner begged the Court to order Noel Soilleau Commandant, of the Post of the Avoyelles where Luis Pattus died, as trustee of his estate to pay him said sum plus interest and costs of these proceedings from the funds of the succession of said deceased.

The record shows that the Court ordered as petitioned and that said Noel Soilleau paid the plaintiff his claim from the funds of the succession.

The record also shows that said Noel Soilleau presented an itemized statement of the property left by the deceased Luis Pattus, that said properties were sold and that the net proceeds of the sale after deducting certain claims presented against the succession of said deceased, amounted to the sum of six hundred fifty six pesos and four reales which by order of the Court were delivered to Santiago Vicente, attorney for the absent heirs of said deceased, who were residing in France.

File #2298.) PROCEEDINGS INSTITUTED BY JOSEF
March 14, 1789.) OCON, FOR THE PURPOSE OF ADJUST-
Judge: Estevan) ING CERTAIN ACCOUNTS PERTAINING
Miro.) TO THE SUCCESSION OF FRANCISCO
CC: P. Pedesclaux.) CASTRO.
P. 1 to 4.)
Spanish.)

Josef Ocon, a resident of this City and one of the heirs of the deceased Francisco Castro, instituted this action, stating that in order to settle the succession of said deceased it is necessary that the accounts pertaining to said succession be examined; wherefore, he begs the Court to order Christoval Bradia also an heir of said deceased to appoint an arbitrator on his part to adjust said accounts, petitioner having appointed on his part Juan Labatu, as arbitrator.

The record shows that Cristobal Badia, appointed Antonio Argote as his arbitrator to adjust the accounts of the succession of said deceased, and that Gilberto Leonard, Testamentary Executor of said deceased, was ordered to deliver to the appointed arbitrators all the documents pertaining to said succession to be examined.

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

#24
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File #2263.)	CASE OF
March 18, 1789.)	PEDRO LACOUR
Judge: Josef)	VERSUS
Ortega.)	THE SUCCESSION OF PHELIPPE CHESNE.
CC: P. Pedesclaux.)	
P. 1 to 3.)	
Spanish and French.)	

The plaintiff, a resident of this City, through his Attorney, brought this action against the defendants to recover the sum of three hundred pesos, alleging that as evidenced by the promissory note duly presented the defendants are indebted to him in said sum; wherefore he begged the Court to order the widow of the deceased Felipe Chesne to acknowledge the signature affixed on said promissory note presented and after this is done to order the testamentary executor to pay said claim.

The record shows that the Court ordered as petitioned by the plaintiff and that Eulalia St. Amand widow of said deceased substantiated the plaintiff's allegations.

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

File #2000.)
March 18, 1789.)
P. 1 to 18.)
Judge: Don Josef)
Ortega.)
CC: P. Pedesclaux.)
Spanish.)
_____)

DOCUMENT NO. 2054.
BOX 53.

CASE OF
DON PEDRO LACOUR
VERSUS
ARNOLDO MAGNON.

The plaintiff, a resident of this City, through his attorney petitioned the Court alleging that the defendant owed him the past due sum of 385 pesos, of which sum the defendant had only paid 50 pesos on account, as evidenced by the promissory note presented, and although on several occasions he had requested him to pay the balance of said account the defendant failed to do so. Wherefore, the petitioner begged the Court to order the defendant to acknowledge his signature on said note, and declare under oath whether it is true that he owed said sum.

The defendant appeared before the Court and denied that he owed to the plaintiff the full sum of 385 pesos because he had already paid 150 pesos on account of said sum, as evidenced by the receipts, duly presented.

The Court after having examined the documents ordered to issue a writ of execution against the property of the defendant, sufficient to cover the balance of the sum claimed, (235 pesos) plus 10% interest and the costs of these proceedings until final payment.

The record further shows that the plaintiff, informed the Court that the defendant paid him the balance of said sum; therefore, he begs that the defendant be condemned to pay the costs of these proceedings, which amounted to 17 pesos and 4 reales.

This petition was granted.

#23
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File #227.)
 March 18, 1789.)
 P. 1 to 4.)
 Judge: Don E.)
 Miro.)
 CC: P. Pedesclaux.)
 Spanish.)

