

- Deruisseaux, tutor of the minor children of Jos. Milon
vs Le Bretton 6-1
- Estate of Langlois heirs, decree homologating family
meeting 6-3
- Auction Sale of property of the Langlois heirs 6-10
- Case of Ponhenet, a soldier accused of having seriously
wounded one negro & 2 negresses with his bayonet 6-12, 1
6-19, 20, 21, 6-26, 28
- Succession of Francois Brunet 6-23
- Catherine Lejeune, widow of Saller, & wife of Bernard
Louis Potin, vs Chas. Le Roy, Capt of " Le Postillon"
6-23
- Succession of Jos. Millon 6-25
- Estate of Langlois heirs Final Decree 6-28
- Sr. Maret, Capt of Infantry petitions the S.C ~~ax~~ for a
permit to sell a plantation on the left bank of the
river, 2 leagues below the city, & a house & kitchen
located in the city 6-30
- Benoist de Ste. Claire, Knight of St. Louis, Capt. of
Troops maintained in this Colony, vs Michel Fortier
Guardian of the minor children of the Widow Gervais. 6-30
- Succession of Mme Gervais answer of Benoist de Ste.
Claire 7-1
- Succession of Sr. Cariton official report of family
meeting petition for homologation 7-1
- Succession of Chauvin Delery. Executive session of the
S.C Decree 7-1
- Succession of Antoine Rivarde. Petition for family
meeting 7-1

Succession of Jacques Lorrain. Petition for recovery
7-1,11

Court Martial of Jean Ducoutray, surnamed Poulaille,
soldier belonging to the Company of Desmazellieres 7-15

Succession of Le Kintrek 7-2

Marie Catherine Vinconneau, wife of J.B. Baudreau
surnamed Graveline, vs J.B. Baudreau, surnamed Graveline
7-28

Nicolas de l'Isle vs Andre Jung 7-31

Gabriel Fuselier de la Claire vs Colmart 8-16

YEAR 17522 1/2 PP.JUNE 1

IN RE: MR. DERUISSEAU, TUTOR
 OF THE MINOR CHILDREN OF
 THE LATE JOSEPH MILON,
 VS
 MR. LE BRETTON.

Petition

By Decree of September 4, 1751, of the Superior Council, trial of this suit was ordered held before Messrs. de Veaudreuil, Marquis, Post Captain and Governor of Louisiana, and Michel de la Rouvillere, Commissioner of the Navy, Ordainer and Chief Justice of the Superior Council. In this petition, Mr. Deruisseaux represents that he is the tutor of the minor children of the late Joseph Milon and of Marie Françoise Gerardy, which lady is now his wife; petitioner also represents that he was compelled to go to Illinois where he took his wife and the said Milon minors and that before leaving here, by Act under private signature, dated February 14, 1745, he sold to Mr. Le Bretton an unfinished house together with some lumber and building materials. He represents that it was expressly stipulated in said Act that Mr. Le Bretton was to enjoy the use of the ground on which the house stood. Petitioner further represents that it was also expressly stipulated and agreed that said Le Bretton was to enjoy the use of said ground which he was to keep up as a "good father of family" and that upon demand, he was to turn said ground back to petitioner, tutor of the said Milon minors. Petitioner finally represents that upon his return from Illinois, he finds that said ground is in the hands of Mr. Membrede, to whom it was delivered by Mr. Broutin, Engineer of the King, who had taken it over because of the failure of Mr. Le Bretton to maintain said ground, as he had contracted with petitioner to do. Where-

(cont'd)

fore, petitioner prays for citation of Mr. Le Bretton that he appear and be ordered to deliver to petitioner, in his aforementioned capacity, the ground in question, reserving to him his right of recourse against Mr. de Membrede.

(Signed) F. Deruisseaux

June 1, 1752

ORDER

The Governor and Commissioner, undersigned, order the foregoing petition and the papers relating to this case submitted to the Attorney General for a written opinion, which is to be served on the parties hereto, and the whole matter is then to be submitted to undersigned, within fifteen days, for decision.

(Signed)

Vaudreuil

Michel

Not printed in Louisiana Historical Quarterly.

YEAR 1752
2 pages

June 8

IN RE: ESTATE OF LANGLOIS
HEIRS. DECREE HOMOLOGATING
FAMILY MEETING.

After duly considering the petition of Michel Fortié, acting in his respective capacities for the Langlois heirs whose estates consists of $3/4$ of a lot of ground on St. Peter Street, together with a house, five unfenced lots on the back of the City, of a plantation measuring 4 acres front by ordinary depth, situated four leagues up the river from New Orleans on the opposite bank and of some vacant land in Illinois, which petition prays for order allowing the sale of said property, alleging that due to lack of funds to maintain said property it is a loss to the heirs, 3 of whom are minors; and, the Council having considered the order rendered for a Family Meeting to be held to deliberate upon the advisability of the sale prayed for, together with said deliberations, as well as the opinion rendered thereon by the Attorney General, the Council now renders a decree homologating the recommendations made at said family meeting and orders them executed and, further orders that all of the formalities required by law be observed. It also orders that the sales take place before Mr. Raguot, Commissioner and before the Attorney General.

Rendered at the Council Chamber.

(Signed) By the Council
Henry,
Clerk.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

4 pages

JUNE 3IN RE: ESTATE OF LANGLOIS
HEIRS.First and Second Advertisement
of Judicial Sale

Pursuant to Order rendered by the Superior Council on June 3, 1752, on petition of Michel Fortier in his capacity as guardian, undersigned Sheriff advertised the judicial sale of the below described property, setting forth that said sale is to be held on June 10th and 17th, 1752, respectively, in open court in presence of the Attorney General and of Mr. Raguet, Commissioner previously appointed in this matter, for cash, payable eight months from date of adjudication; together with all costs, adjudicates to furnish good and solvent security for the payment of the price of said adjudication. Said advertisements were published on June 4th and 11th, respectively, and were the 1st and second advertisements of said sales and they were read to the Parishioners at the principal door of the Parish Church where copies were then posted, and other copies were posted on the door of the Council and at the Registry, by undersigned.

Said property consists of $3/4$ of a lot of ground together with a house thereon, said lot being situated on St. Peter St., adjoining on one side property of Delaunay and on the other that of Frederic; also, of five unfenced lots on the back of town, opposite the cemetery; and of a plantation measuring four acres front by ordinary depth, situated on the oppo-

(cont'd)

site bank of the River, four leagues from the City and, on one side adjoins that of the Widow Piquery and on the other, that of Mr. Collet.

(Signed)

Le Normand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

1-1/2 Pages.

June 3PETITION

The succession of the late Etienne Langlois and Mrs. Catherine Beudelot, his wife, composed of an old house and 5 lots in the city, and a dilapidated plantation, a family Council decided it was to the best interest of the minor heirs to sell all real estate belonging to the Succession.

Michel Fortier, Curator for the minor heirs, petitions Mr. Michel de la Rouvillier, King's Councillor, Commissioner-General of the Navy, Director of the Province of Louisiana, First Judge at the Superior Council, to issue an order approving the decision of family Council, and ordering the sale of the said house and dependences, the 5 lots, the plantation, and also a piece of land situated at the Illinois, belonging to the said Succession.

(Signed) Fortie,

Garic, Attorney

Not printed in Louisiana Historical Quarterly.

YEAR 1752JUNE 5

SUCCESSION OF SR. BERNARD DIRON
d' ARTAGNETTE,
LIEUTENANT OF THE KING AT FRENCH
CAPE, KNIGHT OF THE ROYAL AND
MILITARY ORDER OF ST. LOUIS.

Certified Copy of
Agreement
executed by and between
Sr. Jean Milhet,
Agent and Attorney in fact of
Sr. Charles Lambert des Granges,
Knight of the Royal and
Military Order of St. Louis,
Ensign in the Royal
Navy, and Commandant
of Artillery at San Domingo,
husband of Dame Felicite Riviere,
formerly widow of Sr. Bernard
Diron D'Artagnette
and
Sr. Claude Joseph Milars Du Breuil, Senior,
Contractor of Buildings and
Fortifications of Louisiana.

- n. The parties take cognizance of a certain contract
executed by and between Pierre Aubin Moulin, agent
and attorney in fact of said Dubreuil, and Sr.
Andre Faby de La Bruyere, formerly agent and
attorney in fact of Sr. Lambert, by act before
Messts. Jourdain and his associate, Notaries at

(Cont'd)

the Chatelet of Paris, on July 16, 1749, and subsequent acts. Sr. Du Breuil ratifies the transaction and binds himself to pay to Sr. Millet in his said capacity various sums in piastres of five livres each or money current in France.

(Original signed) Dubreuil
Millet
Michel
Henry, Clerk.

(Copy and
Certificate signed) Garlic, Notary

YEAR 1752JULY 5thLETTER OF SIEUR LAMBERT DEGRANGES
FROM ST. MARC, HAITI TO SIEUR MILHET.

Received your letter of June 5th, last, also the detail account furnished by Mr. Henry. I have noticed all entries to settle my affairs with Mr. Dubreuil. I must call your attention to Mr. Dubreuil's ratification of the transaction just as it was passed in Paris, by Mr. Moulin and Roy. The balance of the sum of 7732 livres 10 sols is due me since July 15th, 17-- (burnt out) up to the day of ratification of the said note according to the spirit of the transaction, furthermore if he pays the interest voluntarily, I will ratify the same willingly.

The change made in the transaction in Paris, with the proceeds in the hands of Sieur Lalande requires my ratification, which I sent you for the same reason, and thank Mr. Michel for his pains in furnishing letters of exchange for the transaction which was passed by my orders for all sum that may come to me, and advise me if the letters of exchange of Mr. Michel cannot be paid by him, also to have Mr. De Lalande paid. I assure you of my sincere appreciation for your assistance.

(Signed) Lambert Degranges

As I am convinced that Mr. Michel is having letters of exchange furnished, I hope you will take some for the funds that Mr. Henry remitted to you, for what he has coming to me from the proceeds of the transaction for what is owing by Mr. Le Breton, and that you will send them to me as soon as possible.

(Signed) Lambert Desgranges

Not entered in Louisiana Historical Quarterly.

3 pp

62/17

YEAR 1753FEBRUARY 15

SUCCESSION OF SR. BERNARD DIRON
d'Artagnette,
LIEUTENANT OF THE KING AT FRENCH
CAPE, KNIGHT OF THE ROYAL AND
MILITARY ORDER OF ST. LOUIS.

Letter of
Lambert des Granges
written at St. Marc
to
Sr. Milhet.

The writer acknowledges receipt
of duplicate letter of September
30, 1752, and a second set of drafts
on the Royal Treasury of the Colony,
totaling 19,051 livres 12 sols 6 deniers

(Signed) Lambert des Granges

YEAR 1754FEBRUARY 29

SUCCESSION OF SR. BERNARD DIRON
d' ARTAGNETTE,
LIEUTENANT OF THE KING AT FRENCH
CAPE, KNIGHT OF THE ROYAL AND
MILITARY ORDER OF ST. LOUIS,

Duplicate
Letter of
Sr. Lambert des Granges
written at Lartibonitte
to
Sr. Milhet.

The writer acknowledges receipt of several
letters, and informs Sr. Milhet that he will
leave for France in May or June. He requests
that his letters be sent in care of Sr.
Rodrigue, merchant, at La Rochelle.

He offers his services to Sr. Milhet in the
event he may be of some help to him either
in the provinces or at Versailles.

(Signed) Lambert des Granges

53/29

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YEAR 1752JULY 7,10 $\frac{1}{2}$ pages

IN RE: SUCCESSION OF BERNARD DIRON
DARTAGNETTE?, KNIGHT OF ST. LOUIS,
LIEUTENANT OF THE KING AT THE
FRENCH CAPE, ISLAND AND COAST
OF ST. DOMINGO.

ACCOUNT RENDERED, SETTLEMENT AND RELEASE.

ACCOUNT

Messrs. Nicolas Henry, Clerk of the Superior Council of Louisiana, and Augustin Chantalou, Holder of Power of Attorney of Squire Charles Nicolas Lambert des Granges, Knight of St. Louis, Lieutenant of the King and Commander in Chief of Artillery at the French Cape, Island and Coast of St. Domingo, acting in the name of and as husband of Dame Marie Felicite Riviere, Widow of the late Bernard Diron Dartagnette, both of whom render a joint account of the funds belonging to the Succession of said Diron, and of the agreements proceeding from said Succession, to Jean Milhet, Merchant of New Orleans, Holder of Power of Attorney of Mr. Lambert, said power of Attorney having been granted at La Rochelle, before the Notaries Crasson and S* _____ tteru on December 22, 1751.

*NOTE: The second letter is completely torn out.

cont'd.

RECEIPTS

1st Chapter:	Proceeds of sale of negroes and collections made on Merchandise and amount assessed for appraised value of a negro who died accidentally while in the hands of Mr. Dubreuil	18,145#
2nd Chapter:	Amount deposited by Mr. Dubreuil in Registry of the Court in com- pliance with Order of the Council, tendered February 5, 1745, from which Order Mr. Lambert appealed	32,752# 10 s
Total Receipts		50,897# 10 s

cont'd.

DISBURSEMENTS

1st Chapter:	Board, lodging and education of Children of the late Diron	690#
2nd Chapter:	Amount paid out in Letters of Exchange	37,000
3rd Chapter:	Amount held in escrow by the Registry Clerk in the matter of the transaction entered into by Mr. Milhet with Mr. Dubréuil on June 5th, last	462# 10 S
4th Chapter	Amount due the Widow Diron by the late Mr. Diron, her husband, which amount remained in the Registry of the Council to the Order of Mr. Lambert, by Decree of the Council, rendered May 6, 1747.	3,000
5th Chapter	Court Costs	2,844-17-6
Total Disbursements		<u>43,997- 9-6</u>
Net Balance		<u>690#12-0</u>

(Signed) Henry
Settlement and Release

Mr. Milhet acknowledges delivery to him of Seven Thousand, Four Hundred and Twenty-two Pounds, 12" sols" by Mr. Henry (This amount is made up of the amount of the balance, 6960 pounds, 2" sols and of the amount which had been deposited in the Registry of the Court in the matter of the transaction of June 5th, last, viz: 462 pounds, 10 sols") for which delivery Mr. Milhet discharges Mr. Henry and Mr. Chantalou from any and all further obligation in the matter of said foregoing account.

(Signed) Milhet*
By Accountants
Henry.

*NOTE: Although most of this signature is missing, it is no doubt that of Milhet, which fact is deduced from the context, as well as from the three letters which have not been torn away.

Not listed in Louisiana Historical Quarterly.

61/B

YEAR 1763

2 pages

AUGUST 29

IN RE: SUCCESSION OF BERNARD
 DIRON DASTAGNETTE,
 LIEUTENANT OF THE KING
 AT THE FRENCH CAPE,
 KNIGHT OF ST. LOUIS.

PETITION

Through undersigned petitioner, to whom she has granted Power of Attorney, Dame Françoise Felicité de Rivieres, Widow of Sir Charles Nicolas de Lambert des Granges, Lieutenant of the King, Captain of His Majesty's Ships, Commander of Artillery on the Island and Coast of St. Domingo, and Knight of St. Louis, and heir of Sir Bernard Duon Dartagnette, Lieutenant of the King at the French Cape, and Knight of St. Louis, her first husband, whose property is in the hands of Mr. Milhet, Merchant of New Orleans, prays for citation of said Mr. Milhet that he appear before the Council on the first hearing day and be ordered to render a Final account of the abovementioned property.

(Signed) Barry

AUGUST 29, 1763

ORDER

Undersigned, Judge, grants petition for citation of Mr. Milhet.

(Signed) Dabbadie

AUGUST 30, 1763

SHERIFF'S PETITION

Undersigned, Sheriff, makes his Return showing

cont'd

service of Citation on Mr. Jean Baptiste Milhet, Merchant, to appear before the Council on September 3rd, to answer plaintiff's petition, copy of which, together with copy of Power of Attorney, duly authenticated, was also served on him.

(Signed) Barry.

Not listed in Louisiana Historical Quarterly.

61/B

YEAR 1752JUNE 6SUCCESSION OF JOSEPH MILLON

Report of Hon. Dauberville, special commissioner, Sieur Joseph Duruisseau, tutor of the minor children of the late Sieur Joseph Millon, and Marguerite Françoise Gerardy, now his (Duruisseau's) wife, leased to Sieur Le Bretton, by private contract, dated February 14, 1745, a square of ground containing twelve lots, belonging to the Millon Minors situated in the outskirts of the city near the brick-yard of Mr. de Marcene.

Mr. Le Bretton, having neglected to keep said square properly fenced and drained, one of the terms of the original grant, Messrs. de Vaudreuil and Lenormand conceded said ground to Mr. de Membrede.

By petition dated June 1st, 1752, presented to the honorables de Vaudreuil, governor, and Michel, Intendant Commissary, Sieur Duruisseau demands the return of said square ground to the Millon minors.

Honorable Dauberville, special commissioner, after considering the foregoing mentioned papers and all other documents pertaining to said case, in his report, recommends that unless Sieur Le Bretton can prove that the fences and gutters around said square were in good condition, when granted to Mr. de Membrede, he be ordered to pay Sieur Duruisseau the value of said square, as appraised by experts.

Dauberville.

YEAR 1752JUNE 12

4 PP.

DEMAND OF PUBLIC PROSECUTOR
FOR AN INQUIRY.

In the matter of complaint against Pierre Antoine Pochonet, accused of wounding Louison, negress, property of the King, and Babet, negress, property of the Ursuline Nuns, with a bayonet, undersigned, Public Prosecutor, demands that the Court appoint a Commissioner to conduct an inquiry in this matter. He also demands that such Commissioner go to the Hospital, accompanied by the Clerk, for the purpose of receiving the declaration of the wounded negresses; and, that he shall summon witnesses to appear and testify at the inquiry to be conducted by him in this matter; all of which demands, the undersigned makes for the purpose of taking such steps as the law shall require as a result of such inquiry.

(Signed)

Fleuriau

June (date missing) 1752.

ORDER.

Undersigned, Judge, grants demands of the Public Prosecutor and appoints Mr. Raguet, Commissioner to conduct the inquiry demanded and for the purposes outlined by him.

(Signed)

Michel

Not printed in Louisiana Historical Quarterly.

YEAR 1752JUNE 17

DEMAND OF PUBLIC PROSECUTOR.
FOR RE-EXAMINATION OF
ACCUSED.

The proceedings had in the matter of complainant against Pierre Antoine Pochenet, prisoner, accused of the wilful murder of several negresses with a bayonet, the testimony of the witnesses, the proces-verbal of the Declaration of the wounded negresses and the report of the Hospital Surgeon; all duly examined and considered, undersigned, Public Prosecutor, demands in the name of the King that Pierre Antoine Pochenet be arrested and his name inscribed on the Register of the jail and that he be re-examined; that the testimony previously given by witnesses, in this matter, be verified and that the accused be confronted with said witness in order that from the whole, proper conclusions may be drawn.

(Signed)

Fleuriau

YEAR 1752JUNE 26

DEMAND BY PUBLIC PROSECUTOR
FOR SENTENCE OF DEATH BY
HANGING

The Criminal proceedings instituted against Pierre Antoine Pochenet, charged with the wilful, premeditated murder of several negresses with a bayonet, and the evidence produced; all duly considered, the undersigned, Public Prosecutor, in the name of the King, demands that said Pierre Antoine Pochenet be convicted of wilful murder of the negresses, Luison and Babet,

and that he be sentenced to be hanged until dead from a gibet erected in the Public Square, in reparation of said crime; and, that all of his goods be confiscated in the name of the King and for costs.

(Signed)

Fleuriau

Not printed in Louisiana Historical Quarterly.

61-19

YEAR 1752

JUNE 10

18 Pages

AUCTION SALE

On petition of Mr. Michel Fortier, Curator for the Langlois minors and the other co-heirs, the Superior Council, having ordered the sale by auction to the highest bidder of all Real Estate belonging to the Succession, viz:

A three quarter lot of ground and house on St. Peter Street, 5 lots of ground in the rear of the City, opposite the Cemetery, and a plantation on the right bank of the River, four leagues above the City, the said sale was advertised in the usual way by posters at the doors of the Parochial Church, the Council Chamber and the Court of Records, also after the High Mass, and on the day of auction by drum beating at all street crossings of the City.

The auction, taking place at the time and the day mentioned, was postponed to sennight after some bids were received and accepted, in order to get the highest bids possible; the auction was called out four times with the following results:
The three-quarter lot and house on St. Peter

(cont'd)

D 52/75

Year 1752

June 10

Street was adjudged after a lively bidding to Mr. Garic for 3,650 livres.

The lots were adjudged to Mr. Jung for 250 livres. The plantation was adjudged to M. Morin for 300 livres. All successful bidders to pay all cost and expenses and be granted 8 months to pay for their purchases.

(Signed) Garic
 Fleuriau
 Martin Fortie
 Raguet

YEAR 1752JUNE 12CASE OF ONE POCHENET,
ACCUSED OF WOUNDING.

Summon of Witnesses.

Pursuant to an order issued by Honorable Michel, First Judge of the Superior Council, on petition of the Attorney General, Marin Lenormand, Sheriff, issues and delivers summons to Sieur Brisset, Major Sergeant at the barracks, to be delivered to the following soldiers: Guillaume Benard, Antoine Berry and Sieur Mathieu, also to Sieur Badon, Surgeon at the Hospital, to Francois, negro at the Hospital; Francois, negro of Dame Broutin and Marion, negress of Sieur Couturier, all witnesses to appear before Honorable Raguet, Special Commissioner, to testify at the inquiry to be held in the Registry Court in the case of one Pochenet, soldier accused of having seriously wounded one negro and two negresses with his bayonet.

(Signed) Lenormand

(2 pages)

Not listed in Louisiana Historical Quarterly.

YEAR 17522 1/2 PP.JUNE 12EXAMINATION OF POCHENET, AC-
CUSED, BY COMMISSIONER

Pursuant to order rendered by the Superior Judge of the Superior Council on petition of the Public Prosecutor, Mr. Jean Baptiste Raguet repaired to the prison of this City for the purpose of questioning the one named Pochenet, accused, and detained in said prison. Having been brought before said Commissioner, the accused was placed under oath and to the questions addressed him, answered in substance as follows:

That his name is Pierre Antoine Pochenet; that he is a native of Mondidier in Picardy, and heretofore he was in the Troops belonging to the Company of Delahoussaye. He says he is of the Catholic Faith and that he is about twenty-five years old. He professes ignorance as to why he was arrested and to any and all facts connected therewith, declaring that he was so drunk that it is impossible for him to remember anything which happened prior to his arrest. To the questions: Did he not try to seduce the two negresses before he mortally wounded them with his bayonet? And, did he not chase one of these women into the River until only her head was above water when he struck her? The accused answered he does not remember; that even when he was arrested he was found dead drunk and that he can remember nothing of what happened just previous to that time. After his testimony was read back to him, the accused declared his answers were the truth. He declared further that he could not sign, not knowing how to read nor sign.

(Signed) Raguet
Henry,
Clerk

YEAR 1752JUNE 13

4 PP.

PROCES-VERBAL OF DECLARATION
OF THE NEGRESSES, BABET AND
LOUISON.

Pursuant to the Order of Mr. Michel, Commissioner General of the Navy, rendered on the complaint of the Public Prosecutor, the Commissioner appointed in this matter, Mr. Raguet, and the Clerk repair to the Hospital of the Ursuline Nuns for the purpose of receiving the Declaration of the negresses which were the property of his Majesty as well as that of said Nuns; said negresses had been assassinated by the person named Pochenet, heretofore soldier, but now imprisoned in the city jail. The Commissioner and the Clerk were directed to said negresses by the Reverend Mothers Xavier and Magdeleine. Babet was the first questioned, but due to the high fever caused by the bayonet wound inflicted upon her, her answers were halting and disconnected. Both the Nuns and the Surgeon's mate informed the Commissioner that she is expected to die from her wounds. Louison was then questioned and although mortally wounded, she was able to talk. She declared that while she and other negresses were washing on the River Bank in front of the Convent, she saw Pochenet approach; she said he stopped and talked to Babet but she could not hear the conversation; that all at once Pochenet struck Babet in the stomach with his bayonet where-up she hurried to her assistance when Pochenet fell upon her and she then tried to escape, but fell. She says that Pochenet struck her repeatedly with said bayonet, cutting her on the arms and body; that all the other negroes went for help and that, although she tried to escape, she could not do so. Louison declared that Pochenet ordered her to her knees to beg his pardon, which she did but he continued his attack upon her with his bayonet and was stopped only by the arrival of Baptiste, her

husband, and the police, who overpowered and arrested him and she was then brought to the hospital. Louison says she cannot sign her declaration because she does not know how to write.

The Commissioner asked the aforementioned Nuns whether they desired to make any charges against Pochenet. They answered that quite to the contrary; that if they could, they would like to save his life and that they would prefer to lose their negresses rather than do anything against charity toward their fellowmen.

(Signed)

Raguet
Henry,
Clerk.

Not printed in Louisiana Historical Quarterly.

YEAR 175211 pagesJUNE 13

IN RE: The Public Prosecutor
Complainant and Accuser,

vs

Pierre Antoine Pochenet, De-
fendant and Accused.

INQUIRY

Complying with the petition of the Public Prosecutor, Complainant, and accuser of Pierre Antoine Pochenet, Jean Baptiste Raguet, Counsellor, appointed Commissioner in this matter. The following witnesses testified herein, after having been placed under oath and upon exhibiting the citations which had been served on them and after declaring that they were not related to the parties involved in this case.

Guillaume Bernard testified that on the afternoon of the 8th of the present month, while on sentry duty, at the Hospital, he saw two negresses running in his direction, pursued by a soldier armed with a bayonet; that these women were screaming so loud that they attracted the attention of people from the hospital who with himself, rushed to their rescue and seized the soldier and took the bayonet from him. Bernard stated that this soldier was then dragged into the hospital yard. He also stated that among the rescuers were Baptiste and the Surgeon's mate. He further stated that because of the distance he was unable to see the soldier strike the negresses who, before being attacked, had been washing at the water's edge. Bernard said that although he does not know this soldier, he would recognize him were he to see him again.

(Signed) G _____ * Bernard Raguet
Henry, Clerk.

Antoine Berry next testified. He stated that while doing sentry duty at the Hospital on Wednesday preceding, at about two o'clock in the afternoon, he saw a soldier being dragged into the Hospital yard by negroes; he saw a bayonet which he was told had been taken away from said soldier who was swearing at a great rate and appeared to be drunk. He says this man was placed under the guard of another sentry and of himself. That is all he knows concerning this case. He added that he does not know this soldier but that he could recognize him, were he to see him again. This witness could not sign, not knowing how to read or write.

(Signed) Raguet
Henry, Clerk.

The next witnesses was Joseph Badon, Surgeon employed at the Hospital and a soldier in the Company of Aubry, garrisoned in this City, age eighteen. He testified that while in the Hospital Pharmacy last Wednesday afternoon, he heard someone say two negroes were being murdered, whereupon he went out and saw some negroes near the water's edge who were being attacked by a soldier whom he recognized as having been a patient in the hospital for a long time; that he saw this soldier repeatedly strike one of the negroes with his bayonet. He then recognized her to be Louizon, a negress belonging to the hospital and the soldier to be Pochenet. Badon stated that Baptiste, Louison's husband, François and himself rushed to the scene and tried to seize Pochenet and take away his bayonet. He also testified that although Pochenet was drunk, he continued to strike out with his bayonet but he was finally overpowered and disarmed and was dragged into the hospital yard. Meanwhile, Louison and Babet, the first to have been attacked by Pochenet with his bayonet, were carried into the hospital

(cont'd)

where, at this time, Babet is dying from the wounds inflicted by Pochenet and Louison is in a critical condition from the wounds also inflicted by said Pochenet with his bayonet.

(Signed) Badon
Raguet
Henry, Clerk.

The next witness was Mathieu Mulquet, soldier in the Company of Chavoy, garrisoned in this City, who declared that he was a patient at the hospital; that last Wednesday, Mother St. Magdelaine came to him and asked him to run out and see what was the noise outside; that on rushing out he found Badon, Surgeon, Baptiste and another negro trying to stop a soldier who was attacking a sentry with a bayonet, whereupon Deponent seized the soldier by the collar and he and the others brought him to the hospital where he carried on terribly, screaming and cursing until he was put in the yard whence he was taken away by the police. Mulquet testified that this soldier appeared to be drunk and that, while he does not know him, he would recognize him were he to see him again. He stated that two negresses were brought into the hospital and that he recognized them to be Babet and Louison, and that at the same time he saw the bayonet which was bent and showed that it had been forced. Mulquet declared himself unable to sign because he could neither read nor write.

(Signed) Raguet
Henry, Clerk.

François, a negro slave belonging to the Religious, was the next to testify. He stated that about seven or eight days ago while he was at the Pharmacy of the Hospital making tisane for the patients, a little negro ran in and told him that a soldier was beating the negresses with a bayonet, that he immediately ran out

and saw Baptiste trying to get a bayonet away from a soldier who was trying to strike him with that weapon and that he cut Baptiste in the hand. Then the sentries came up and the soldier was overpowered and dragged to the hospital. François declared that the soldier seemed very drunk and carried on so badly that the nuns had him put in the yard from where he was then sent to prison. He further declared that this soldier was Pochenet and that he had been sick for a long time and had been a patient in the Hospital. François then stated that shortly after this, Babet and Louison were brought into the hospital, both badly wounded. He added that he cannot sign his testimony because he can neither read nor write.

(Signed) Raguet
Henry, Clerk

François, a creole negro belonging to the Widow Branton was the next witness. He testified that on the afternoon of Wednesday last, he was returning from the waterfront with a purchase of plums, when a soldier (whose name he does not know) asked him for some of the plums. François says he told him that if he wanted some plums he could buy some where they were sold, whereupon the soldier knocked the plums out of his hand and slapped him, and from under his arm he drew a bayonet, unsheathed and tried to strike him with it but failed and that he was able to escape and go in search of a policeman, on seeing which, the soldier made off in the direction of the King's Warehouse. François declared that he would recognize this soldier were he to see him again. He could not sign his testimony because he could neither read nor write.

(Signed) Raguet
Henry, Clerk.

Marianne, surnamed Manon, negress, property of the

(cont'd)

Succession of Kintrec, surnamed Dupont, was the last witness to testify at the inquiry. She stated that about eight days ago, she and two other negroes were washing on the River Bank opposite the Barracks on the side of the Inter-dant's house, when a soldier came up to them and asked them to wash a handkerchief which they did not want to do because of the rain and the lack of time. He then drew a bayonet from under his arm and chased all of them with it; that, in order to save themselves they ran into the water whereupon he trampled upon all the clothes lying on the bank. Marianne further testified that she wanted to go for the Police and that when he realized this, the soldier ran off towards the King's Warehouse. She says he appeared to be quite drunk.

(Signed) Raguet
Henry, Clerk

Not printed in Louisiana Historical Quarterly.

YEAR 1752JUNE 14SUCCESSION OF SIEUR DE LABOULAYERejoinder

Sieur Villars Dubreuil, having in the name of his wife, Jeanne Catherine de Laboulaye, petitioned the Superior Council for an accounting from Sieur de la Pommeraye, as husband of Dame Jeanne Trudeau, widow of Sieur de Laboulaye of the said succession of Sieur de Laboulaye, states that in rendering said accounting, Sieur de la Pommeraye has withheld the name of one negro child named Joseph, about seven or eight years old.

Sieur Villars demands that said negro be entered as an asset, to be sold with the other negroes for the benefit of the succession.

Villars

Notice

By request of Sieur Joseph Villars Dubreuil, Sheriff Lenormand issues and delivers to Sieur Guillaume Loquet de la Pommeraye, at his plantation, a copy of the foregoing rejoinder.

Lenormand

YEAR 1752JUNE 16

3 pages

LETTER BY MR. TESTAR AT LA
ROCHELLE TO MR. CHANTALOU,
ATTORNEY FOR VACANT ESTATES
OF THE PROVINCE OF LOUISI-
ANA AT NEW ORLEANS.

Mr. Chantaloup is informed by the writer that due to the short notice given of the destination of the vessel carrying this letter, he was unable to make him a shipment. He is, however, preparing to make the requested shipment next month on the vessel of Mr. Perdrieux. Mr. Testar says he is now sending Mr. Chantaloup the two wigs requested and he trusts they will please him. Mr. Testar then discusses the merits of the wigs and adds that their delivery will be made him through Mr. Guaudeau. Mr. Testar says that the instructions of the wig-maker are that these wigs should not be combed but that the ringlets should be re-curled. Mr. Testar asks Mr. Chantaloup to see that the enclosed letter reaches Mr. Ridday.

(Signed) Testar.

In the form of a postscript, the writer sends greetings to Mr. Chantaloup's wife, to his brother and to several friends whom he names. He states he is writing to Mr. Henry to inform him of Mrs. Henry's departure and expresses the hope that should she miss the Britain boat, that she will find a ketch. He also states that they are awaiting the arrival of "The Marquise of Surgere."

(No Signature)

Not printed in Louisiana Historical Quarterly.

YEAR 1752
2 1/2 PP.

JUNE 17

EXTRACT FROM REGISTER OF HEAR-
INGS OF THE SUPERIOR COUNCIL
OF LOUISIANA

IN RE: Petition of the Public Prosecutor, Plaintiff and Accuser of Pierre Antoine Pochenet heretofore a soldier in the Company of Delahoussaye of the Detached Troops of the Navy maintained in this Colony, Defendant and Accused.

DECREE.

Plaintiff's petition, the judgment permitting an inquiry to be held in this matter, the Proces-Verbal of the Declaration made by the two negresses, the examination of Pochenet, the inquiry, at which seven witnesses testified, the Surgeon's Report on the wounds inflicted on the negress, the opinion of the Public Prosecutor and the report of the Commissioner appointed in this case, all duly considered by the Council; it is ordered and decreed that the name of Pierre Antoine Pochenet be inscribed on the Register of the jail where he is confined at the present time; it is also ordered and decreed that he be again examined on the charges made at the inquiry; that the testimony of the witnesses be verified by them and that the accused be confronted with said witnesses, and that all of said proceedings be duly reported to the Council in accordance with law.

(Signed) By the Council,
 Henry, Clerk.

September 2, 1752

Sheriff's Return.

Undersigned, Sheriff, makes his return showing execution of the Order decreeing that the name

of Pierre Antoine Pochenet be inscribed on the Register of the jail where he is imprisoned and that he enjoined the jailer to keep him well guarded, and that a copy of said Order was served on said Pochenet at the wicket of the jail.

(Signed)

Le Normand

Not printed in Louisiana Historical Quarterly.

YEAR 1752JUNE 18th & 25th

Page 1

IN RE: ESTATE OF THE LANGLOIS
MINORS.

Third and Fourth Advertisement of
Judicial Sale.

Pursuant to decree of June 3rd rendered on petition of Michel Fortié, guardian, undersigned Sheriff publishes and posts the 3rd & 4th advertisement of the judicial sale of the below described property, in which advertisement it is stipulated that sale of said property is to be held in open court on June 24th and 28th, respectively, in presence of the Attorney General and of Mr. Raguet, Commissioner previously appointed in this matter, for cash, payable eight months from date of adjudication, plus costs, adjudicatee to furnish surety for payment of the price of adjudication. Said advertisements were published on June 18th & 25th, respectively and were read at the end of the Parish High Mass following said dates, and were posted on the main door of the Church, on the door of the Council and at the Registry.

Said property consisted of $3/4$ of a lot of ground, together with a house thereon, situated on St. Peter Street, adjoining the property of Mr. Delaunay; also, of five unfenced lots on the back of town, opposite the cemetery; and finally of a plantation situated on the opposite bank of the river, four leagues from New Orleans, adjoining the plantation of the widow Picquery on one side and that of Mr. Collet on the other.

(Signed) Le Normand

Not printed in Louisiana Historical Quarterly.