CASE OF
 DON CRISTOBAL DE ARMAS
 VERSUS
 DON BERNADO BERNODY.

The plaintiff, a resident and merchant of this City, petitioned the Court alleging that the defendant also a resident of this City, owes him the past due sum of 97 pesos and 7 maravedies as evidenced by the account presented; which sum the defendant promised to pay in full on December of last year of 1787, and although petitioner has tried to collect said sum on several occasions the defendant failed to pay. Wherefore, petitioner begs the Court to order the defendant to acknowledge whether the signature on said note is his, and declare whether it is true that he owes said sum, and in default of payment to seize some of his properties sufficient to cover the sum claimed, plus the costs of these proceedings.

On March 18, 1789, the Court granted the plaintiff's petition, and ordered Don Felipe Rabine, Chief Constable of the City, to compel the defendant to appear before the Court Clerk, to render his declaration as petitioned.

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

File #2021.)
 March 18, 1789.)
 Judge: Estevan)
 Miro.)
 CC: R. Pedesclaux.)
 PP. 1 to 2.)
 Spanish and French.)

CASE OF
 CRISTOVAL DE ARMAS
 VERSUS
 FRANCISCO DORRIOCOURT.

The plaintiff, a resident and merchant of this City, instituted proceedings against the defendant to recover the sum of 330 pesos.

The defendant issued a promissory note for the above mentioned sum in favor of Luis Declonete who endorsed it to the plaintiff. The defendant refused to pay said sum on demand.

Wherefore petitioner begged the Court to summon the defendant, who then resided 5 leagues from this city, so that he would acknowledge his signature affixed on said promissory note and also declare whether he owed the sum claimed, and if so to compel him to pay his debt within the time prescribed by the law. Should he be unable or unwilling to pay, let enough of his property be seized to cover the sum claimed.

The Court granted the plaintiff's petition, and as the defendant could not be found at his home the summons was handed to his wife so that she would deliver it to the defendant.

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

#24
 #10

File #115.	)	CASE OF
March 18, 1789.)	)	ANDRES BERNARD
Judge: Estevan	)	VERSUS
Miro.	)	NICOLAS VERBOIS AND LORENZO SIGUE.
CC: R. Perdomo.))	
P. 1 to 3.)	
Spanish.)	
)	

The plaintiff, a resident and merchant of this City, through his Attorney instituted proceedings against the defendants to recover the sum of four thousand one hundred fifty pesos for the value of 13 slaves.

Petitioner begs the Court to order Nicolas Verbois, one of the defendants, who at the present time is in the City, to acknowledge his signature affixed on the promissory note which the plaintiff presented to evidence his claim and to declare under oath whether he and the other defendant binded themselves to pay the sum mentioned on said promissory note.

Nicolas Verbois acknowledged his signature affixed on the promissory note presented but declared that he is indebted to the plaintiff just half of the sum as stipulated on the promissory note.

The record shows that the plaintiff and said Nicolas Verbois compromised.

#24

#10

CASE OF
MARIA RAMOS VERSUS

File #2332)
March 20, 1789.) ANDREZ GONZALES DE LA GALEA Y VILL-
P. 1 to 9.) AMIL.
Judge: Don Andres)
Almonaster y Roxas)
CC: P. Pedesclaux.)
Spanish.)

The plaintiff, a resident of the Post of Terre aux boeufs, instituted this proceedings alleging that she exchanged her horse for another horse belonging to the defendant as it is evidenced by the contract presented, and certified by the Commandant of said post. The plaintiff, further alleges that after the defendant had the horse a long time in his possession, subjecting it to very hard work and ill treatment, presented a false claim to said commandant, and came to retrieve his horse from her, but he returned her former horse in an almost useless condition. Therefore the petitioner begged the Court to order the defendant to fulfill his contract and return his original horse.

The defendant appeared in Court with three witnesses who declared that the plaintiff misrepresented her horse in the transaction and repitioned to disregard the plaintiff's claim and condemn her to pay the costs of these proceedings.

The plaintiff contended that the defendant presented false witnesses and petitioned the court to order him to bring the original witnesses who signed at the foot of said mentioned contract.

The record is incomplete.