YEAR 1752JUNE 19

8 pages

SECOND EXAMINATION OF POCHENET,
DEFENDANT, ACCUSED

Pursuant to order rendered on petition of the Public Prosecutor, plaintiff and accuser of Pierre Antoine Pochenet, Mr. Raguét, Counselor at the Superior Council, appointed commissioner in this matter, together with the clerk of the Council repaired to the jail where Pochenet was held under arrest, for the purpose of re-examining him on the facts brought out at the inquiry.

Before being questioned, Pochenet was placed under oath.

To the questions regarding his name, age, religion and profession, Pochenet answered that his name was Pierre Antoine Pochenet; that he was 24 years old; that he professed the Catholic Faith and that heretofore he was a soldier.

Asked whether he had been to the canteen. He answered that he had gone there with La Croix, a soldier belonging to the company of Benoit.

Asked whether he had not hidden a bayonet under his vest. He answered that he did not.

Asked whether he drank while at the canteen. (This answer is too blurred to be legible.)

Asked whether he had not returned to the canteen for a bayonet. Pochenet says that he does not remember. Upon being told that he was not telling the truth, Pochenet answered that he was too intoxicated to be able to remember anything.

(cont'd)

To all of the following questions, Pochenet answered: I do not remember.

Did he not slap a negro who was carrying some plums and did he not throw the plums on the ground and then draw a bayonet from under his own vest in order to strike the negro with it?

Did he not also attempt to strike the negro on the head with the bayonet, which blow said negro was able to parry and did not this negro threaten to go to the police and make a complainant against him?

He was also asked whether he did not find negresses washing on the River Bank, opposite the Barracks, at which time he asked them to wash a handkerchief for him? That when they refused him, did he not draw his bayonet and run after them to strike them with it, and did he not go into the water after these negresses and not being able to reach them, did he not trample upon the clothes and that as soon as he realized that these negresses were going to the police, did he not withdraw?

He was asked did he not then go immediately opposite the Convent and talk to some negresses who were washing there and did he not draw a bayonet on one of them and strike her in the stomach with it, and that when another of the negresses rushed to her rescue, did he not strike her several times with his bayonet and when this negress attempted to escape did he not run after and repeatedly strike and wound her with said bayonet and force her to her knees?

To all of the foregoing questions, Pochenet answered that he cannot remember anything because of the intoxicated condition in which he was at that time and that he must have been out of his mind at the time. He denied that the bayonet shown him was his because his bayonet was with

his company at Arkansas where it had gone. He explained that he had stayed here because of illness. When questioned, he denied knowing any of the witnesses who testified against him and he also denied that he had ever been arrested prior to his coming to this colony. After hearing the foregoing questions and answers read back to him, Pochenet declared his answers to be the truth. He declared that he was unable to sign them because he could neither read nor write.

It was then ordered that the bayonet should be deposited in the Registry that it would be produced when needed.

(Signed) Raguet*
Henry

Not listed in Louisiana Historical Quarterly.

*This signature is badly damaged.

YEAR 1752JUNE 20

CASE OF PIERRE ANTOINE POCHENET,
SOLDIER ACCUSED OF WOUNDING.

Summons

Pursuant to an order issued by the Superior Council on petition of the Attorney General, Sheriff Lenormand issues and delivers summons to Sieur Brisset, major sergeant at the barracks to be delivered to the following soldiers: Guillaume Benard, Antoine known as Berry and to Sieur Mathieu, also to Dr. Badon, surgeon at the hospital to François, negro at the hospital; François, negro of Dame Widow Broutin and to Manon, negress of Sieur Couturier, all witnesses to appear before Honorable Raguet in the Registry Court for re-examination on their previous testimonies and in the Criminal court to be confronted with the accused Pierre Antoine Pochenet notifying them all that in case of non-appearance, they are liable to a fine of ten livres and to imprisonment.

Lenormand

Not printed in Louisiana Historical quarterly.

YEAR 1752JUNE 21

6 pages

IN RE; PIERRE ANTOINE POCHENET,
DEFENDANT AND ACCUSED.

Verification of Testimony.

Verification of the testimony given at the inquiry held in the matter of Pochenet, defendant and accused, is now made before Mr. Raguét, Commissioner appointed in said case, in compliance with the order of the Superior Council, dated June 7th, 1752. Having been duly summoned, the following named witnesses appeared:

- Guillaume Bernard, soldier in the Company of Delard.
- Antoine Berry, soldier in the company of Monberent.
- Mathieu Mulquet, soldier in the company of Chavoy.
- Joseph Badon, soldier in the company of Daubry.
- François, negro slave, property of the Ursuline Nuns.
- François, negro slave, property of the Widow Branton.
- Marianne, surnamed Manon, Creole negress, slave, property of the succession of Quintrect.

The testimony which each witness had given was read back to him, or her, by the Clerk and, at the conclusion of said reading, the witness verified said testimony as being the truth and stated that there was nothing contained in said testimony which should be changed.

(cont'd)

But, two of said witnesses signed this verification of testimony; the others declared that they could neither read nor write, hence unable to sign.

G _____ B _____ *
Raguet
Henry, Clerk

*This is the signature of Guillaume Bernard but it is badly torn, only the first letter of his first and last name remaining.

NOTE: Badon signed his verification because it is so stipulated in the body of his verification of testimony, but the signature itself is completely torn away.

Document is in bad condition.

Not printed in Louisiana Historical Quarterly.

2-2
YEAR 1752
10 pages

JUNE 21

IN RE: PIERRE ANTOINE POCHENET,
DEFENDANT AND ACCUSED.

Confrontation

Confrontation of the witnesses, who testified at the inquiry held in the matter of the petition of the Public Prosecutor, Plaintiff and Accuser of Pierre Antoine Pochenet, defendant, accused of having killed several negresses in the city of New Orleans, was made by Mr. Raguét, appointed commissioner in this matter, at which time said witnesses heard the testimony, previously given by them, read to the Defendant and accused.

All of the witnesses were placed under oath, after which, each declared that he was neither related nor connected with the accused in any way. Whereupon the accused was confronted with each witness, individually and the testimony given by said witnesses was then read back to him by the clerk, and at the conclusion of said reading, the defendant was questioned as to the facts testified to by the witness. To all of the questions asked him, Pochenet, Defendant, answered that he could remember nothing; that he was too drunk at the time referred to to be able to remember anything.

The witnesses with whom Pochenet, Defendant, was confronted were:

Mathieu Mulquet.

François, a negro belonging to the Hospitaliers.

Guillaume Bernard, soldier in the company of Delard.

Antoine Berry, soldier in the Company of Monberent.

(cont'd)

Joseph Badon, Assismand surgeon at the
Hospital, soldier in the Company of
Daubry.
François, negro belonging to the widow
Branton.

But two of the above-named witnesses were able to
sign this Confrontation; the others, as well as
the accused, declared they could neither read nor
write.

(Signed) Gme. Bernard
Badon
Raguet
Henry, Clerk.

Undersigned, Commissioner ordered the foregoing
submitted to the Public Prosecutor.

(Signed) Raguet.

Not printed in Louisiana Historical Quarterly.

YEAR 1752JUNE 23SUCCESSION OF FRANÇOIS
BRUNET

Account rendered by Jeanne Hubert, widow of François Brunet and former tutor of Marie Louise Brunet, daughter of said defunct.

Pursuant to an order of the Superior Council issued on petition of Sieur Claude Chenier, in the name of his wife Marie Louise Brunet, Dame Jeanne Hubert, widow Brunet, in a ten page statement, renders a complete accounting of Sieur François Brunet's succession.

Before going into details, renderer (widow Brunet) explains that there are three sets of children involved in said report:

Marie Jeanne and François St. Jean, children of Sieur St. Jean and Marie Elec, first wife of the late François Brunet, heirs to a lot of ground, from their father's succession, said lot sold by Sieur Brunet for 750 livres.

Secondly, Jeanne Asselin, daughter of the late Thomas Asselin, first husband of the renderer, for the sum of 472 livres 15 sols 7 deniers, received by the late Sieur Brunet, from the Attorney for the vacant estates for account of Sieur Thomas Asselin's succession.

The contract of marriage between the late Sieur Brunet and renderer and the inventory taken before their marriage, show that the late Sieur Brunet was curator of three minor children and their inheritance from their father's succession, amounted to about one half of the value of said inventory, in which it was included.

(cont'd)

Sieur Brunet having paid Sieur Cuné, husband of Marie Jeanne St. Jean, the sum of 320 livres and renderer the balance up to 375 livres, there is still due François St. Jean 375 livres, which must be deducted before the partition.

are not entered in the foregoing report, being community properties between herself and the late Sieur Brunet.

NOTICE

YEAR 1752

JUNE 23

By request of Jeanne Hubert, widow of François Brunet, Sheriff Lenormand issues and delivers a copy of the foregoing report to Sieur Claude Chenier.

Lenormand

Not printed in Louisiana Historical quarterly.

YEAR 1752JUNE 22REPORTLiabilities

Funeral expenses.....	264	liv.	
Court cost.....	60	liv.	
Widow Brunet's dowry (as per contract of marriage).....	300	"	
Widow Brunet's preciput (as per contract of marriage).....	200	"	
Mourning expenses.....	100	"	
Paid to several creditors.....	1008	"	19 s. 3 d
Marriage expenses of Marie Louise Brunet.....	300	"	
Furniture sold to Marie Louise Brunet.....	110	"	
Appraising, checking and accounting.....	100	"	
	<hr/>		
TOTAL	2442	"	19 s. 3 d

Assets

Movables and furniture-855 liv.-14s.			
Accounts Receivable collected.....	-759		
TOTAL			<hr/>
	1614	liv.14 s.	
Balance in liabilities	828	"	5 s. 3 d

The above account certified correct
June 22, 1752.

Signed by Helo,
Attorney for Widow Brunet.

Renderer states that during their marriage, they
bought a negro and a lot of ground, which as such

(cont'd)

YEAR 1752
3 PP.

JUNE 22

IN RE: MESSRS. DOMINIQUE
DUVERBOIS AND CHARLES
JOSEPH DELHOMME, PLAIN-
TIFFS, VS MR. DUBOIS,
DEFENDANT.

Petition.

Plaintiffs, in their respective capacities, pray for citation of Defendant that he appear and that judgment be rendered against him for four thousand five hundred pounds, plus four hundred and fifty pounds, representing interest, and for costs; and they further pray, that unless said judgment be satisfied within one week from the date of service of notice thereof, that execution issue thereon for the entire amount due.

Plaintiffs, Dominique Deverbois & Charles Joseph Delhomme represent that they married Marguerite and Laurence Chauvin Delery, respectively, and that Mr. Delhomme is the holder of the Power of Attorney of Francois Chauvin Delery, his brother-in-law, and that in these respective capacities they here seek to collect 4,500 pounds, the purchase price of four negro slaves acquired by Mr. Dubois from the said Mr. Delery and the Mrs. Delery, the former, brother-in-law of Mr. Delhomme, one the petitioner, and the latter, the respective wives of said petitioners. Plaintiffs show that, despite amicable demand, the aforementioned purchase price and the interest due thereon remain unpaid.

(Signed) Delhomme
Deverbois

(cont'd)

June 23, 1752

ORDER

Undersigned, Judge, grants petition for citation.

(Signed)

Raguet.

June 26, 1752

SHERIFF'S RETURN

Undersigned, Sheriff, makes his Return showing service of citation on Mr. Dubois to appear in the Council Chamber of the Superior Council on the first Saturday of July to answer plaintiff's petition, copy of which was also served on him.

(Signed)

Le Normand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752
3 1-2 pages

JUNE 23

CATHERINE LEJEUNE, WIDOW OF
SALLER, AND WIFE OF BERNARD
LOUIS POTIN,
vs
CHARLES LE ROY, CAPT. OF "LE
POSTILLON".

No date

Petition

Petitioner, alleging that during a night of December, 1735, she and her six children were kidnapped from the ship "Le Postillon" commanded by Charles Le Roy and owned by Mr. Logeol, she instituted suit against said aforementioned persons and against Claude & Jacques Lejeunes, her half-brothers, Danglade, La Gardette, Forcussou Magon, Leogeal, Charles Le Roy and Dame Dehuty for said kidnapping, and that on December 14, 1737, at Port St. Pierre at Martinique, she obtained judgment against them in solido for 30,000 pounds. Wherefore, she now prays for the arrest of said Charles Le Roy, ship captain, that he may be compelled to satisfy the aforementioned judgment; together with interest.

No Signature _____

June 23, 1752

ORDER.

Undersigned, Judge, grants order for citation of Mr. Roy.

(Signed) Michel

June 27, 1752

SHERIFF'S RETURN

Undersigned, Sheriff, makes his return showing

(cont'd)

service of citation on Charles Le Roy, Ship Captain, to appear before the Council on July 1, 1752, to answer plaintiff's petition, copy of which was also served on him.

(Signed) Le Normand

Not listed in Louisiana Historical Quarterly.

YEAR 1752JUNE 25SUCCESSION OF JOSEPH MILLONAnswer to Petitioner

Sieur Joseph Duruisseau, tutor of the minor children of the late Sieur Joseph Millon and Marguerite Francoise Gerardy, now his (Duruisseau's) wife, leased to Sieur Le Breton by private contract, dated February 14th, 1745, a square of ground containing twelve lots belonging to the Millon minors, situated in the outskirts of the city near the brickyard of Mr. de Marcene.

Mr. Le Bretton, having neglected to keep said square properly fenced and drained, according to the terms of the original grant, Messrs. de Vaudreuil and Lenormand conceded said ground to Mr. de Membrede.

By petition, dated June 1st, 1752, presented to the honorables de Vaudreuil, governor and Michel, Intendant Commissary, Sieur Duruisseau demands the return of said square of ground to the Millon minors or payment for it.

Mr. Le Breton, in his answer states that he never derived any revenue from said ground and the square was not in such dilapidated condition to be returned to the domains of His Majesty; only a few stakes missing from the fences and a couple of doors and windows from the cabins which defendant offered to replace within fifteen days.

Nevertheless the square was granted to Mr. de Membrede, while it is a known fact that others were given as much as six months to repair their fences and gutters.

Sieur Duruisseau entered action against defendant only to square himself with the minors of whom he

(Cont'd)

is the tutor and defendant hopes that the King will grant them another piece of land somewhere else in compensation.

In consideration of his plea, defendant demands that his private contract for the lease of said land be annuled.

Le Bretton.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

4 pages

JUNE 26

IN RE: PIERRE ANTOINE POCHENET,
DEFENDANT AND ACCUSED.

Arraignment.

Because of the bad condition of this Document, it is hardly possible to tell what it is. However, it is the opinion of this Translator that it is the arraignment of Pierre Antoine Pochenet before the undersigned judges of the Superior Council, before whom he is to be tried for the murder of the negresses Louzon and Babet, they having died from bayonet wounds which Pochenet is accused of having inflicted upon them.

(Signed) Michel
Dauberville
Hushet de Kernion
Le Bretton
Raguet

Not listed in Louisiana Historical Quarterly.

YEAR 1752

JUNE 26

HEARINGS OF JUNE 26, 1752.

Presiding were: Messrs. Michel, Commissioner General of the Navy, Superior Judge; Derneville, Commissioner of the Navy, Associate Councilor; Raguet, Councilor; Le Bretton and Kernion, Lateral Judges.

Final Judgment Rendered

In re: Roquencourt, plaintiff, vs. Demaine, Georges Baron and Louis Le Cler, sur-named Belhumeur, defendants.

The suit brought by the public prosecutor, together with his opinion, all duly considered: The Council renders judgment quashing said suit and prohibiting the parties from again bringing such suits under penalty of being fined and enjoining the judge of original jurisdiction herein from entertaining such suits under penalty of being summarily dismissed from office.

Given in the Chamber of the Superior Council.

(Signed) Michel

(1 page)

Not listed in Louisiana Historical Quarterly.

YEAR 1752JUNE 27PETITION FOR RECOVERY.

A promissory note for 646 livres dated March 16, 1746 made by Sieur Gonzales, to the order of Sieur Labrosse and endorsed to Sieur Duparc on April 12, 1746, said note remaining unpaid, Sieur Duparc petitions the Superior Council to have Sieur Gonzalez summoned before the Council to be ordered to pay the amount of 646 livres, with interest and cost.

Garic for petitioner

Permit to summon.

Raquet

SUMMON.

Pursuant to the foregoing order, issued on petition of Sieur Duparc, Sheriff Lenormand issues and delivers a copy of said petition to Sieur Gonzalez; also summons to appear before the Council and answer said petition.

Lenormand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752JUNE 282 $\frac{1}{2}$ pagesCRIMINAL SESSION

PRESIDING WERE: Messrs. Michel, Chief Justice,
D'Auberville, Associate Justice,
Raguet, Dean;
LeBretton and de Kⁿion, Lateral
Judges.

IN RE: PETITION OF THE PUBLIC PROSECUTOR, Plaintiff
and accuser,

versus

PIERRE ANTOINE POCHENET, HERETOFORE SOLDIER
IN THE COMPANY OF DELAHOUSAYE, DEFENDANT
AND ACCUSED.

CONVICTION AND SENTENCE.

The proceedings had herein, the testimony and evidence produced, and the Opinion and Demands of the Public Prosecutor, all duly considered by the Judges of the Superior Council; Judgment is rendered declaring that Pierre Antoine Pochenet has been convicted of the wilful murder of several negresses, which negresses he killed by blows with a bayonet, in reparation for which he is sentenced to (these words are entirely torn away) by the Public Executioner at the Cross-roads of this City. Given at the Council Chamber at New Orleans.

(Signed) Michel

D'Auberville LeBretton Huchet de Kⁿion
Raguet

Henry, Clerk.

NOTE: This document is in bad condition.

Not listed in Louisiana Historical Quarterly.

YEAR 1752

JUNE 28

5 $\frac{1}{2}$ pagesIN RE: ESTATE OF LANGLOIS HEIRS.COPY OF DECREE OF FINAL ADJUDICATION OF
A HOUSE AND OF $\frac{3}{4}$ OF A LOT OF GROUND.

The Council having considered the Judgment rendered on the petition of Michel Fortier, acting as husband of one of the Misses Langlois, and as Agent of Mr. Populus, surnamed Protest, husband of the sister of the aforementioned Miss Langlois, (both of said ladies being heirs of the Langlois Successions) and acting as Guardian of the Langlois Minors, his brothers-in-law, and also heirs of said Langlois Successions; all of said heirs being the children of Estienne Langlois and of his wife, Catherine Beaudreau, who later became the wife and then the Widow of Gervais; in which petition, Fortier in his respective capacities asked that he be allowed to sell judicially all of the property belonging to the estate left said Langlois heirs by their deceased parents, alleging that due to lack of funds to keep said property up, it was deteriorating and also because no revenue could be derived therefrom, and that a sale of said property would be to the best interest of all the heirs, particularly that of the Minors, and, the Council having also considered the recommendations made at a Family Meeting that it would be best that each piece of said property be sold separately, as well as the homologation of said recommendations; and, the Council having further considered the Proces-Verbal of the Sheriff's advertisements of the judicial sales, as well as that of the sales themselves, which Proces-Verbals show that the house and buildings situated on $\frac{3}{4}$ of a lot of ground located on St. Peter Street, were to be offered at auction and were finally adjudicated to Mr. Morales for 3650 pounds, it now renders judgment

recognizing said adjudication as final and
definitive. Original Decree was signed:
Menattes, Morales, Fortier, Raguet, Fleuriau,
LeNormand.

(Signed) By the Council.

Not listed in Louisiana Historical Quarterly.

61/B

YEAR 1752

JUNE 28.

EXCERPT FROM THE REGISTER
OF THE SUPERIOR COUNCIL.

Impossible to decipher what the Council
orders.

(Signed) Michel
Dauberville
Raguet

Not printed in Louisiana Historical Quarterly.

YEAR 1752JUNE 30

1 page

PETITION FOR SALE OF REAL ESTATE

Sieur Maret, captain of infantry, petitions the Superior Council for a permit to sell a plantation on the left bank of the river, two leagues (five miles) below the city, and a house and kitchen located in the city.

(Signed) by Garic
for petitioner.

Considering the foregoing petition, honorable Michel, First Judge of the Superior Council, orders that a family meeting be held before Honorable Ragnet, to discuss the advisability of said sale; the **decree** of said meeting to be referred to the Council for the proper and final decree.

(Signed) Michel.

Not printed in Louisiana Historical Quarterly.

57/B

YEAR 1752JUNE 30

6½ pages

IN RE: MR. BENOIT de STE. CLAIRE; KNIGHT
OF ST. LOUIS, CAPTAIN OF TROOPS
MAINTAINED IN THIS COLONY,
versus
MICHEL FORTIER, GUARDIAN OF THE
MINOR CHILDREN OF THE WIDOW GERVAIS.

NO DATEANSWER

Answering plaintiff's suit, Defendant alleges no cause of action on the ground that the Account sued on, as well as the letters of Advice written by said plaintiff in connection therewith, is insufficient in law to establish a debt of the nature which plaintiff alleges his claim to be.

Defendant then shows the defects of said Account and the reasons why they are defects in law, and a bar to collecting the amount claimed under said Account, among which defendant mentions plaintiff's failure to have obtained the Widow Gervais' verification and approval of said account, and, also his failure to have shown an item of 3,200 pounds in said Account., wherefore, defendant prays that there be judgment in his favor and against plaintiff, decreeing that the Succession of the Widow Gervais is in no way indebted to Mr. Benoit, plaintiff, and dismissing said suit at plaintiff's costs.

(Signed) Fortier

JUNE 30, 1752SHERIFF'S RETURN

Undersigned, Sheriff, makes his Return showing service of Copy of Defendant's Answer on Plaintiff.

(Signed) LeNormand

Not listed in Louisiana Historical Quarterly.

YEAR 1752JULY 1SUCCESSION OF MADAME GERVAIS
ANSWER OF SIEUR BENOIST DE
SAINTE CLAIRE.

At the death of Madame Gervais, at Illinois, Sieur Benoist de Sainte Claire, captain of infantry, merchant at New Orleans, petitioned the Superior Council to recover from the succession a substantial balance due him, but Sieur Michel Fortier, the curator, refused to acknowledge his claim, on the grounds that he had no papers, no receipts, no notes or vouchers to substantiate said claim.

In his answer, Sieur Benoist de Ste. Claire states that, as he was a business partner of the late Dame Gervais, no such papers were required in their transactions, not any more than for goods shipped to and from France in the regular course of trading.

Letters found among her papers, in care of Sieur du Vezin, syndic of the succession, and excerpts of memorandums from Dame Gervais books were, Sieur Ste. Claire says, proof enough to justify his claim.

In a seven-page statement, Sieur Benoist de Ste. Claire gives a clear description of all transactions and analyzes a number of letters, citing especially the sentence where she expresses her sincere thanks for the advances he sent her (letters of exchange) from which she will derive a great benefit for herself.

Signed by Garic for petitioner.

D 52/96

Notice - By request of Sieur Benoist de Ste. Claire, Sheriff Lenormand issues and delivers to Sieur Fortier a copy of the foregoing answer.

(Signed) Lenormand.

Not printed in Louisiana Historical Quarterly.

57/141

YEAR 1752JULY 1

3 Pages

IN RE: CATHERINE LEJEUNE, WIDOW
SALLES, WIFE OF BERNARD LOUIS
POTIN, PLAINTIFF,

vs.

CHARLES LE ROY, CAPTAIN OF THE SNOW
OF MARTINIQUE, "THE ST. PETER",
DEFENDANT,

Answers.

Answering plaintiff's suit, in which she prays that Defendant be arrested and compelled to satisfy a judgment for 30,000 pounds, plus interest, for alleged kidnapping, Defendant denies any cause of action on the following grounds:

That when he took plaintiff on board his ship, at the time in question, he did so on orders of the ship's owner and his Master; that those who brought said plaintiff had a permit to do so from Mr. Brach, the Governor; that when said plaintiff subsequently tried to have Defendant's ship seized, Mr. Salomon, upon the evidence presented by Defendant, released said seizure and declared him not guilty of wrong doing; that following this, plaintiff went to Martinique and there instituted suit against her brothers, the Defendant and Mr. Tageol, the ship's owner, and obtained a judgment against all of them in solido for 30,000 pounds, in which judgment Defendant avers is null and void as against him because he was never served in said suit, although service could have been easily made, inasmuch as he made frequent trips there and his presence was known; and, finally, Defendant further

D 52/97

bases his claim of no cause of action against him on the ground that, although plaintiff is a married woman, she was not authorized by her husband to institute said suit. Wherefore, all of the foregoing reasons considered, Defendant prays that said suit be dismissed against him at plaintiff's costs and that he be allowed damages for same.

(Signed) Charles Le Roy.

Not listed in Louisiana Historical Quarterly.

61/141

YEAR 1752JULY 1SUCCESSION OF SIEUR CARITON
OFFICIAL REPORT OF FAMILY MEETING
PETITION FOR HOMOLOGATION.

Pursuant to an order issued by Honorable Michel, first judge at the Superior Council, on petition of Sieur Jacques Cantrelle, curator of Dame Marianne Dinan, widow Cariton, a family meeting was held.

The following recommendations were made at said meeting:

Pensions to the widow and niece of Sieur Cariton approved.

Judicial sale of movables, effects and merchandise, as per inventory taken at the death of Sieur Cariton.

Renting of house in its present condition. The sale of negroes to be postponed by so doing, giving the widow some means of subsistence, and a way to pay the debts of the succession.

A young negress considered a libertine to be sold, the proceeds to be used to pay the privileged debts.

Sieur Jacques Cantrelle petitions the Superior Council, demanding that the foregoing decree of the family meeting be approved and homologated.

(Signed) Cantrelle.

Not printed in Louisiana Historical Quarterly.

D52/99

YEAR 1752

JULY 1

This document
will be found in

FILE #11604
(2630)

SUCCESSION OF
SR. CLAUDE AIGNAN GUERIN
LA BOULAYE

July 2, 1739.

YEAR 1752

JULY 1,

SUCCESSION OF
SR. CLAUDE AIGNAN GUERIN
LA BOULAYE

Conclusions of
Sr. Fleuriau
Procurator General for the King.

Sr. Fleuriau in his said capacity recommends that a family meeting be held for the purpose of forming the "mass" to be partitioned among the heirs.

He further recommends that the portion of the absent minor, Jean Baptiste de La Boulaye, be held by Sr. Loquet, his tutor, pending the time when the said minor or his duly appointed agent and attorney in fact shall demand an accounting.

(Signed) Fleuriau.

Not in Louisiana Historical Quarterly.

53/0.

July 2 - 1739

YEAR 1752JULY 1

SUCCESSION OF SIEUR CHAUVIN
DELERY
EXECUTIVE SESSION OF THE SU-
PERIOR COUNCIL.

Decree

Sieur Dubois, colonist, bought from the succession of Sieur Chauvin Delery, four male negroes for the sum of 4500 livres, promising to pay for same at the minor's majority and at the marriage of the daughters with ten per cent annual interest.

Sieur Deverbois and Delemer, having married respectively demoiselles Marguerite and Laurence Chauvin Delery, acting each in the name of his wife and said Sieur Delemer also for François Chauvin Delery, then brother-in-law, brought action against Sieur Dubois for the recovery of the purchase price of said negroes.

In his answer, Sieur Dubois states that through disappointment and misfortunes he has been unable to pay the said obligation: one of the negroes died shortly after purchase. He tried to sell his plantation on a six months' term; As his creditors would not agree to wait that length of time, he was compelled to refuse a good offer which would have brought him enough to pay his debts so prays for a delay of six and twelve months.

The Council considering the petition of the creditors, the answer of Sieur Dubois and all other papers pertaining to said case, decrees that defendant be granted a delay as prayed for, ordering him to pay one half of the purchase price six months after date of judgment and the remainder twelve months after said date. Cost

(cont'd)

(52-100)

Cost on defendant.

By the Council,
Chantalou,
Clerk.

NOTICE

Pursuant to the foregoing order, issued on petition of Sieur Chauvin Delery, heirs, Sheriff Lenormand issues and delivers a copy of the foregoing decree to Sieur Dubois at his plantation.

Lenormand

Not printed in Louisiana Historical Quarterly.

57-19

YEAR 1752JULY 1SUCCESSION OF ANTOINE RIVARDEPetition for Family Meeting

Sieur Hushet de Kernion, Counsellor at the Superior Council, tutor of Antoinette Rivarde, minor daughter of the late Antoine Rivarde and Antoinette Vilmer, now his (de Kernion's) wife, desiring to settle his business during his life time in order to avoid any controversy between his heirs, petition the Superior Council for a convocation of a family meeting to appoint a tutor for demoiselle Antoinette Rivarde, said tutor to be the administrator of the said minor's properties and relieve petitioner of said responsibility.

As minor is of age, petitioner prays for her emancipation with the opinion and approval of the Attorney General.

Hushet de Kernion

ORDER.

Honorable Michel, considering the demand of honorable Le Bretton, acting attorney general, orders that a family meeting be held before honorable Raguet, the decree to be referred to the Council for approval.

Michel.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

4 pages

JULY 1

EXTRACT FROM THE REGISTER OF
HEARINGS OF THE SUPERIOR
COUNCIL UNDER DATE OF JULY 1,
1752.

Judgment

IN RE: Mr. Benoist de Ste. Claire, Knight
of St. Louis, Captain of a Detached
Company of the Navy maintained in
this colony, plaintiff,

vs

The heirs of the Succession of the
late Catherine Baudreau, Widow
Gervais, Michel Forestier, co-heir
in said Succession and guardian of
the appearing minors, defendants.

Plaintiff's petition showing that the Order decreeing that the claim of plaintiff be arbitrated had never been executed due to the fact that Mr. Prevost does not live in the city and to the death of Mr. Langlois, former tutor of the minors in question, and praying for order for citation of said Forestier, in charge of the funds of said Succession, that he appear and be ordered to pay plaintiff's claim of 3,768 livres, six sols, together with interest and all costs, or, in the alternative, that Order be rendered decreeing that the aforementioned Order for arbitration of said claim be executed according to its form and tenor. And, defendant's answer alleging no cause of action on part of plaintiff due to lack of proper account rendered or of other proof to substantiate said claim: all duly considered by the Council, judgment is now rendered decreeing that this claim shall be arbitrated by Messrs.

(cont'd)

Nouguez and Le Sassier, Arbitrators, and by
Mr. Clivier, Umpire, and that their findings
be submitted for a final decision.

Given at the Council Chamber.

(Signed) By the Council,
Chantalou,
Clerk.

July 5, 1752

Sheriff's Return.

Undersigned, Sheriff, makes his return showing
service of copy of the foregoing judgment, on
Mr. Michel Forestier, in his capacity of
guardian.

(Signed) Le Normand.

Not listed in Louisiana Historical Quarterly.

YEAR 1752JULY 1SUCCESSION OF JACQUES LORRAINPETITION FOR RECOVERY.

Dame Marthe Coussine, widow by first marriage of Jacques Lorrain, known as Tarascon, creditor of his succession to the amount of 1200 livres, for her dower rights, as per decree of November 6th, 1751.

Sieur Joseph Desruisseau, colonist at Bayou St. John, creditor of said succession to the amount of 940 livres, by decree of October 2nd, 1751 and February 3, 1752.

Sieur Pierre Revoil, creditor of said Succession to the amount of 534 livres, 18 sols, as per decree of Oct. 2, 1751.

The three above mentioned creditors in a joint petition pray the Superior Council to order Sieur Tourangeau, curator of Sieur Lorrain's succession, to give an account of the succession's assets, said assets to be distributed to petitioners, as privileged creditors, and if the succession is insolvent, their claims to be referred to a special Councillor to be paid pro-ratio from the funds available.

(Signed) Garic
for petitioner.

cont'd.

ORDER

Considering the foregoing petition Honorable Michel orders that the claim of Dame Marthe Coussine, widow Lorrain and others be referred to Honorable Raguet to be settled, and the funds of the succession to be pro-rated to the creditors according to their title deeds.

(Signed)

Michel.

Not listed in Louisiana Historical Quarterly.

57/B

YEAR 1752JULY 1

SUCCESSION OF JOSEPH MILLON

FRANCOIS DURUISSEAU, TUTOR OF
THE MILLON MINORS,
versus
SR. LE BRETTON.

DECREE

Sieur Joseph Millon, before leaving for Illinois, sold a house to Sieur Le Bretton, and by private contract, dated February 14, 1745, granted him the use and enjoyment of a square of ground situated in the outskirts of the city, providing the said ground was kept properly fenced and drained, according to ordinance.

Sieur Le Bretton having failed to comply with the terms of the agreement, the said square of ground reverted to His Majesty and was conceded to Sieur De Membrede.

Sieur Jacques Duruisseau, tutor of the Millon minors, petitioned Mr. de Vaudreuil, governor, and Mr. Michel, first Judge of the Superior Council, to recover from Sieur Le Breton the value of square of ground.

By decree Sieur Le Bretton was ordered to pay Sieur Duruisseau the value of said square of ground, according to the appraisal of experts, or to provide a similar square of equal value for the minors.

(Signed) De Vaudreuil
Michel

Not printed in Louisiana Historical Quarterly.

YEAR 1752JULY 1SUCCESSION OF SIEUR CHAUVIN DELERY
ANSWER TO CREDITORS' PETITION.

Sieur Dubois, colonist, having bought four male negroes from the succession of Sieur Chauvin Delery, and the heirs having brought an action to recover the purchase price of said negroes (4500 livres), Sieur Dubois in his answer states that:

Through disappointment and misfortunes he has been unable to pay the said obligation. One of the negroes died three months after the purchase and the revenues of the plantation have so far been unsatisfactory.

In his anxiety to pay said debt, he tried to sell his plantation, but his creditors refused to allow him a delay of six months, which was the best terms he was offered in the deal. By so doing, he had to refuse a good offer and lost a good opportunity to settle all his obligations.

As he is an honest man, willing to pay his debts, he offers to pay one half within six months and the other half six months after, continuing to pay regularly the interest as stipulated in the act of sale.

(Signed) Dubois.

Not printed in Louisiana Historical Quarterly.

YEAR 1752JULY 2

9 Pages

HEARINGS OF JULY 2, 1752.

Presiding were: Messrs. de Vaudreuil, Governor, Michel, Commissioner General of the Navy, Ordainer, Superior Judge, Dauberville, Commissioner of the Navy, Associate Judge, Demembrede, Major, Raguet, Councillor, Le Bretton, Delalande and Kernion, Lateral Judges. The Attorney General was absent because of illness.

Judgments Rendered.

In Re: Mr. Benoit de Ste. Claire, Knight of St. Louis vs. the Heirs of the Succession of the late Catherine Beaudreau, Widow Gervais, and Michel Forestier, Co-heir in the said Succession and Guardian of the appearing minors. The Council having duly considered plaintiff's petition praying for citation of Forestier that he appear and be ordered to pay plaintiff 3,768 pounds, 6 sols, together with interest and costs or, in the alternative, that it be ordered that the Decree of July 5, 1749, be executed and consequently that all bills and documents in support thereof shall be delivered to the Arbitrators, Messrs. Lesassier and Nouguez and that, in case of dispute, the parties shall be free to take Mr. Olivier Devezin, Syndic of the aforementioned Succession, as Umpire, and that the findings of said Arbitrators shall form the basis for final judgment; and, the Council having also considered defendant's Answer praying for dismissal of plaintiff's suit on the ground of no cause of action, in which Answer defendant shows that the account sued on does not meet with the requirements of law; and the Council having also heard the parties hereto, it renders

D 52/105

judgment decreeing that the matter of said suit be submitted to arbitration as prayed for by plaintiff and that the findings of the arbitrators be submitted for final judgment.