File #2059.	)	CASE OF
March 23, 1789.	)	MARIA FITZGERALD
Judge: Estevan,	)	VERSUS
Miro.	)	THE SUCCESSION OF FRANCISCO DE
CC: P. Pedesclaux.	)	CASTRO.
P. 1 to 3.)	
Spanish.)	

The plaintiff, a resident of this City, instituted proceedings against the defendants to recover the sum of 21 pesos, contending that as evidenced by the account duly presented the defendants owed him the above mentioned sum.

Wherefore petitioner prayed the Court to order the Testamentary executor of said succession to pay him his claim from the proceeds of the sale of the property left by the deceased Francisco Castro.

The Court ordered to forward a copy of the plaintiff's petition to the Testamentary Executor.

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

#24

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The Court in view of the Attorney's approval granted the plaintiff's petition.

#24

#10

File #2189.)
March 23, 1789.)
Judge: Estevan)
Miro.)
CC: P. Pedesclaux.)
P. 1 to 6.)
Spanish and French.)

CASE OF
DAVID HODGE
VERSUS
THE SUCCESSION OF JUAN JALINEAU.

The plaintiff, a resident and merchant of this City, through his attorney instituted proceedings against the defendants to recover the sum of 75 pesos contending that the deceased Juan Jalineau together with Tomas Durnford signed a promissory note in his favor for the sum of 150 pesos value of a negro slave, binding themselves in said note to pay when due 75 pesos each.

Said note having become due the petitioner begged the Court to order that his claim be paid from the proceeds of the sale of the property left by said deceased.

The Court ordered to forward a copy of the plaintiff's petition to the Attorney for the heirs of said Juan Jalineau who approved the plaintiff's claim.

The Court in view of the Attorney's approval granted the plaintiff's petition.

#24
#10

File #2198.
March 23, 1789.
Judge: Josef de
Ortega.
CC: P. Pedesclaux.
P. 1 to 6.
Spanish and French.

CASE OF
JUAN BAUTISTA (FREE NEGRO)
VERSUS
THE SUCCESSION OF FELIPE CHESNE.

The plaintiff, a resident of this City, instituted proceedings against the defendants to recover the sum of 60 pesos alleging that as evidenced by the promissory note presented the defendants are indebted to him in the above mentioned sum for personal services rendered to the deceased Felipe Chesne.

Wherefore the petitioner begged the Court to order the widow of the deceased to acknowledge the signature of her husband affixed on the note presented, also to order that from the proceeds of the sale of the property left by the deceased, he be paid said sum.

The Court granted the plaintiff's petition and Eulalia St. Amand, widow of the deceased substantiated the plaintiff's allegations.

The record is incomplete.

#24
#10

File #2334
March 23, 1789.
Judge: Joseph
de Ortega.
CC: P. Pedesclaux.
P. 1 to 217.
Spanish.

SUCCESSION OF ENRIQUE ROCHE.

Enrique Roche died leaving a last will and testament instituting his son Enrique and his daughters Enrieta and Elizabeth Roche as his legitimate heirs; he also appointed Amaldo Magnon, husband of his daughter Enrieta as his testamentary executor and trustee of his estate to be equally divided among them.

On petition of the heirs and in order to make the partition of the estate, an inventory and appraisal of it was made, which were approved by the Court and by the heirs.

The property of said estate was sold at public auction and one parcel of land belonging to it was adjudicated to Francisco Mayronne for the sum of one thousand pesos but the heirs protested the sale of said land on the grounds of the law of retrieval which gave the relatives of the deceased the preference on whatever purchase they wished to make of the state's property.

After a long litigation among the heirs regarding who was going to obtain the land in question, it was decided by the Court to auction it again and it was awarded to Pedro Aubry, husband of Elizabeth Roche, for the sum of one thousand three hundred pesos.

Complying with the petition of the heirs Arnaldo Magon, as testamentary executor presented an itemized statement of the accounts of the es-
(cont'd)

(Doc. #2062)

cont'd.

tate but it was protested by Pedro Aubry, contending that certain entries in said statement were not properly made. The entries were corrected by Aubry who presented sufficient evidence to substantiate his contentions and the accounts were approved by the Court and by the heirs.

The net estate of the deceased amounted to 5,345 pesos and 2 reales which was equally divided.