In re: Messrs. Deverbois and Delomer, as having married Marguerite and Laurence Chauvin Delery, respectively, Mr. Delomer, also as holder of Power of Attorney of Francois Chauvin Delery, his brother-in-law, vs. Mr. Dubois. The Council having considered plaintiffs' suit praying for citation of Mr. Dubois and for judgment against him for 4,500 pounds, plus 450 interest, said amount representing the purchase price of four male negro slaves purchased by defendant, and which is long past due despite amicable demand; and, the Council having also duly considered defendant's answer wherein he prays that he granted a delay of six months in which to make payment of the first half of plaintiff's claim, and another of six months in which to pay the balance, for which payments he offers good and solvent surety, the Council renders judgment granting defendant the delay prayed for and as outlined by him. He is ordered to pay costs.

In re: Catherine Le Jeune, Widow Salles, now wife of Louis Potin vs. Charles Le Roy, Captain of the Snow "The St. Peter of Martinique." The Council having considered plaintiff's petition praying that defendant be arrested and imprisoned until he satisfies the judgment rendered December 14, 1737, for 30,000 pounds, against Claude and Jacques Le Jeune, plaintiff's half brothers, the plaintiff, et al, in solido, in satisfaction for the kidnapping of plaintiff and her six children; and the Council having also considered defendants' answer, it renders Judgment dismissing plaintiff's suit at her cost.

D 52/105

In re: Jacques Cantrelle, Guardian of Marie Anne Dinan, Widow of the late Jean Cariton, Plaintiff on petition.

The Council having duly considered petition praying for homologation of a Family Meeting which was ordered by the Court; and the Court having also considered the Proces Verbal of said Family Meeting, it now renders judgment homologating the recommendations made at said Meeting and orders the sale of the young negress in question and the rental of the other slaves, all property of the Succession of Cariton.

In re: Mr. Villard Dubreuil, Jr., husband of Jeanne Catherine Laboulaye, vs. Mr. de la Pommeraye as husband of Jeanne Trudeau, Widow Laboulaye, mother of said Catherine Laboulaye, rendering account. The Council before rendering final judgment in this matter ordered the appointment of Arbitrators of an Umpire by the parties to said suit for the purpose of appraising the rental of twenty negroes for eight to nine years, during which time Mr. Delapommeraye had enjoyed the use of said negroes. The Council also ordered the withdrawal of the mortgage in question, it being understood that none of the negroes in question would be touched. Costs reserved.

Ruling given by Council in the matter of the suit between several residents of Pointe Coupee vs. Pierre Germain. In the matter of this suit, there remained three Articles to be ruled upon by the Council all of which dealt with three different amounts. The Council ruled that they should be reduced and indicated what these amounts should be. The Council further ruled that the matter

D 52/105

was to now be terminated, with prohibition against re-opening it.

In re: Pierre Delisle, surnamed Dupare, vs. Gonzalles.

The Council having considered plaintiff's petition praying for citation of Mr. Gonzalles and for judgment against him for 645 pounds, said amount being due plaintiff on note signed by Gonzalles in favor of Mr. Labrosse on March 18, 1746, and, the Council having also considered said note, it rendered a First Default against defendant for failure to appear and ordered him re-summoned. Costs reserved.

In re: Rene Choutaud vs. Jacques Love. The Council having considered plaintiff's petition praying for citation of Mr. Love and for judgment against him on his note for 130 pounds, said note bearing date of December 16, 1750, together with said note, it rendered a First Default judgment against said Love and ordered him re-summoned. Costs reserved.

In re: René Choutaud vs. Jean Hynard. The First Default rendered against Hynard for failure to appear and answer Choutaud's suit to collect 250 pounds due on his note, and the Council having considered the note itself, it renders a Second Default judgment for the amount of said note, plus a fine and costs.

In re: Marthe Coussine, widow of Jacques Lorains, surnamed Tarascon, Joseph Deruisseaux and Pierre Revoil, plaintiffs on petition. The Council having duly considered plaintiffs' petition, it orders the parties to deliver all of their papers and titles of credit to Mr.

D 52/105

Raguet, Councillor, in order to be paid a percentage on the pound for what is due them.

In re: Mr. Maret, Captain of Troops in this Colony, plaintiff on petition.

The Council having duly considered plaintiff's petition praying that he be allowed to sell a plantation and a house upon the observance of the formalities required by law, it renders judgment decreeing that a family meeting be called in order that the subject of plaintiff's petition may be deliberated upon and that the conclusions reached be duly submitted.

In re: Mr. Hushet de Kernion, Lateral judge, plaintiff on petition.

The Council having considered plaintiff's petition praying for order to hold a Family Meeting, in order to deliberate upon the question of emancipating Antoinette Rivaud, his step-daughter, and in order that a Guardian may then be appointed for her who could then represent her interest in the matter of the account which plaintiff would like to render if his Tutorship and of his Administration, he having children born of his marriage to the Widow Rivaud and because he desires to settle all his affairs during his lifetime, it renders judgment permitting the holding of the Meeting prayed for and orders that it be held before Mr. Raguet, Councillor, and before the Attorney General, and it orders the conclusions reached duly submitted.

No Signature.

Not listed in Louisiana Historical Quarterly.

YEAR 1752
3 1-2 PP.

JULY 7

LETTER BY MR. FONTANNE BELILLE
AT ST. PIERRE TO MR. RONDES AT
MISSISSIPPI

The writer called the attention of Mr. Rondes to the fact that while going over the contract, just entered into by them, together with papers relating thereto, he finds execution of the contract, as written, will cause him a loss of six hundred pounds and, because this is an error in said contract and does not express what was in their minds, as evidenced by calculations made by Rondes himself and in the hands of the writer, Mr. Belille requests Mr. Rondes not to call for the execution of said contract as written and says that he trusts to his sense of fairness to carry out this request. The writer then treats of some personal matters among which, his son's conduct and welfare are mentioned. He closes with customary courteous expressions.

(Signed)

Fontanne

Belille.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

JULY 7

1 Page

Receipt for 177 livres, 10 sols, expenses
of Court cost of Judicial sale.

(Signed) Henry, Clerk

(Document blotted; first two lines
perforated)

Not printed in Louisiana Historical Quarterly.

YEAR 1752JULY 11SUCCESSION OF JACQUES LORRAIN.Petition for Recovery

Sieur Claude Renaud, known as Avignon, claiming from the succession of Jacques Lorrain, known as Tarascon, the sum of 227 livres evidenced by a promissory note dated October 30th, 1750, petitions the Superior Council to have Sieur Brazillier, known as Tourangeau, curator of said succession, summoned before the Council to be ordered to pay the sum of 227 livres with interest and cost.

Signed by Avignon

Permit to summon.

Raguet.

SUMMON.

Pursuant to the foregoing order, Sheriff Lenormand issues and delivers copy of the foregoing petition to Sieur Brazillier and a summon to appear before the Council to answer said petition.

Lenormand

Not printed in Louisiana Historical Quarterly.

YEAR 1752JULY 12SUCCESSION OF MADAME GERVAIS.Decision of Arbitrators.

The claim of Sieur Benoist de Sainte Claire, against the succession of Madame Gervais, having been referred to an arbitration committee the said arbitrators report that:

After having carefully examined all papers, letters, receipts and other documents pertaining to said claim, submitted to them their decision is:

The succession of dame Gervais is indebted to Sieur Benoist de Sainte Claire in the sum of 2900 livres, which sum must be paid by Sieur Fortier, curator of said succession to Sieur Benoist de Ste. Claire in full settlement of all claims from both parties; all papers, notes and other evidences of indebtedness to be valueless after settlement of said claims.

Signed by

Olivier de Vezin
Nougues
Lesassier

Not printed in Louisiana Historical Quarterly.

YEAR 1752JULY 13

IN RE: CLAUDE CHENIER, IN THE NAME OF
AND AS HUSBAND OF MARIE LOUISE
BRUNET, PARTY RECEIVING ACCOUNT,
PLAINTIFF, versus
THE ACCOUNT RENDERED BY JEANE
HUBERT, WIDOW OF FRANCOIS BRUNET,
DEFENDANT.

Brief by Plaintiff.

Plaintiff prays herein for Judgment decreeing that defendant pay him 811 pounds 2 sols 7 deniers and that he be put in possession of one-half of one-third of the immovables of the community which had existed between Francois Brunet and Jeane Hubert, and thus recognizing Marie Louise Brunet, wife of plaintiff, heir of her father for said one-half of one-third of said community, and shows that in order to understand the issues involved herein, it is necessary to understand that children of three marriages are concerned, which marriages are then outlined by plaintiff.

Plaintiff then shows that prior to the marriage of Brunet (father of plaintiff's wife) to Jean Asselain, Brunet had had inventory taken of the community which had existed between St. Jean and Marie Eleg and of that which had existed between Marie Eleg and said Brunet and that Brunet had also exacted that Jeane Hubert, Widow Asselin, have inventory taken of the community which had existed between her and said Asselain. Plaintiff further shows that Brunet then entered into a marriage contract with Jeane Hubert, widow Asselain, prior to his marriage to her and that it was stipulated in said contract that after deducting the shares which

belonged to the minor children of the parties to said contract, born of previous marriages, one-third of the remainder would make up the community of the future spouses and that the other two thirds would belong to the issue to be born of said marriage. Plaintiff also shows that such children were never born. Plaintiff states that now there is but one question of establishing this last community and he further states that defendant has filed a vague account; that in order to have deducted the two inventories made before their marriage, she should have had a verification made of the inventory made after the death of said Brunet and of which a third only would enter into the community and would belong to the husband and wife in accordance with the stipulation contained in their marriage contract.

A detailed statement of the property of each community follows, together with its appraisal and the disposition which should be made thereof, and thus proves his contention as set forth above.

(Signed) Garic, Attorney

1752

July 13,

Sheriff's Return.

Undersigned Sheriff makes his return showing service of copy of the foregoing Brief on Jeane Hubert, widow of Brunet.

(Signed) LeNormand

(14½ pages)

Not listed in Louisiana Historical Quarterly.

YEAR 1752

6 pages

JULY 15

IN RE: COURT MARTIAL OF JEAN
 DUCOUTRAY, SURNAMED POULAILLE,
 SOLDIER BELONGING TO THE COM-
 PANY OF DESMAZELLIERES.

Sentence.

The Court Martial proceedings of Jean Ducoutray, surnamed Poulaille, the evidence produced in connection therewith, the admission of said accused, as well as the fact that he had been previously convicted of similar crime and branded for same, all duly considered by the Council of War, which said Council now declares said Jean Ducoutray guilty of the crime of theft and of having been already branded for said crime and it now sentences the accused to dishonorable discharge from the army and to delivery to the secular authorities for trial and punishment in accordance with the Provisions of Criminal Law.

Done at Cascakias.

(Signed) By the Council of War,
 Barron.

Said judgment was read and executed on the aforementioned date.

(Signed) Barron,
 Clerk.

YEAR 1752JULY 20

EXTRACT FROM THE REGISTER OF THE
 JURISDICTION OF ILLINOIS.

The Criminal suit instituted on demand of the
 (cont'd)

Public Prosecutor against Jean Ducoutray, surnamed Poulaille, the evidence and testimony produced, together with the opinion of the Public Prosecutor, all duly considered; the accused, Jean Ducoutray is declared guilty of having suffered judicial punishment and of having committed the theft in question, in separation for which he is now sentenced to serve as a gallery slave for life in the Galleys of the King and to pay Joseph Braseau fifty pounds as damages and also to pay the costs of these proceedings for which payment his property is to be confiscated.

(Signed)

Barron,
Clerk.

YEAR 1752

JULY 20

COLLATED COPY OF THE DEMANDS OF
THE PUBLIC PROSECUTOR.

The changes made against Jean Ducoutray, surnamed Poulaille, Defendant and accused, his imprisonment and trial, as well as the testimony produced in said proceedings, all duly considered, undersigned, Public Prosecutor, demands that said accused be declared guilty of the crime of theft for the second time (he having been already convicted and branded for a similar crime) and sentenced to serve as a galley slave for life in the Galleys of the King and that his property be confiscated in the name of the King.

Original signed: Chevalier.

(Signed) Barron,
Clerk.

YEAR 1752

JULY 15

IN RE: JEAN DUCOUTRAY ALIAS POULAILLER,
ACCUSED, DEFENDANT.

Certified Copy of Petition.

This is a certified copy of petition by Mr. Desmazellieres, Captain of a Company of a Detachment of the Navy, garrisoned at Illinois in the City of Kaskakias, addressed to Mr. De Macarty, Major Commander at Illinois, praying that an inquiry be instituted in the matter of Jean Ducoutray, a Frenchman, twenty-eight years old, a soldier in his Company, now accused of stealing eight chickens and imprisoned and put in irons in the aforementioned city, in order that said accused may be thereafter tried under the laws of Kaskakias. Said petition is dated July 13, 1752, and signed:

Desmazellieres

1752

July 13, Undersigned orders Mr. Des Rousselet to institute the inquiry prayed for. Said order is signed: Macarty

1752

July 15, Compared with the original by undersigned Clerk.

(Signed) Barrois, Chief Clerk

- - -

1752

July 15, Certified Copy of Petition.

This is a certified copy of a petition by Mr. Chevalier addressed to Mr. Buchet, Chief Clerk of the Navy, Judge of the Jurisdiction of the Province of Illinois, informing him that the Public Prosecutor has been advised that on July 15, 1752, the Council of War found Jean Ducoutray, alias Poulailier, soldier of the Company of Desmazellieres, guilty of theft and that he has been degraded in order to be turned over to the Secular Courts for trial and punishment. Wherefore, undersigned prays that the Public Prosecutor be now allowed to institute inquiry anew in this matter and to proceed in said matter in accordance with the requirements of law. Original signed: Chevalier
Compared with original.

(Signed) Barrois, Chief Clerk

1752,

July 17, Reconstruction of Crime.

By virtue of the proceedings instituted by Mr. Rousselet, Lieutenant of a Company of a Detachment of the Navy, against Jean Ducoutray, alias Poulailier, soldier belonging to the Company of Desmazellieres, accused of having broken open the chicken house of Joseph Braseau and stolen eight chickens, and, by virtue of the sentence rendered by the Council of War in said proceedings, Joseph Buchet, Chief Clerk of the Navy, Judge of the Jurisdiction of Illinois, together with the Clerk, repaired to the place where Braseau declared the accused had entered his chicken house, and they inspected the opening made by the accused for the

purpose of entering. Mr. Braseau was then requested to sign, but he declared himself unable to do so.

Done at Cascakias.

(Signed) Barrois, Chief Clerk

(6 pages)

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1752

JULY 17

CASE OF JEAN DUCOUTRAY, ACCUSED
OF THEFT.

Attorney General's Demand.

Considering the complaint brought by Monsieur de Demazellieres against Jean Ducoutray, known as Poulailier, the writ of arrest, the order for an inquiry, the official report of said inquiry and all other papers pertaining to said case, the Attorney General demands that

All witnesses that testified at said inquiry, be re-summoned for re-examination and to be confronted with the accused Jean Ducoutray; the official report of said re-examination and confrontation to be referred to said Attorney General, to base his opinion and his demand for the proper final decree.

(Signed) Chevalier

A true copy collated to the original.

(Signed) Barrois, Clerk

Not listed in Louisiana Historical Quarterly.

²
YEAR 1753JULY 17

RE: JEAN DUCOUTRAY ALIAS POULAILLER,
ACCUSED, DEFENDANT.

Copy of Inquiry.

On demand of the public prosecutor, Mr. Joseph Buchet, Chief Clerk of the Navy, Judge at Illinois, conducted an inquiry in the matter of the complaint made against Jean Ducoutray alias Poulailier, soldier in the Company of Des Mazellieres, condemned by sentence rendered by the Council of War to be degraded and turned over to the Secular Courts in order that inquiry could be instituted anew in said matter. Said proceedings were as follows: The witnesses were first placed under oath after which each made the customary declaration relative to relationship to defendant.

The first witness was Francoise Dizier, wife of Braseau, who declared that at about dawn of the date in question, she heard the chickens scream in the chicken house but thought nothing of it. Later, on arising, she inspected the chicken house and found eight chicken heads and one headless chicken, and suspecting the thief to be a soldier, she sent for Versaille, Sergeant of the Company of Reggie and asked him to find who was the thief. Original signed: Francoise Dizier, Buchet and by undersigned Clerk.

Francois Bedaque, surnamed Saint Jean, Sergeant of the Company of Demazellieres, was the next witness and he declared that on awaking very early about five days ago, he saw Jean Ducoutray, alias Poulailier, sitting on his bed and some chickens in a great kettle; that on being questioned,

Ducoutray went out at once; that Ducoutray was on sentry duty at that time. Bedaque says he dressed himself and went out to question Ducoutray who in the presence of Versaille, Sergeant of the Company of Reggio, and of Jean Moreau, Sergeant of the Company of de Noyon, acknowledged that it was he who had taken the chickens. Bedaque said that he, being Ducoutray's Sergeant, thereupon put him in jail and that he made his report to Mr. Des Rousselet, Adjutant of that city. Original signed: Jean Francois Bedaque, Buchet and by the undersigned Clerk.

George Joseph Jacquemel, surnamed Versaille, Sergeant of the Company of Reggio, declared that five days ago Mrs. Braseau had requested him to find out who had stolen her chickens; that immediately he went to the watch-house to see about the matter and that on his arrival there, he found Saint Jean and Jean Moreau questioning Ducoutray about the same matter and that Ducoutray had convicted himself of the theft of Mrs. Braseau's chickens and that he was put in jail by Saint Jean, who made his report of that fact to Mr. Des Rousselet, Adjutant of that city. Original signed: George Joseph Jacquemel, Buchet and by undersigned Clerk.

The next to testify was Jean Moreau, Sergeant of the Company of de Noyon, who declared that five days ago, he happened to be at the watch-house together with Saint Jean, Sergeant of the Company of de Mazellieres, and Versaille, Sergeant of the Company of Reggio; that Saint Jean, suspecting Jean Ducoutray, alias Poulailier, of freebooting, started to question him and that Ducoutray acknowledged to them that it was he who had taken

the chickens in question, plucked them and put them in the great kettle where the soldiers lodged, and that at said time he was on sentry duty. This witness on concluding his testimony declared he could not sign it because he could neither read nor write. Original signed: Buchet and by the undersigned Clerk.

(Signed) Barrois, Chief Clerk

(6 pages)

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1752JULY 18

IN RE: JEAN DUCOUTRAY, ALIAS
POULAILLER, ACCUSED, DEFENDANT

Copy of Examination of Accused.

Pursuant to demand of the Public Prosecutor, Joseph Buchet, Chief Clerk of the Navy, Sub-delegate of the Commissioner General of the Navy, Ordainer at Louisiana, Judge at Illinois, had Jean Ducoutray surnamed Poulailier, heretofore soldier in the Company of Desmazelliere, brought before him and after placing him under oath, questioned him as to his name, age, residence and whether he was not doing Sentry duty on July 13th, 1752.

The defendant answered that his name was Jean Ducoutray alias Poulailier; that he was 28 years old; that heretofore he belonged to the Company of Desmazellieres, garrisoned in this city and that he was doing Sentry duty on said date.

To the many other questions addressed him, defendant answered in substance as follows: That he knew Mrs. Braseau; that he entered the chicken-house by removing a panel in the mud wall thereof and that he then took eight chickens which he plucked at the water's edge and then carried to the place where the soldiers lodge in order to cook and share them with his comrades. He admitted having sufficient food and of having received the advance allowed on soldiers' pay but says that stealing with him is a weakness. He admits having been previously guilty of theft and of being branded thereof and therefore he

proceeded to remove his clothing so that the brand could be seen. When that was done, it was possible to see the letter "V" which had been stamped on his shoulder. Ducoutray denied, however, having stolen a pig and of having wounded it. On concluding his testimony, he declared it to be the truth but said he was unable to sign it because he could neither read nor write and could only make his mark which was a cross. He was then removed to prison where he was placed in irons. Original signed: Buchet and by the undersigned Clerk.

(Signed) Barrois, Chief Clerk

(5 pages)

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1752

JULY 18

EXTRACT FROM THE REGISTER OF THE
JURISDICTION OF ILLINOIS.

Order for Verification of Testimony
and Confrontation.

The charges and inquiry made by us on demand of the Public Prosecutor, plaintiff in execution of the sentence of the Council of War dated July 15th, 1752, against Jean Ducoutray, surnamed Poulailier, defendant and accused, examination of the accused and the opinion of the Public Prosecutor, all duly considered: it is ordered that the testimony given by the witnesses be verified by them and that the accused be confronted with said witnesses and that all of these said proceedings be then submitted to the Public Prosecutor for whatever action the lay may require. Given at Cascakias.

(Signed) Barrois, Chief Clerk

1752

July 15, Extract from the Register of the
Jurisdiction of Illinois.

Order for Arrest & Examination of Accused.

The demand of the Public Prosecutor presented July 15th, permit to conduct an inquiry in the matter of the complaint of Mr. Desmazellieres, together with the proceedings which followed, all duly considered: it is ordered by us that Jean Ducoutray alias Poulailier, be arrested and imprisoned in order to be examined anew on the facts and charges resulting from said inquiry and on any other facts on which the Public Prosecutor shall wish to examine him. Given at Cascakias.

(Signed) Barrois, Clerk

YEAR 1752JULY 18

IN RE: JEAN DUCOUTRAY, ALIAS
POULAILLER, ACCUSED, DEFENDANT.

Copy of Verification of Testimony.

Appearing before Joseph Buchet, Chief Clerk of the Navy, Sub-delegate of the Commissioner General of the Navy, Ordainer at Louisiana, Judge at Illinois, Andre Chevalier, Public Prosecutor for this Jurisdiction, declares that in execution of the order given this day, he caused to be cited the below named persons to appear and verify the testimony given by them at the inquiry held in the matter of Jean Ducoutray, alias Poulailier, defendant and accused. Said persons were Francoise Dizie, wife of Braseau, Jean Francois Bedaque, surnamed Saint Jean, George Joseph Jacquemel, surnamed Versaille and Jean Moreau: all of whom being now present are placed under oath and each, in turn, (or her) read back to him (or her) and, on conclusion of said reading, each witness declared that said testimony was the truth and that no changes were needed. Each witness signed this verification of testimony, except Jean Moreau, who declared he could neither read nor write. Original signed: Buchet and by undersigned Clerk.

(Signed) Barrois, Chief Clerk

- - -

1752

July 18,

Confrontation

Confrontation of accused with witnesses is made by Joseph Buchet, Judge at Illinois,

on petition of the public prosecutor, plaintiff on execution of the sentence of the Council of War against Jean Ducoutray, surnamed Poulailier, prisoner in this city, and also in execution of the sentence rendered on July 18th.

The prisoner was brought before above named Judge and confronted with each witness who had previously testified at the inquiry. The customary questions were addressed him relative to said witnesses, before which, however, he had been placed under oath. Then the testimony of each witness was read to him in the presence of said witness and, at its conclusion, the defendant was asked whether said testimony was true and he acknowledged that it was. The witnesses who confronted the accused were: Francoise Dizie, wife of Joseph Braseau, Francois Bedaque, surnamed Saint Jean, George Joseph Jacquemel, surnamed Versaille, and Jean Moreau. All of said witnesses declared in the presence of the accused, that the testimony as read to them in his presence was the truth. Original signed: Francoise Dixier, Jean Francois Bedaque, George Joseph Jacquemel, Buchet and by the undersigned Clerk. The accused and Jean Moreau declared themselves unable to sign because they could neither read nor write.

(Signed) Barrois, Chief Clerk

(10 pages)

Not listed in Louisiana Historical Quarterly.

61/29

YEAR 1752JULY 18PETITION FOR RECOVERYSIEUR DUBREUIL versus SIEUR EISSERAND

Sieur Dubreuil, captain of militia, claiming from Sieur Eisserand, the sum of 4861 livres as follows:

4738 livres, 10 sols, on a promissory note dated March 11, 1741.

40 livres, on a promissory note, dated Feb. 9, 1735.

82 livres, 10 sols, for eleven sacks of corn at 7 livres, 10 sols each.

petitions the Superior Council to have Sieur Eisserand summoned before the Council to be ordered to pay the amount of 4861 livres with interest and cost.

(Signed) Garic
for petitioner.

ORDER
PERMIT TO SUMMON

(Signed) by Michel.

SUMMON

Pursuant to the foregoing order, Sheriff LeNormand issues and delivers copy of the foregoing petition to Sieur Eisserand, and summons to appear before the Council to answer said petition.

(Signed)
LeNormand

Not listed in Louisiana Historical Quarterly.

YEAR 1752

JULY 20th.

1½ pp

Petition to Louis Brazilier, called Tourangean to have an inventory made of the community which existed between himself and wife, Jeanne Tremant dead 25 years.

No inventory was taken at time of her death and the community has increased in value.

He wishes to set his house in order before his death, because he has two living children from his marriage with Jeanne Tremont and would like, as much as possible to avoid any misunderstanding and litigation, when he dies.

(Signed) X mark of Louis Brazier.

Not printed in Louisiana Historical Quarterly.

YEAR 1752JULY 21

SUCCESSION OF SIEUR LE KINTREK.

Petition for Recovery.

Sieur Couturier, tutor of the minors of Sieur Le Kintrek, called Dupont, having refused to pay a promissory note for 840 livres, dated October 11, 1751, without an order of Court, Dame Genevieve Bubarde, widow of Francois Haville, the holder of the note, petitions the Superior Council to be ordered to pay the sum of 840 livres, the amount of Sieur Le Kintrek's note, with interest and cost.

(Signed) Lenormand
for plaintiff

Order.

Permit to summon.

(Signed) Dauberville

July 25, Summon.

Pursuant to the foregoing order, Sheriff Lenormand issues and delivers a copy of the foregoing petition to Sieur Couturier, tutor of the minor children of Sieur Le Kintrek, and a summon to appear in the Council Chamber to answer said petition.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

YEAR 1752

JULY 22

PROMISSORY NOTE

Promissory note for 55 livres in favor
of Sieur Jean Pierre, dated at Dauphine
Island, July 22, 1752.

(Signed) Baudreau

Not listed in Louisiana Historical Quarterly.

#52/120

YEAR 1752

JULY 22

RECEIPT

Receipt for 70 livres tendered Sieur
Boyer for taxes on his lots of ground
in the city for the years 1751 and 1752.

(Signed) Martin

1752
August 17, In Verso
 Receipt tendered Mr.
Chantalou for the above amount.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

57/29

YEAR 1752JULY 24

SUCCESSION OF JEAN CARITON.

Petition for Recovery.

Sieurs Jean Cariton and Vaudreat, tailors, purchased from Sieur Charles Lesassier, merchant, merchandise to the amount of 3619 livres 5 sols, as evidenced by a note dated December 15, 1751.

Sieur Cantrelle, Curator of Sieur Cariton's succession, having refused to pay said amount without an order of Court, Sieur Lesassier petitions the Superior Council to have Sieur Cantrelle summoned before the Council to be ordered to pay the said sum of 3619 livres 5 sols with interest and cost, said amount to be declared a privileged claim, said merchandise having been sold at auction after the death of Sieur Cariton.

(Signed) Lesassier

Permit to summon.

(Signed) D'Auberville

Summon

Pursuant to the foregoing order issued on petition of Sieur Lesassier, Sheriff Lenormand issues and delivers to Sieur Cantrelle, Curator of Sieur Cariton's succession, copy of the foregoing petition and a summon to appear before the Council and answer said petition and hear the proper decree in the case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

YEAR 1752JULY 26Total 4
Pages

Re: Barbin vs. Pradel

No Date

Petition

3 Pages

Petitioner, Nicolas Godefroy Barbin, alleges that, while he was in the city, one of his negroes came to him and told him that his barge had drifted away and that the overseer had sent some negroes out along the coast to look for it; petitioner also alleges that he was then informed by Mr. Pradel, one of his neighbors, that it was useless to look for this barge because two of his own negroes together with a negress and two negroes belonging to Mr. Alexandre had taken said barge. Petitioner further alleges that he made proper declaration of the facts at the Registry and that he made demand upon Mr. Pradel for payment of said barge which Mr. Pradel has refused, maintaining that he can be held but for three-fifths of the price paid by Mr. Barbin for said barge. Wherefore, petitioner prays for citation of Mr. Pradel and for judgment against him for four hundred pounds, purchase price paid by petitioner for said barge, or, in the alternative, petitioner prays for judgment decreeing the abandonment of said negroes under the Provisions of the Statute, and reserving to Mr. Pradel his right of recourse against whomsoever he may be advised.

(Signed) Barbin.

July 26, 1752.

Order.

Petition for citation granted by under-
signed, Judge.

(Signed) Michel

July 29, 1752.

Sheriff's Return.

Undersigned, Sheriff, makes his Return showing service of Citation on Mr. Pradel, former captain, to appear before the Superior Council of this Province on the First Saturday of August to Answer plaintiff's petition, copy of which was also served on him.

(Signed) Lenormand.

1 Page

August 4, 1752.

Answer.

Answering plaintiff's suit, defendant, Mr. Pradel, admits his indebtedness to Mr. Pradel but only to the extent of three-fifths of the purchase price paid by Mr. Barbin for the barge in question, which purchase price amounts to two hundred pounds and not to four, as alleged by plaintiff, which fact defendant can prove by the receipt just given plaintiff for another barge just recently acquired from the same person from whom he had acquired the barge in question, and which is identical with it. Defendant alleges that he can be held but for three-fifths of the purchase price because, in all, there were five negroes involved in the stealing of said barge and because the masters of those who were killed in the venture are none the less liable for the payment of said barge because their negroes were killed. Wherefore, defendant prays for judgment in his favor, recognizing that he is responsible for but three-fifths of the true value of the barge in question.

(Signed) Pradel.

Not printed in Louisiana Historical Quarterly.

YEAR 1752JULY 28

3½ Pages

Marie Catherine Vinconneau, wife
of Jean Baptiste Baudreau, surnamed
Graveline,

vs.

said Jean Baptiste Baudreau, surnamed
Graveline.

PETITION

Petitioner, through Mr. Helo, represents that due to the disorderly conduct of her husband, both at home and in business, she and her children are facing ruin; petitioner further represents that a separation of property is the only means by which she can protect her rights and those of her children; petitioner then alleges that, if cited, Messrs. Lemelle, La Croix, La Couture and Flamand will testify to her said husband's misconduct. Wherefore, petitioner prays for citation of the aforementioned persons that they appear and testify to said abovementioned facts before such Judge as the Court shall appoint in order that petitioner may be granted the separation of property prayed for; and, petitioner further prays for order allowing her to withdraw the number of cattle shown in her marriage contract as belonging to her and that, as a protection to her dowry, the mortgage shall continue in full force on the lots and on the house in the city; and, petitioner also prays that she be allowed to take the two negroes purchased with her earnings since her marriage; and she finally prays that her said husband shall be enjoined from removing any of the cattle given her children by her mother or by Mr. Laville.

(Signed) Helo,

Acting for Beaudreau's wife.

YEAR 1752

JULY 29

SUCCESSION OF JEAN CARITON
PETITION FOR RECOVERY

Sieur Jean Cariton, tailor, purchased from Captain Jean Couprie, manager of the Cargo of the vessel (L'Aimable Suzanne) of the Cap (captain Angrand), a barrel of Bordeause wine delivered on February 21, 1752, for the sum of 225 livres.

Sieur Cantrelle, curator of Sieur Cariton's succession, having refused to pay said amount without an order of court, Captain Couprie petitions the Superior Council to have Sieur Cantrelle summoned before the Council, to be ordered to pay the amount of 225 livres and costs.

(Signed) Couprie.

Permit to summon.

Dauberville.

SUMMON

Pursuant to the foregoing order, issued on petition of Captain Couprie, Sheriff Lenormand issues and delivers copy of foregoing petition to Sieur Cantrelle and summoned to appear before the Council and answer said petition and hear the proper decree in the case.

(Signed) Lenormand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

JULY 31

SUCCESSION OF DUPONT LE KINTREK
PETITION FOR RECOVERY

Dr. Francois Goudeau, creditor of Sieur Dupont Le Kintrek to the amount of 904 livres, 16 sols, 3 deniers for professional services, petitions the Superior Council to have Sieur Couturier, tutor and administrator of said succession, summoned before the Council to be ordered to pay the said amount of 904 livres, 16 sols, 3 deniers, with interest and costs.

(Signed) Goudeau.

Permit to summon

Dauberville.

SUMMON

Pursuant to the foregoing order, issued on petition of Dr. Goudeau, Sheriff Lenormand issues and delivers to Sieur Couturier copy of foregoing petition and summon to appear in the Council Chamber to answer said petition, and hear the proper decree in the case.

(Signed) Lenormand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

JULY 31st.

4 pp

NICOLAS de l'ISLE
vs.
SR. ANDRE JUNG

Petitioner alleges that he executed a contract with defendant, on September 19, 1750, whereby defendant's plantation with five negroes and four negresses were leased to petitioner, who agreed to manage the place like a good "father of a family". The negroes were not to be taken away because the place would go to ruin without them; notwithstanding which defendant has taken away said negroes and rented them on another plantation, leaving no laborers to work the plantation leased to defendant. Petitioner was compelled to hire one man, Champagne, to assist him. He also complains of non-performance of contract by defendant in not attending to a negro who lost an eye in an accident.

Petitioner prays for payment of 50 livres, amount paid to Champagne; 50 livres for time lost by negro, and a sum for payment of damages for loss of his eye.

(Signed) Delille.

Order to serve notice on defendant.

(Signed) Michel.

Return showing service of notice.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

JULY 31

SUCCESSION OF SIEUR CHAUVIN DELERY
PETITION FOR RECOVERY OF INTEREST

Sieur Dubois, colonist, having bought four negroes from the succession of Sieur Chauvin Delery, a decree was issued on petition of the heirs of said succession against Sieur Dubois for 4500 livres, the amount due for the negroes.

Sieur Delhomme, one of the petitioners, now petitions the Superior Council for another decree for 450 livres for interest, which amount was overlooked in the first decree.

(Signed) Delhomme.

August 1st

Permit to summon

D'Auberville

SUMMON

Pursuant to the foregoing order, Sheriff Lenormand issues and delivers to Sieur Dubois at his plantation a copy of the foregoing petition and a summon to appear before the Council and answer said petition, and hear the proper decree in the case.

(Signed) Lenormand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752JULY

SUCCESSION OF SIEUR JEAN CARITON

Petition for Recovery

Sieur Jean Cariton, tailor, purchased from Sieur Jacques Masicot, merchant, merchandise to the amount of 1538 livres 10 sols, as evidenced by notes dated October 19th and 23rd, 1761, and March 28th, 1752, paying on account 161 livres 10 sols, leaving a balance due of 1377 livres.

Sieur Cantrelle, Curator of Sieur Cariton's succession, having refused to pay said amount without an order of Court, Sieur Masicot petitions the Superior Council to have Sieur Cantrelle summoned before the Council to be ordered to pay the said amount of 1377 livres with interest and costs.

(Signed) J. Masicot

Permit to summon.

(Signed) D'Auberville

Summon.

Pursuant to the foregoing order, Sheriff Lenormand issues and delivers to Sieur Cantrelle, Curator of Cariton's succession, a copy of the foregoing petition and a summon to appear before the Council to answer said petition and hear the proper decree in the case.

(Signed) Lenormand

Not listed in Louisiana Historical Quarterly.

July 31 -
NO DATE

NO YEAR

(Probably about)
(July 1752)

SESSION OF COUNCIL OF _____ WHERE WERE
PRESENT:

Vaudreuil, Governor; Michel, Commissioner of
Marines and Ordonnateur and First Councillor;
D'Auberville, Commissioner of Marines and Second
Councillor; de Membrede, Major; Le Bretton,
Delalande and Kernion, Councillors Assessors.

Benoist de St. Claire versus Succession of
Gervais.

De l'Homme versus Dubois.

Botin versus Charles Le Sassier.

Jacques Cantrelle for homologation of family meeting.

Petition granted.

Vilars versus de la Pommeray.

Delille alias Dupart versus Gonzalle.

Chastant versus Jean Tremant.

(Signed) Michel

(Document perforated with parts missing.)

Not printed in Louisiana Historical Quarterly.