#24

#10

File #2290.)
 March 23, 1789.)
 Judge: Josef)
 de Ortega.)
 CC: P. Pedesclaux.)
 P. 1 to 3.)
 Spanish.)

CASE OF
 JUAN BTA. MACARTY
 VERSUS
 JUAN GIRAULT.

The plaintiff, a resident and merchant of this City, instituted proceedings against the defendant to recover the sum of 500 pesos alleging that the defendant while working for the plaintiff as book-keeper and cashier made an entry in which it appears that 500 pesos had been received by Luis Macarty, brother of said plaintiff, although said Macarty denies any knowledge of having received said sum.

The petitioner begs the Court to order the defendant to explain what use he made of said sum and should he be unable to give any satisfactory explanation to compel him to reimburse the 500 pesos.

The defendant denies the plaintiff's allegations contending that although the entry was made by him in his own hand-writing there are the following considerations:

1. That probable said payment was made to Luis Macarty or his wife by him or Mr. Petit, who was also employed by the plaintiff.

2. That before leaving his employment he presented his accounts and books in good order and they were approved by the defendant.

3. That probably the receipt of the 500 pesos was lost in a fire.

#24
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Wherefore petitioner begs the Court to dismiss the case and to compel the plaintiff to pay the costs of these proceedings.

CASE OF
SANTIAGO FELIPE GUINAULT
VERSUS
DON LUIS CARNU.

File #2179.)
March 24, 1789.)
P. 1 to 10.)
Judge: Don Joseph)
de Ortega.)
CC: P. Pedesclaux.)
Spanish.)

The plaintiff, instituted proceedings, alleging that as evidenced by the promissory note presented, the defendant is indebted to petitioner for the past due sum of 1681 pesos and 2 reales. Wherefore, petitioner begs the Court to order the Court Clerk to compare the signature on said note presented, with the signatures that he has in his files and to deliver said signatures to petitioner so he may promote whatever action may be convenient to him, according to law.

The petition was granted and the signature on said promissory note was found genuine.

The record further shows that after a long litigation the plaintiff, and the defendant compromised, and agreed to pay the costs of this proceeding by equal part which amounted to 12 pesos and 3 reales.

CASE OF

File #1855.	)	DON DAVID HODGE, DON DAVID ROFS,
March 24, 1789.	)	DON JORGE PROFFIT, DON SANTIAGO
P. 1 to 6.	)	MATHER, AND DON ARTURO STROTHER,
Judge: Don E.	)	TESTAMENTARY EXECUTORS OF HENRIQUE
Miro.	)	ALEXANDER
CC: P. Pedesclaux.)	)	VERSUS
Spanish.	)	DON ROBERTO JONS.
_____)		

The plaintiffs, testamentary executors of the succession of the deceased Don Henrique Alexander, instituted proceedings alleging that as evidenced by the account duly presented, the defendant is indebted to the succession of said deceased Alexander, in the past due sum of 587 pesos 1 1/2 reales balance due on a certain wooden barge that the defendant bought from said deceased. Wherefore, petitioner begs the Court to compel the defendant to satisfy the sum claimed.

On March 24, 1789, the Court granted the petition requested, and the defendant appeared before the Court, and acknowledged the plaintiff's claim.

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

#23
#10

File #2347	)	PROCEEDINGS INSTITUTED BY
March 26, 1789	)	ROBERTO SCARS, FOR THE PUR-
P. 1 to 11	)	POSE OF OBTAINING A PERMIT
Judge: Don D.	)	TO SELL A CERTAIN PARCEL OF
Miro.	)	LAND.
CC: P. Pedesclaux.)	
Spanish.)	

Robert Scars, a resident of this City, held a private power of attorney from Don Guillermo Smith, which document was given for the purpose of closing the sale of a certain parcel of land to Don Nicolas de Verbon, as said power of attorney was not drawn before a Public Notary, and his principal was absent at the time, Robert Scars, was unable to close the sale. Therefore, he petitioned the Court to summons the witnesses who signed at the foot of said power of attorney to acknowledge their signatures and that of said Smith.

The power of attorney was written in French and the Court ordered to be translated into Spanish and the witnesses testified to the genuineness of their signatures and that of said Smith. The Court granted the petition and ordered the petitioner to pay for the costs of these proceedings.