YEAR 1752AUGUST 1SUCCESSION OF JEAN CARITON, TAILORPETITION FOR RECOVERY

Sieur Cantrelle, Curator for the Succession of Jean Cariton, tailor, having refused to pay a note for 2159 livres, dated May 4th and June 1st, 1751, signed by the late Jean Cariton, without an order of court, Dame Marie Jeanne d'Oville, widow of Jacques Chauvin, holder of the note, petitions the Superior Council to have Sieur Cantrelle summoned before the Council to be ordered to pay the amount of said note, 2159 livres, with interest and costs.

(No signatures)

PERMIT TO SUMMON

(Signed)

Dauberville.

SUMMON

Pursuant to foregoing order, Sheriff Lenormand issues and delivers to Sieur Cantrelle, curator of Jean Cariton's succession, a copy of the foregoing petition and summon to appear before the Council to answer said petition and hear the proper decree in the case.

(Signed)

LeNormand.

Not listed in Louisiana Historical Quarterly.

YEAR 1752AUGUST 1SUCCESSION OF SIEUR DIRON
PETITION FOR RECOVERY

A letter of exchange (draft) for 3000 livres drawn by the late Sieur Diron on his brother, Sieur Dartaguet, in Paris, having been protested, the said amount was kept back by Sieur Henry, Clerk of the Superior Council, at the settlement of Sieur Diron's succession.

Sieur Jean Baptiste Claude Descloseause, holding procuration from Dame Rose Madeleine Malo, widow of Sieur Louis Bizoton, the holder of said letter of exchange, petitions the Superior Council to have Sieur Henry summoned before the Council to be told to remit the said amount of 3000 livres, now in his custody, and receive good and valid discharge.

(Signed) Bobe Descloseause.

Order

Permit to appear without cost.

(Signed) Michel

Sieur Henry accepts summon and states that he has reserved said amount of 3000 livres for the purpose to remit to whomsoever was empowered to give him a good and valid discharge.

(Signed) Henry.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

AUGUST 1

PETITION FOR RECOVERY

WIDOW PIQUERY,
versus
SIEUR EIXERAND

Widow Piquery, baker, having furnished Sieur Eixerand with 1726 pounds of flour, petitions the Superior Council to have said Sieur Eixerand summoned before the Council, to be ordered to pay for said flour (amount not specified), plus 215 livres for cooking same.

(Signed)

Widow Piquery.

PERMIT TO SUMMON

(Signed)

Dauberville

SUMMON

Pursuant to the foregoing order, Sheriff Lenormand issues and delivers to Sieur Eixerand, copy of the foregoing petition and summon to appear before the Council to answer said petition and hear the proper decree in the case.

(Signed)

Lenormand.

Not listed in Louisiana Historical Quarterly.

YEAR 1752

AUGUST 1

SUCCESSION OF JEAN CARITON
PETITION FOR RECOVERY

Sieur Jean Cariton, tailor, having received from Widow Piquery 599 pounds of flour, and having died before settling for same, Widow Piquery petitions the Superior Council to have Sieur Cantrelle, curator for the Cariton's succession, summoned before the Council to be ordered to pay for the said 599 pounds of flour (amount not stated), plus 17 livres for cooking same.

(Signed) Widow Piquery.

Permit to summon

Dauserville.

SUMMON

Pursuant to foregoing order issued on petition of Widow Piquery, Sheriff Lenormand issues and delivers copy of foregoing petition to Sieur Cantrelle and summon to appear before the Council to answer said petition, and hear the proper decree in the case.

(Signed) Lenormand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752AUGUST 5TH

Executive session of the Superior Council were present:
Messrs De Vaudreuil, governor,
Michel, Commissioner general of Marine, Intendant Commissary and first Judge, D'Auberville, Commissioner of Marine, second Judge. Bobe Descloseaux, Commissioner of Marine, Judge at Mobile, De Kernion and Le Bretton, lateral Judges.

1. Mr. Bobe Descloseaux, proxy for Dame Rose Magdelaine Malo, widow of Louis Joseph Bizaton versus Monsieur Henry former clerk of Council, trustee of the funds of the succession of Sieur Diron. Considering the petition of plaintiff to recover the sum of 3000 livres, the amount of a letter of exchange drawn by Sieur Diron on his brother, Sieur Dartaguet in Paris, said note having been protested, and said funds now in custody of Sieur Henry, the Council orders Sieur Henry, to remit the said amount of 3000 livres to Mr. Descloseaux, with privilege to have recourse against Sieur Millet, proxy for Mr. Lambert, heir to Mr. Diron for cost of court. Sieur Henry to receive good and valid ~~and~~ discharge.
2. Marie Jeanne Dauville widow of Sieur Jacques Chauvin versus Jacques Cantrelle, curator for the succession of Sieur Cariton. Considering the petition of plaintiff, the Council orders

D-52-132X (cont'd)

- Sieur Cantrelle to pay widow Chauvin the sum of 2159 livres, the amount of the promissory note dated May 4, and June 1, 1751. Costs on succession.
3. Captain Jean Couprie versus Jacques Cantrelle, Curator for the succession of Jean Cariton. Considering the petition of plaintiff for the recovery of 225 livres, amount due for a barrel of Bordeaux Wine delivered to Sieur Cariton on February 21st from the cargo of the vessel (L'Annable Marie) the Council orders Sieur Cantrelle to pay plaintiff the said amount. Cost on succession.
 4. Sieur Jacques Massicot versus Jacques Cantrelle, Curator for the succession of Jean Cariton. Considering the petition of Sieur Massicot for the recovery of 1538 livres 10 sols, evidenced by notes of October 19 and 23, 1751 and March 28, 1752 with a credit of 151 livres 10 sols, leaving a balance due of 1377 livres, the Council orders Sieur Cantrelle to pay the sum of 600 livres and the balance of 777 livres as soon as funds will be available. Cost on succession.
 5. Widow Piquery, baker (Garic Attorney) versus Jacques Cantrelle, curator for the succession of Jean Cariton. Considering the petition of widow Piquery for the recovery of 599 pounds of flour and 17 livres 10 sols for cooking same, the Council orders Sieur Cantrelle to pay the 599 pounds of flour in kind and 17 livres 10 sols. Cost on succession.

D-52-132 X (cont'd)

6. Nicolas Belisle, called Dupart versus Jean Baptiste Gonzalle. Considering the petition of Sieur Belisle for the recovery of a sum of 645 livres evidenced by a note dated March 18, 1746, and a decree by default, the Council orders Sieur Gonzalle to pay the said amount of 645 livres and costs.

7. Sieur Lesassier merchant versus Sieur Jacques Cantrelle, Curator for the succession of Jean Cariton. Considering the petition of Sieur Lesassier to recover from the succession of Jean Cariton, the sum of 3619 livres 5 sols due for merchandises, said debt evidenced by a promissory note dated December 15, 1751, his demand for a privileged ruling, said merchandises having been sold at auction after Sieur Cariton's death. The act of mortgage passed before Mr. Henry on Dec. 15, 1751, specifying that 1809 livres 12 sols, 6 deniers be paid on September 15, 1752 and a like amount on December 15th same year. The Council refers Sieur Lesassier to the terms of his obligation which has not yet falling due, and which is fully protected by the special mortgage on Sieur Cariton's house in the City. Cost divided.

8. Dr. Francois Goudeau, surgeon versus Sr. Couturier, tutor of the minor children of the late Joseph Le Kintrek called Dupont. Considering the petition of Dr. Goudeau for the recovery of 904 livres 16 sols, 3 deniers as by itemized statement approved by Sieur Le Kintrek; the Council orders Sieur Couturier to pay the said sum of 904 livres 16 sols, 3 deniers, with interest and cost, within two months as per mutual agreement.

D-52-132 X (cont'd.)

9. Genevieve Butorde widow of Francois Haville versus Sieur Couturier, tutor of the minor children of the late Joseph Le Kintrek called Dupont. Considering the petition of widow Haville for the recovery of the sum of 840 livres and interest evidenced by note dated October 11, 1751; the Council orders Sieur Couturier to pay within two months, as per mutual agreement the amount of said note with interest and costs.
10. Sieur Barbin versus Sieur Pradel. A canoe belonging to Sieur Barbin, having been stolen by some negroes belonging to Sieur Pradel and others belonging to the hospital, the Council considering the petition of Sieur Barbin to recover from Sieur Pradel the sum of 400 livres, the price of another canoe, which he had to purchase, appraises the stolen canoe at 350 livres and orders Sieur Pradel to pay the sum of 210 livres and F. Dagobert, rector, director of the hospital, owner of the other negroes to pay the sum of 140 livres. Cost on defendant.
11. Sieur Deverbois and Delhomme as having married Demoiselles Marguerite and Laurence Chauvin Delery versus Sieur Dubois, colonist. Considering the petition of plaintiff to recover the sum of 450 livres for one year interest, which was omitted from the decree of July 1st ordering the payment of 4500 livres due for negroes bought by defendant from the succession of Sieur Joseph Chauvin Delery. The Council orders Sieur Dubois to pay the said sum of 450 livres, omitted from decree of July 1st.

D-52-132 X (cont'd.)

12. Claude Reynaud called Avignon versus Louis Brazillier known as Tourangeau, Curator of the succession of Jacques Lorrain called Tarascon. Considering the petition of Sieur Avignon to recover the sum of 227 livres, evidenced by a note dated October 30, 1750. The Council orders his claim to take rank with the others the funds derived from the succession to be pro-rated among all the creditors. Cost on succession.
13. Sieur Dubreuil, Senior, Garic Attorney versus Sieur Louis Tixerant Signor. Considering the petition of Sieur Dubreuil to recover from defendant the sum of 4738 livres 10 sols evidenced by notarial act dated March 11, 1741; 40 livres on a note dated February 9, 1735 and 82 livres 10 sols for eleven sacks of corn valued at 7 livres 10 sols per sack, making a total of 4861 livres, the Council orders Sieur Tixerant to pay the full amount of the claim 4861 livres and costs.
14. Widow Piquery, baker, Garic Attorney, versus Sieur Louis Tixerant. Considering the petition of plaintiff for recovery of 1726 pounds of flour and the sum of 215 livres for baking same, the Council orders first default against defendant for non appearance. Sieur Tixerant to be re-summoned to appear at the next Council session.

15. Sieur Nicolas Delisle Dupart versus Andre Jung. Sieur Dupart having, by contract dated September 19, 1750 agreed to take care of Sieur Jung's plantation with five negroes and four negresses and Sieur Jung having taken all negroes away, was compelled to hire another man, who accidentally lost an eye. Sieur Dupart having petitioned the Superior Council for 100 livres, services rendered by the hired man and compensation for the loss of his eye, the Council rendered a decree by default against defendant, ordering Sieur Jung to be re-summoned at the next session of Council.
16. Petition of Captain Gregoire Vollant commanding the fourth Company of the Swiss regiment in garrison in this city. Captain Vollant, owning a small plantation, with a frame building and cabins, in community with his late wife, Dame Marthe Delery, and having an opportunity to sell and purchase a large one, petitions the Superior Council to be permitted to sell said plantation and with the proceeds to purchase a larger one; the whole transaction to be approved by a family meeting. The Superior Council considering the petition of Captain Vollant issues a decree to permit the sale of said plantation, said transactions to take place before Mr. Raquet with the cooperation of the attorney general and the funds deriving from said sale to be invested in real estate for the security of the minors.

17. Petition of Mr. Hushet de Kernion. The Superior Council considering the petition of Mr. Hushet de Kernion, Judge lateral of said Council, curator for his step-daughter Jeanne Antoinette Rivarde, to have a family meeting to appoint another Curator and receive all accounts, homologates the decree of said family meeting, and approves the appointment, by said meeting of Sieur Dreux as Curator for demoiselle Jeanne Antoinette Rivarde and orders that M. de Kernion's tutorship accounts be received and audited, as prayed for by Sieur Dreux before Mr. Raquet, the official report of said transfer to be referred to the Council for its approval. Cost pending.
18. Petition of Louis Brazillier. Considering the petition of Louis Brazillier, colonist at Bayou St. John, his wife Jeanne Tarrent, dead twenty-five years, to take an inventory of the community properties in order to make a partition between his two sons of age and married, the Council orders that the inventory of the properties be taken, as prayed for before Mr. de Kernion and the partition be done before Mr. Raquet.
19. Benoist de Sainte Claire versus Michel Fortier as tutor of minor children of deceased Catherine Baudreau widow Gervais.
This case, involving a settlement of accounts between the two parties was referred to a board of arbitrators composed of Sieur Lesassier, Wouguez and Olivier de Vezin. After an auditing of all letters titles and vouchers the arbitrators reported a sum of 2900 livres.

was due by the succession to Sieur Benoist de Ste. Claire, all papers and vouchers to be null and of no value after settlement of said claim. The Council considering the foregoing report homologates the decision of the arbitration board to be executed in its form and tenor, and orders Sieur Fortier, as tutor, to pay Sieur Benoist de Sainte Claire, the sum of 2900 livres. Cost on succession.

20. Petition of Antoine Danade. Considering the contract of marriage between Sieur Antoine Danade and Claudine Grifon, widow of Pierre Leroy known as Ferrand, and the donation inserted in said contract of a child's share to Sieur Danade, the Council grants Sieur Danade's petition for the recording of said contract and donation, said deeds registered immediately in folio 54 to be executed according their form and tenor.
21. Petition of Marie Catherine Vinsonneau, wife of Jean Baptiste Boudreau called Gravelines. Sieur Jean Baptiste Boudreau known as Gravelines, having by his wastefulness and his prodigalities squandered the greater part of the community properties, including the negroes, his wife, Marie Catherine Vinsonneau, wishing to protect her rights according her contract of marriage, her share in the community, her purchases derived from her labors and savings, her mother's gifts to help her and her children's rights in the succession of her first husband, petitions the Superior Council for an inquiry upon the misconduct and extravagances of said Sieur Boudreau, and for a separation of properties. The Council considering the aforesaid petition orders that an inquiry be held before Mr. Raquet upon the facts stated by plaintiff on said petition; the official report of said inquiry with the opinion of the attorney general, to be referred to the Council for the proper decree.

No signatures.

YEAR 1752AUGUST 5SUCCESSION OF JEAN CARITONPRIVATE PROCURATION

Captain Jean Couprie, manager of the Cargo of the vessel (L'Amable Suzanne), having brought action against the succession of Sieur Jean Cariton, tailor, for the sum of 225 livres, the value of a barrel of Bordeaux wine, writes a private procuration to Sieur Normand (LeNormand) appointing him his attorney, in fact to represent him at said trial, giving him power and authority to certify said account if necessary .

(Signed)

J. Couprie.

Not listed in Louisiana Historical Quarterly.

57/B

YEAR 1752

AUGUST 5

4 Pages,

Total In re: Succession of the late
Mrs. Gervais - Petition for
Homologation of Award of Arbitrators.

1 Page Petitioner, Benoist de Ste. Clair, Knight of
St. Louis, Captain of Troops maintained in
this Colony, represents that the question,
involved in the suit instituted by him
against the Succession of the late Mrs. Gervais,
had been ordered submitted to Arbitrators;
petitioner further represents that said Order
has been duly executed and that the Award of
Arbitrators has been filed in the Registry of
the Council. Wherefore, petitioner prays that
said Award be now homologated and ordered
executed.

(Signed) Benoist de Ste. Clair.

3 Pages No Date.

Replication
By Michel Fortié
To Answers Made
By Benoist de Ste. Clair
on July 10th, last.

Mr. Fortié, defendant, limits himself to the
three following points:

- 1st. The lack of formality requisite
for the validity of the letters referred
to by Benoist in his Answers.
- 2nd. That Benoist, himself, doubted
whether he had any balance because, in
his letter of July 31, 1745, he stated,
in a memorandum forming part of said
letter, that he asked that this memor-
andum be carried out only if there was
a balance remaining.

D 52/134 X

3rd. That defendant seeks to recover rent from Mr. Benoist for the use and possession of a negro for a period of four years and five months, which rental defendant estimates is worth 900 pounds.

For said three reasons, Mr. Fortié declares that the claims of Mr. Benoist have no foundation at law and that they should therefore be dismissed at his costs; and, Mr. Fortié further prays that Mr. Benoist shall be ordered to pay him 900 pounds for the rental of the above-mentioned negro.

(Signed) Fortié.

Not printed in Louisiana Historical Quarterly.

61/141

YEAR 1752APRIL 5

Executive Session of the Superior
Council Presents:

Messrs. De Vaudreuil, governor,
Michel, commissioner general of
Marine, Intendant commissary and
first judge, D'Auberville,
commissioner of Marine, second
judge Bobe Descloseaux, commissioner
of Marine, judge at Mobile, De
Kernion and Le Bretton, lateral
judges.

1. Mr. Descloseaux versus Sieur Henry. The Council orders Sieur Henry to remit the sum of 3000 livres, now in his custody, to Mr. Descloseaux with privilege to have recourse against Sieur Millet, proxy for Mr. Lambert, heir to Mr. Diron, for cost of court.
2. Widow Jacques Chauvin versus Sieur Cantrelle. The Council orders Sieur Cantrelle as Curator of Sieur Cariton's succession to pay plaintiff the sum of 2159 livres, the amount of the promissory note. Court costs on succession.
3. Captain Couprie versus Sieur Cantrelle. The Court orders Sieur Cantrelle, as curator of Sieur Cariton's succession, to pay plaintiff the sum of 225 livres. Cost on defendant.
4. Sieur Jacques Massicot versus Sieur Cantrelle. The Council orders Sieur Cantrelle, as curator of Sieur Cariton's succession, to pay plaintiff the sum of 600 livres and the balance as soon as funds will be available. Costs on succession.