#23

#10

File #2218.)
March 26, 1789.)
Judge: Estevan)
Miro.)
CC: P. Pedesclaux.)
P. 1 to 15)
Spanish and French.)

DOCUMENT NO. 2067.
BOX 53.

CASE OF
MARIE JANNE LAPIERRE, WIDOW OF
LUIS ANDRY
VERSUS
SUCCESSION OF PEDRO BIDOU HERBERT.

The plaintiff, a resident of New Orleans, brought action against the defendant to recover the sum of 2,760 pesos covering four past due promissory notes signed by the deceased Pedro Bidou Herbert. The plaintiff alleged that she loaned said sum to the deceased without interest and only with the purpose of rendering him a service, and in order to prove the legitimacy of her claim, she petitioned the Court to order Pedro Sauve, testamentary executor of the deceased, and Thomas Birot, his clerk, to appear and under oath declare whether the signatures affixed to the promissory notes presented belong to the deceased and whether the sum claimed is still due her.

The Court summoned the testamentary executor and the clerk of the deceased. The first recognized the signatures appearing on the promissory notes, as those of the deceased, but denied knowledge as to whether the sum claimed was still due the plaintiff. The second also held as authentic the said signatures, declaring however that he knew the promissory note appearing on page four of the records was still due the plaintiff, but did not know anything about the others.

However, following the above declarations, the plaintiff petitioned the Court to order the testamentary executor to pay her the sum claimed on the ground that the recognition of the deceased's signatures as authentic along with the admission that one of the promissory notes was still due her, was sufficient proof of the legitimacy of her claim.

(cont'd)

The court then notified the testamentary executor, and Antonio Mendez, attorney for the widow of the deceased, and Santiago Felipe Guinault, curator ad litem of the minor children of said deceased, of the plaintiff's petition, all of whom readily agreed to the payment of her claim, in full, in consideration of which the Court ordered said payment to be made in proportion with the other claims against the succession.

The costs of the proceedings amounted to 16 pesos and five reales.

#22
#10

File #2023	)	PROCEEDINGS INSTITUTED BY JUAN
March 26, 1789.	)	ARNOUL TO BE ADMITTED INFORMATION
Judge: Estevan	)	PROVING THAT MARIANA DELILLE, OF
Miro.	)	WHOM HE IS CURATOR AD BONA, IS THE
CC: P. Pedesclaux.)	)	OWNER OF A CERTAIN PARCEL OF LAND,
P. 1 to 10.	)	IN ORDER TO SELL IT.
Spanish.)	

Juan Arnoul, permanent alderman and receiver of fines, as tutor ad bona of the minor Mariana Delille, petitioned the Court to receive information from three witnesses in order to prove that said minor was the legitimate owner of a certain parcel of land situated on Royal Street which she inherited from her grandmother Miguela Michael, widow of Pedro Dupart, and which petitioner wished to sell because he alleged it was of no use to said minor but on the contrary the sale would report her great benefit. Wherefore the petitioner begged the Court to authorize him to sell said parcel of land once it had been established that the minor he represented was the legitimate owner.

The ownership of said parcel of land by the said minor was fully established, in consideration of which the Court granted the petitioner the authorization he solicited and said land was sold by public auction to the highest bidder, Joseph Montegut, for the sum of 520 pesos.

#22

#19

File #2104.)
March 26, 1789.)
Judge: Estevan)
Miro.)
CC: P. Pedesclaux.)
P. 1 to 203.)
Spanish and French.)

CASE OF
SANTIAGO DEMOUSSEAUX
vs
SUCCESSION OF PEDRO BIDOU HERBERT.

The plaintiff, a resident of New Orleans, brought action against the defendant to recover the sum of 375 pesos for bread and biscuits furnished the deceased Pedro Bidou Herbert, during a certain length of time for consumption in his house and on his boats. The plaintiff presented as evidence of his claim numerous promissory notes signed by said deceased, wherefore he begged the Court to order that he be paid said sum from the funds of the succession, in preference to any other creditor.

The Court notified Pedro Sauve, testamentary executor of the deceased, of the plaintiff's petition, and he readily agreed to the payment solicited, in consideration of which the Court ordered said payment, the testamentary executor complying therewith.

The costs of the proceedings amounted to seventeen pesos and six reales, to be paid by the defendant.

#22
#10

File #2019	)	PROCEEDINGS INSTITUTED BY
March 26, 1789.	)	MATHIAS DE ALPUENTE, AS AGENT
Judge: Estevan	)	OF RODULFO JOSEF DUCROS, PER-
Miro.	)	MANENT ALDERMAN AND GENERAL
CC: P. Pedesclaux.	)	RECEIVER, TO HAVE ALL PROPER-
P. 1 to 4.	)	TIES SEIZED IN LAW-SUITS PLACED
Spanish.	)	IN HIS CUSTODY.

Mathias de Alpuente petitioned the Court alleging that as evidenced by the power-of-attorney he presents he is the agent of Rodulfo Josef Ducros, permanent alderman and general receiver of New Orleans, to represent him in all his business, transactions and duties of alderman and general receiver, wherefore he begged the Court to order Francisco Pascalis de la Barre, permanent alderman and chief constable of New Orleans, and all the attorneys of the city to place in his custody all the movable and immovable properties and effects seized as the result of law-suits.

The Court, after having studied the records of the case, granted the above petition.

#22
#10

File #2223)	
March 27, 1789.)	
P. 1 to 3.)	
Judge: Don E.)	
Miro.)	
CC: P. Pedesclaux.)	
Spanish.)	
<hr/>		
	)	CASE OF
	)	ANGELICA LEPINE
	)	VERSUS
	)	DON THOMAS POREE, TESTAMENTARY
	)	EXECUTOR OF THE ESTATE OF MADAME
	)	LINGLOT.

Miss Angelica Lepine, a resident of this City, as heiress of one sixth of the estate of the deceased Madame Linglot, instituted proceedings to collect the amount of six months rent of a certain house of said estate, totalling 258 pesos which correspond to the petitioner by verbal decree of the Court, because petitioner had not entered in possession of her entire share in said succession she begs the Court to order Don Thomas Poree, testamentary executor of said estate to pay her the sum she claims.

Don Thomas Poree acknowledged the plaintiff's claim and recommended that it be paid.

The Court decreed payment and ordered the estate to pay the costs of these proceedings.

#23
#10

File #2226
March 27, 1789.
Judge: Don E.
Miro.
CC: P. Pedesclaux.
Spanish.

CASE OF
DON LUIS LAMBERT
VERSUS
DON THOMAS POREE.

Don Luis Lambert, a resident of this city instituted proceedings against the succession of Catalina Linglot, alleging that the deceased Linglot owes to the plaintiff's mother several sums of money amounting to 64 pesos as evidenced by the promissory notes duly presented. Wherefore, he begs the court to order Don Thomas Poree, testamentary executor of said succession to satisfy the sum claimed from the proceeds of the sale of the property of said succession.

The petition was granted

On March 30, 1789, Don Thomas Poree, acknowledged the signatures on the promissory notes presented, and approved the plaintiff's claim. Then the Court in consideration to the validity of the plaintiff's claim ordered said Poree, to pay the sum claimed of 64 pesos.

#23
#10

File #2022.)
March 28, 1789.)
Judge: Estevan)
Miro.)
CC: P. Pedesclaux.)
P. 1 to 9.)
Spanish and French.)

CASE OF
NARCISO ALVA
VERSUS
NICOLAS DE VERBOIS.

The plaintiff, a merchant of New Orleans, instituted these proceedings to collect from the defendant who was Commandant of the District of Iberville, the sum of 125 pesos, value of a certain organ he sold to the defendant for the Saint Bernard Church of said District. The plaintiff presented to the Court as evidence of his claim a past due promissory note for said sum signed by the defendant, and petitioned the Court to order him to satisfy said sum immediately inasmuch as petitioner was to leave for Europe and needed said sum for his trip.

the
The defendant acknowledged as his/signature affixed to the promissory note presented but declared that it was the Church of St. Bernard and not he the debtor of the sum claimed, and that this fact was set forth in said note which he alleged to have signed only as Commandant of the said District.

The plaintiff then petitioned the Court to issue a writ of execution against all the properties of the defendant on the grounds that in said note the defendant himself promised to pay for the sum claimed which he stated he would charge to the Church without the plaintiff having any direct dealing in the matter with the Church.