5. Widow Piquery (Garic, attorney) versus Sieur Cantrelle. The Council orders Sieur Cantrelle, as curator of Sieur Cariton's succession, to return the amount of flour in kind and pay 17 livres, 10 sols as demanded. Costs on succession.
6. Sieur Delisle Duparc versus Jean Baptiste Gonzalle. The Council, considering the decree by default issued on July 1, 1752, orders Sieur Gonzalle to pay the sum of 645 livres, evidenced by his note of March 18, 1746 and costs.
7. Sieur Lesassier versus Sieur Cantrelle. The Council orders the case thrown out of Court, as the obligation term is not expired, plaintiff protected by a special mortgage. Cost divided.
8. Sieur Goudeau versus Sieur Couturier. By mutual agreement, the Council orders Sieur Couturier, as tutor of the Dupont Le Kintrek minors, to pay within two months the sum of 904 livres, 16 sols, 3 deniers and costs.
9. Widow Haville versus Couturier. The Council orders Sieur Couturier, as tutor of the Dupont Le Kintrek minors, to pay within two months the sum of 840 livres and costs.
10. Sieur Barbin versus Sieur Pradel. The Council values the stolen canoe at 350 livres, of which Sieur Pradel is ordered to pay 210 livres, and 140 livres to be paid by Father Dagobert, rector and director of the hospital. Cost on defendant.
11. Deverbois versus Dubois. The Council, having omitted the interest due by Sieur Dubois

#1319 (Continued)

from the decree of July 1st, orders that
Sieur Dubois pays all interest now due and
costs.

12. Claud Renaud, called Avignon, versus Louis
Brazillier, called Tourangeau. The Council
orders Sieur Louis Brazillier, curator of
the succession of Jacques Lorrain, called
Tarascon, to pay plaintiff the amount of his
claim at pro-ratio with the other creditors
and costs.
13. Sr. Dubreuil, Garic, attorney, versus Sieur
Tixerant. The Council orders Sieur Tixerant
to pay the amount demanded and costs.
14. Widow Piquery, Garic, attorney, versus Sieur
Tisserand. Judgment by default, the Council
orders the defendant to be resummoned for
next session.
15. Sieur Delisle Dupart versus Sieur Jung. The
Council orders decree by default against
defendant for non-appearance, to be resummoned
for next session. Cost pending.
16. Sieur Volant, petitioner for permit. The
Council gives permit requested for the sale
of properties, said sale to be held with all
legal formalities before Hon. Raguet, the
funds derived from said sale to be invested
in real estate for the surety of the minors.
17. Mr. de Kernion, petitioner for family meeting.
The Council homologates the decree of the
family meeting to be executed in its form and
orders that M. de Kernion's accounts be re-
ceived and audited by Sieur Dreux before
Mr. Raguet as prayed for. Cost pending.

#1319 (Continued)

18. Sieur Brazillier, petitioner. The Council orders that inventory of the properties of said Tourangeau be taken, as prayed for, before Mr. de Kernion and the partition be done before Mr. Raguet. Costs pending.
19. Benoist de Ste. Claire, petitioner. The Council orders that the decree of arbitrators be homologated to be executed in its form and tenor, Sieur Fortie to pay the sum of 2900 livres and costs.
20. Sieur Danade, petitioner, for recording. The Council, considering the contract of marriage, orders the recording of the donation.
21. The wife of Sieur Beaudreau, called Gravelines, plaintiff. The Council orders that an inquiry be made before Mr. Raguet in presence of the attorney general, upon the facts mentioned in the petition, the official report to be referred to the Council, which, on the opinion of the attorney general, will issue the proper decree.

(Signed) Michel.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

AUGUST 5TH

EXTRACT FROM THE REGISTER OF
HEARINGS OF THE SUPERIOR COUNCIL
UNDER DATE OF AUGUST 5, 1752.

IN RE: MARIE CATHERINE VINSONNEAU, WIFE OF
JEAN BAPTISTE BAUDREAU SURNAMED GRAVE-
LINE, PLAINTIFF ON PETITION.

JUDGMENT

Petition of the wife of Baudreau, plaintiff, in which she alleges that due to the extravagance of her husband, his bad behavior and his total lack of consideration for his family, she sees herself and her children facing ruin; she also alleges that these facts can be attested to by responsible witnesses, whom she names, individually; petitioner further alleges that the only way she can protect her rights is to obtain a separation of property. Wherefore, she prays for citation of the aforementioned witnesses that they may appear and testify in her behalf before such Judge as the Court shall be pleased to appoint, to the end that she be granted a separation of property from that of her said husband; petitioner further prays that she be allowed to withdraw certain cattle of this time, as well as two negroes whom she names and she also prays that the mortgage on the house and the lots in town shall remain in effect: all duly considered by the Council. Judgment is rendered decreeing that the inquiry prayed for be conducted before Mr. Raquet in presence of the Attorney General: the entire

proceeding to be then submitted to the Council together with the opinion of the attorney-general relative to said proceedings.

Given at the Council Chamber at New Orleans.

(Signed) By the Council,
Chantalou, Clerk.

SHERIFF'S RETURN

August 14, 1752,

Undersigned, Sheriff, makes his return showing service of citation on

Mr. Le Mesle Bellegarde, Baker,
Mr. Daniel Hubert La Croix,
Mr. Duffant La Couture, and to
Mr. Flamend

to appear on August 16th, before Mr. Raquet to testify at the inquiry to be conducted by him in the matter of the suit of Marie Catherine Vinsonneau, wife of Beaudreau, against said Beaudreau and notifying them that should they fail to appear they shall be arrested in accordance with the provisions of law, stating that copy of this citation was left with each of aforementioned persons cited.

(Signed) LeNormand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

AUGUST 9TH

LETTER
TESTAR TO PELISSON

Letter written by Mr. Testar at La Rochelle addressed to Mr. Pelisson at New Orleans. Writer hopes that merchandises shipped by vessel Lajax and Rinceros arrived safe and gave satisfaction; hopes that the St. Julien wine shipped by the vessel Lequite will also prove satisfactory.

The invoice of said shipment amounts to 118 livres 10 sols to which must be added the sum of 124 livres 10 sols due for previous shipment making a total of 243 livres for which Sieur Testar expects a remittance by letter of exchange as soon as possible.

The letter ends with the usual courtesies.

Testar.

57/10

YEAR 1752
pp. 2 1/2

AUGUST 9TH

IN RE: SUCCESSION OF KINTREK DUPONT.

MESSRS. PICTET AND CAMINADA VERSUS
MR. COUTURIER, TUTOR OF KINTREK
MINORS AND ADMINISTRATOR OF SUCCESSION
OF KINTREK.

PETITION

Undersigned, petitioners, here representing Mr. Mesnard, under Power of Attorney granted them September 3, 1749, pray for citation of Mr. Couturier, Tutor of the minor children of the late Mr. Kintrek and Administrator of the Succession of said Kintrek, that he appear and that judgment be rendered against him decreeing that he pay petitioners, in their aforesaid capacity, eleven hundred and fourteen parchements made from roe-buck skins; which payment, as stipulated, is due on the notes dated July 1st, and 18th, respectively, 1749, which notes were given by the late Mr. Kintrek to Mr. Mesnard in payment for a contract entered into by said Mr. Mesnard with the late Mr. Kintrek. Petitioner also pray for costs.

In support of said petition, petitioners hereto above-mentioned Power of Attorney and the notes sued upon.

(Signed) Pictet & Caminada.

August 9, 1752.

Order.

Undersigned, Judge, grants petition for citation.

(Sgd) Raguet.

August 14th, 1752.

SHERIFF'S RETURN

Undersigned, Sheriff, makes his return showing service of citation on Mr. Couturier, Tutor of the minor children of the late Kintrek, to appear at the Council Chamber on the morning of the first Saturday of September to answer plaintiffs' petition, copy of which was also served on him.

(Signed) Le Normand.

ANSWER

September 2, 1752.

Answering plaintiffs' suit praying for specific performance as stipulated in the notes sued on, defendant, Mr. Couturier, Surgeon of the Swiss, Tutor of the minor children of the late Kintrek Dupon, through undersigned Attorney, denies any cause of action for specific performance as set forth in plaintiffs' petition but admits that they are entitled to a settlement in currency for two reasons; 1st, because all skins belonging to the succession of the late Kintrek Dupont were reduced to cash through Judicial Sale in order to safeguard the rights of all creditors of said succession; and 2nd, because the trade for which said notes were given was later transferred to one Courtableau as a favor, therefore plaintiffs are entitled but to the advance made said Dupont, wherefore, defendant prays that plaintiffs' suit for specific performance be rejected and that judgment be rendered herein decreeing that plaintiffs' claim be liquidated in current and accepted money.

(Sgd) Garic, Attorney.

Not Listed in Louisiana Historical Quarterly.

YEAR 1752AUGUST 10THH
COPY OF DECLARATION MADE BY LETTER
WRITTEN TO MR. CHANTALOU, CLERK, BY
MR. LAYSSARD.

This letter is written from the plantation for the purpose of making a report of the drowning of the negro Joseph, age eighteen, which occurred at about six o'clock the previous evening when the writer was returning from his work. He reports that said negro, along with other negroes and those of Mr. Beaunne, went bathing and swimming after work, that as the writer walked along, he heard a man scream whereupon he turned and saw the Fayende Brothers in a canoe going toward the negro who had screamed and whom he saw was drowning; that he also saw negroes swimming toward him but that no one was able to rescue said drowning negro, not even his father and mother who had thrown themselves into the water in an effort to save him. Layssard states that the negroes are not permitted to have an instrument of any kind whatsoever and that they are guarded in the workshop however they always have in mind the purpose of destroying themselves. In conclusion he adds that the certificate of the Messrs. Fayende is hereto attached. Original signed: Layssard. We certify the foregoing declaration to be the truth. Original signed: Antoine Fayende and Jacques Fayende.

This copy collated with the original.

(Sgd) Chantalou, Clerk.

YEAR 1752AUGUST 23RDLETTER TO CHANTALOUP AT NEW ORLEANS
FROM TESTOR AT LA ROCHELLE.

This letter treats of shipment of merchandise made and to be made by Testor to Chantaloup and of shipments of roe-buck skins and of Indigo which Chantaloup may make to Testor.

The writer begins his letter by expressing surprise that Chantaloup did not avail himself of the arrival of the vessel of Bayonne to write him, also, that he did not make him a shipment via "La Marquis de Surgere" as he had stated in his last letter that he would (no paragraph) the writer expresses his anxiety concerning the latter and says that he has taken out two thousand pounds worth of insurance which he shall be able to collect in the even said vessel is lost.

The shipment made Chantaloup via the "Rinoceros" and "Tequite" are then discussed in detail and specific mention is made of the fact that some of this merchandise is to go to Mr. Ridday Bosseron of Illinois and he asks Chantaloup to repack it, as per memorandum now sent him, to place it in oil cloth and to make it R. B. H^o 2.

Mr. Testor thanks Chantaloup for having obtained for him the confidence of Mr. Henry and assures him that he shall do all in his power to be worthy of it. He then speaks of the arrival of Mrs. Henry, of his having gone to the boat, together with Mr. Surgi to meet her, of having offered her the hospitality of his home, which she accepted for one night, after which she went to live with a Mrs. Cuisenue.

Mention is also made of the fact that Mr. Jengin is now at Paris where he is receiving handsome remuneration for his work and where Mr. Jengin says he shall remain as long as he can.

Mr. Testor says he hopes Mrs. Chantaloup liked the snuff boxes. On page two of this letter, he stated that if Mrs. Chantaloup wished to imitate his wife in her efforts to add little by little to the dowry of his daughters, she could rest assured that he would do everything to assist towards that end, in the same way that he knew Chantaloup would assist his own wife in such efforts.

Mr. Testor closes with customary courteous expressions.

(Signed) Testor.
A

Not printed in Louisiana Historical Quarterly.

#61
#10

YEAR 1752AUGUST 16THPETITION FOR RECOVERY

GABRIEL FUSELIER DE LA CLAIRE VERSUS COLMART.

Sieur Gabriel Fuselier de la Claire being unable to recover the sum of 468 livres 3 sols 7 deniers, evidenced by a note dated February 9th, petitions the Superior Council to have Sieur Colmart, summoned before the Council to be ordered to pay the said amount of 468 livres 3 sols 7 deniers with interest and cost.

Fuselier de la Claire.

Permit to summon.

Raguet.

Summon

Pursuant to the foregoing order, issued on petition of Sieur Fuselier de la Claire, merchant sheriff LeNormand issues and delivers to Sieur Colmart copy of foregoing petition and summon to appear before the Council and answer said petition and hear the proper decree in the case.

LeNormand.

Not printed in Louisiana Historical Quarterly.

#1320

YEAR 1752

AUGUST 16TH

IN RE: MARIE CATHERINE VINSONNEAU,
WIFE OF JEAN BAPTISTE BAUDRAU, SUR-
NAMED GRAVELINE

VERSUS

JEAN BAPTISTE BAUDREAU, SURNAMED
GRAVELINE, HER HUSBAND.

INQUIRY

Pursuant to order rendered August 5th by the Council, on petition of Catherine Vinsonneau, plaintiff in suit for separation of property, duly authorized therein by the Court, against Jean Baptiste Baudreau, her husband, defendant, Mr. Raguet conducts this inquiry in said matter.

The witnesses, before testifying were placed under oath, whereupon each made the customary declaration concerning relationship to the parties to said suit. Mr. Daniel Hubert, surnamed La Croix, testified that he knows that said Baudreau is a spendthrift; that he enters with bad bargains; that he eats and drinks up everything; that he is always running hither and yon and that he is in no way attached to his family and he concludes his testimony by declaring it would be best for all concerned if Baudreau and his wife were separated in property. Said witness then declared that he was indebted to him for three hundred pounds and that he was unable to collect said amount from Baudreau.

(Signed) Daniel Hubert
Raguet.

Mr. Francois Lemelle surnamed Bellegrade testified that all he knows concerning the Defendant is but rumor and hearsay; that he does not know said Baudreau well enough to decide as to the truth concerning his alleged dissipations.

(Sgd) Lemelle.

The next witness to testify was Mr. Pierre Dafferts surnamed La Couture, who declared that said Baudreau has no regard for his family; that he leads a disorderly life and that it would be much better if he and his wife were separated. He declared himself unable to sign his testimony because he could neither read nor write.

(Sgd) Raguet.

Mr. Jean Grevembert surnamed Flaman was the last witness to testify and he declared that Baudreau was a waster, a man of disorderly conduct and a man who frequently made spurious bargains and that he had no attachment whatsoever for his family.

(Sgd) Grevembert.
Raguet.

August 18, 1752.

Undersigned orders the foregoing submitted to the attorney-general.

(Sgd) Raguet.

August 22, 1752.

DEMAND OF ATTORNEY GENERAL

Undersigned, Attorney General, demands that Baudreau, husband of plaintiff be served with plaintiff's petition in form of complaint, together with said inquiry.

(Sgd) Fleuriau.

September 5, 1752.

SHERIFF'S RETURN

Undersigned, Sheriff, makes his return-showing service of aforementioned papers on Jean Bte. Beaudreau surnamed Graveline.

(Sgd) LeNormand.

Not printed in Louisiana Historical Quarterly.

YEAR 1752

AUGUST 24

RE: SHIPMENT OF THREE CASES OF MERCHANDISE TO CHANTALOUPE AT LOUISIANA BY TESTAR VIA VESSEL "LEQUITTE", COMMANDED BY CAPT. BERTRAND.

INVOICE

This invoice specifies in detail of what aforesaid merchandise consists, the price and how the aforementioned cases are marked, and the fact that the risks and profits on said merchandise are to be shared equally by Chantaloupe and Testar. The total value of said merchandise is 4854 pounds and the freight charges thereon are 133 pounds.

May 13, 1752.

FREIGHT RECEIPT

This receipt is signed by the master of the vessel "Le Grand Dondonnois" acknowledging receipt from Mr. Testar at Rochefort of a box containing two looking glasses for delivery to Mr. Chantaloupe, Attorney for Vacant Estates, at Louisiana, and also acknowledging payment of the freight charges on said box, which charges amount to fifty pounds.

(Signed) Pierre Forgent.

D 52/142

August 24,

FREIGHT RECEIPT

This receipt is signed by the master of the vessel "Lequitte de La Rochelle" acknowledging receipt from Mr. Testar at La Rochelle of four boxes and one package of merchandise for delivery to Mr. Chantaloup at Louisiana, and also acknowledging payment of the freight charges thereon, which charges amount to 133 pounds.

(Signed) Bertrand.

Not printed in Louisiana Historical Quarterly.

61/10

YEAR 1752AUGUST 28THPETITION FOR RECOVERY
JACQUES MASSICOT VERSUS CAPT. FAUCHE.

Sieur Jacques Massicot, baker bought from Capt. Fauche 320 barrels of Nerac's flour for the sum of 9150 livres, said flour guaranteed to be good, fresh and marketable.

The flour being in a damaged condition, unfit for bread making, being so declared by expert bakers after test, Sieur Massicot, petition, the Superior Council to have Capt. Fauche summoned before the Council to be ordered to retake said flour and to refund petitioner the sum of 9150 livres, its purchasing price. With interest and cost.

J. Massicot.

Permit to Summon.

Raguet.

Summon

Pursuant to the foregoing order, issued on petition of Sieur Jacques Massicot, Sheriff LeNormand issues and delivers to Capt. Fauche copy of aforesaid petition and summon to appear before the Council and answer said petition and hear the proper decree in the case.

LeNormand.

YEAR 1752AUGUST 2PETITION TO VACATE

By notarial act, dated July 29, 1751 Dame Jeanne Frederic Couturier bought from her mother Marie Pro, now deceased, for the sum of 1200 livres, a lot of ground 60 feet front by 120 feet depth, situated corner Bourbon and Saint Peter, upon which she had a house and kitchen built. The named Nicolas, gunsmith having of his own authority, taken possession and fenced in a portion about one fourth, of said lot, Dame Couturier petitions the Superior Council to have the said Nicolas summoned before the Council to be ordered to vacate said lot of ground. Dame Couturier having enjoyed possession of said ground for the past six years.

Garic, Attorney.

Permit to summon.

Dauberville.

Summon.

Pursuant to the foregoing order issued on petition of Dame Jeanne Frederic Couturier, Sheriff Lenormand issues and delivers to named Nicolas, gunsmith, copy of foregoing petition and summon to appear before the Council at its next session day to answer said petition and hear the proper decree in the case.

Lenormand.