(cont'd)

(Doc. #2073)
cont'd.

The court upheld the plaintiff's contention and issued the writ of execution as petitioned, which it was not necessary to carry into effect because when requested by the Lieutenant Chief Constable to pay the sum claimed the defendant complied.

The costs of these proceedings amounted to nine pesos and two reales which the court ordered the defendant to pay.

#22
#10

File #276
 March 28, 1789.
 Judge: Don Josef
 Ortega.
 CC: R. Perdomo.
 Spanish.

CASE OF
 CARLOS CARELLE, TESTAMENTARY
 EXECUTOR OF THE SUCCESSION OF
 PETRONA DOVAL
 VERSUS
 DON AGUSTIN MACARTY.

Don Carlos Carelle, testamentary executor of the succession of his deceased wife, as evidenced by the power of attorney presented, brought action against the defendant to recover the past due sum of 192 pesos, alleging that although he had requested said sum in several occasions the defendant refused to pay. Wherefore petitioner begs the Court to compel him to pay the sum claimed, plus the costs of these proceedings.

On May 11, 1789, the petition was granted.

As the defendant failed to pay, the plaintiff further petitioned the Court to issue a writ of execution against his property sufficient to cover the sum plus the interest and the costs of these proceedings.

The petitioner again begged the Court to carry out the above execution as it failed to decree as petitioned.

The record is incomplete.

#23
 #10

File #2345)
 March 30, 1789.)
 P. 1 to 52.)
 Judge: Don Josef)
 de Ortega.)
 CC: P. Pedesclaux.)
 Spanish.)

CASE OF
 VALENTIN SAULET
 VERSUS
 MAGDALENA (FREE NEGRESS)

Don Santiago Felipe Guinault, as attorney of Don Valentin Saulet, presented to Court a letter wherein his principal freed two small mulattos named Estevan, and Felipe, under the conditions that Mr. Saulet would reserve the right of their services until his death, and that the defendant, (a free negress) mother of said slaves, after one of said slaves, died, took possession of the other ^{named} Estevan, and refused to return him. Wherefore, petitioner begged the Court to order the defendant to return said slave, and condemn her to pay for the costs of the proceedings.

On March 30, 1789, the court ordered the defendant to return immediately the slave in question, and to explain the reason why she kept him in her possession, and to present the letter of freedom in favor of her son.

The defendant presented to Court said letter of freedom issued by the plaintiff, and declared that the plaintiff never took any interest in the maintenance and good health of said slave. Wherefore, she begs the court to disregard his claim, and condemn him to pay for the cost of the proceedings.

(cont'd)

(Doc. No. 2075)

Box 53.

The plaintiff, presented in court several witnesses to prove that he was the legal owner of said slave; he also presented various doctor bills that he had paid for medical services rendered to said slave, during his illness, finally, contended the defendant was not in financial conditions to support said slave, therefore, he petitioned the court to compel the defendant to return her son to him.

The Court after having examined all the records, rendered judgment against the defendant, and condemned both parties to pay for the costs of the proceedings which amounted to 13 pesos and 5 reales.

#23

#10

File #2282.) PROCEEDINGS INSTITUTED BY AGUS-
March 30, 1789.) TIN MALLET, (FREE NEGRO) AS A-
Judge: Don Josef) GENT FOR JUAN HRA. MASSY FOR
de Ortega.) THE PURPOSE OF OBTAINING AUTHOR-
CC: P. Pedesclaux.) IZATION TO SELL A CERTAIN NEGRO
P. 1 to 6.) SLAVE.
Spanish.)
_____)

Agustin Mallet, (free mulatto) was given a private power of attorney by Juan Bautista Massy, to act as agent for him in the sale of a certain negro slave named Bautista, that his principal bought in the year of 1773, from Don Leonardo Mazange, as evidenced by the document presented, but as said power of attorney was not drawn before a public notary he was unable to sell said slave. Wherefore, he petitioned the Court to summon said Mazange, to acknowledge his signature affixed on said contract.

Don Leonardo Mazange, in compliance with the preceding decree, acknowledged his signature affixed at the foot of said private bill of sale and stated: That it is true he sold said slave to Juan Bautista Massy.

The record is incomplete.

#23

#10