1788

August - October

Case of Mauricio Conway, & Juana Lebretton, vs estate of Juan Davis 8-19

Proceedings instituted by several residents of the West side of the river to prevent Juan Bautista Sezan from constructing a sawmill adjoining their lands 8-19

Succession of Francisco Subiela 8-23

Succession of Pedro Bidou Herbert 8-26

Succession of Capt. Luis Peres Bellegarde 8-28

Succession of Renato Beluche 9-3

Proceedings instituted by Honorato Lanobiliere to have his Mother Margarita Darensbourg, grant him permission to Marry Celeste Chretien, his fiancee. 9-4

Proceedings instituted by Bartolome Bautista, a free negro to have the court order Pedro Pablo Labastille, to show cause why he should not marry his daughter Catalina 9-6

Succession of Bernardo Alexandro 9-22

Succession of Doña Carlota Lalande Dapremon 10-6

Succession of Louis Boisdore 10-10

Succession of Antonio Aguiar 10-21

Case of Juan Josef Duforest vs Guillermo Fitzgerald 10-25
Case of Mary Fitzgerald vs Guillermo C. Fitzgerald 10-25

Succession of Lt. Lorenzo Rigolene 10-25

Alexis Reaud, representing the business firm of Reaud and Fortier, of N.O. which acted as agent of Luis Gaudinot, merchant of Paris,France,vs Estate of Pedro Chabert & Carlota LaLande Dapremon. 10-29

Proceedings instituted by Jos.Adam to obtain permit to sell a certain parcel of land of his ownership 11-11

Case of Pedro Jos. Favrot vs estate og Guillermo Guignan 11-27

Most of cases are on the succession of Pedro Chavert and Madam Carlota Lalanda Dapremon 12-1,5,10 12-11,12, 13,16,18,19,22,24

Proceedings instituted by Maria Daby (free negress) in order to emancipate from slavery Luisa & Melisaire, her daughter & grand-daughter 12-12

Case of Jos. Wiltz, vs J.B. Sancartier. 12-12

Case of Bablo Dufresne, vs Josef Ferry 12-13

Case of Madam Eulalia St.Amant,vs succession of Phelipe Chesnne 12-16

Proceedings instituted by Catalina Toupar for the purpose of appointing Francisco Prevost her son-in-law, as tutor of her minor children 12-17

Case of Santiago Guinault vs Marcos Richard 12-19

Proceedings instituted by Mme. Greguembert, through her Attorney Cavelier, for the purpose of obtaining a certified copy of her appointment, as tutoress of her daughter Madam Maria Cavelier, due to the death of her husband Juan Bta. Cavelier 12-30

DOCUMENT NO. 1835
BOX 51.

File No. 38
August 1, 1788.
Judge: Estevan Miro.
CC: P. Pedesclaux.
P. 1 to 2.
Spanish.

PROCEEDINGS INSTITUTED BY JUAN CATO, CAPTAIN OF THE BRIGANTINE NAMED "NANCY", FOR THE PURPOSE OF RESERVING HIM THE RIGHT TO DECLARE IF NECESSARY HOW THE CARGO BROUGHT BY HIS SHIP INTO THIS PORT WAS DAMAGED.

Juan Cato, Captain of the brigantine named "Nancy", brought this action alleging that he sailed from the port of Philadelphia on May 29, 1788, and arrived to this port of New Orleans on July 21st of the same year; that his ship was damaged by storms encountered on the high seas, and for this reason petitioner believes that the cargo was also damaged, and that after said cargo is unloaded and found to be damaged, petitioner wishes said damages to be imputed to the owner of said cargo. Wherefore, petitioner begs the Court to grant him the privilege to submit his declaration in case said cargo is found damaged, in order that he may not be held liable for said damages.

On Aug. 1, 1788, the Court granted Don Juan Cato's prayer.

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

#25(A)
#10

DOCUMENT NO. 1836.
BOX 51.

File #2602.
Aug. 1, 1788.
Judge: Gov. Miro.
CC: P. 1 to 4.
Spanish.

CASE OF
JOSEF TAUZIN
VERSUS
PEDRO BIDOW HERBERT.

The plaintiff brought action against the defendant to collect a certain promissory note, for the sum of 312 pesos, alleging that as evidence by the two certifications presented, wherein the first, one Delouguet certified having issued said promissory note in favor of Tournier, who in turn transferred it to Bernardo Tremoulet and plaintiff; that the defendant had obligated himself to pay said promissory note; that said note has been lost and belongs to plaintiff, as evidence by the second certification; that said note is due, and that the defendant has failed to make payment on demand. Wherefore, the plaintiff begged the Court to order the defendant to pay said promissory note, and that in the event said note is found to declare it null.

On Aug. 1, 1788, the Court granted the plaintiff's prayer.

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

#25(A)
#10

DOCUMENT NO. 1837.
BOX 51.

File #2391.
Aug. 2, 1788.
Judge: Estevan Miro.
CC: P. Pedesclaux.
P. 1 to 5.
Spanish.

PROCEEDINGS INSTITUTED BY JOSEF BRIONES TO HAVE PEDRO ARAGON Y VILLEGAS RENDER A DECLARATION IN CONNECTION WITH A CERTAIN DEBT.

The record shows that Josef Briones, a resident and merchant of Havana, Cuba, through his agent, Antonio Mendez, petitioned the Court alleging that it is convenient to his interest for the Court to order Pedro Aragon y Villegas, a resident of New Orleans, to declare under oath whether it is true that at the end of the last war petitioner loaned to said Villegas the sum of 1000 pesos in Mexican silver currency to be used in a partnership to do business in the ports of New Orleans and Veracruz, Mexico, and also to declare whether it is true he failed to return said loan to him, and to also inform him of the profits derived from said loan. Briones, further begged the Court to deliver to him the original declaration of Villegas to use at his convenience.

The Court ordered as prayed by Josef Briones, and Pedro Aragon y Villegas under oath rendered his declaration wherein he denied the allegations of petitioner and cited as evidence of his denial the lawsuit he had pending with Juan Antonio Ruiz de Alvarado in the records of which appears the amount owed him by Briones. Villegas further declared that he consented to render this declaration only because the Court ordered him to do so, since Briones' agent has no right to demand it from him, and that said Briones had instituted fraudulent insolvency proceedings in this city without fulfilling the requirements of law, as also shown in the public deeds added to the aforementioned law-suit and in the protest which the declarer has forwarded to the Superior Court for the legal effects that may be convenient.

#22
#10

DOCUMENT NO. 1838.
BOX 51.

File #2623. Aug. 4, 1788. Judge: Juan Argote. CC: P. Pedesclaux. P. 1 to 7. Spanish, French.	PROCEEDINGS INSTITUTED BY CARLOS VIVANT AND COMPANY FOR THE PURPOSE OF OBTAINING A PERMIT TO SELL NINE NEGROES AND THREE NEGRESSES OF THEIR OWNERSHIP.

Don Carlos Vivant and company, merchants of this city, instituted these proceedings, alleging that they bought 9 negroes and 3 negress slaves from Don Pablo Segond and Don Martin Robin, as evidenced by the private bill of sale presented. Wherefore, petitioners beg the Court to authorize them to sell said slaves.

The record shows that the Court ordered Don Carlos Vivant and company to prove whether they are the owners of said slaves, and that said Carlos Vivant and company produced witnesses to prove their title to said slaves, and that the court after examining the evidence presented granted them the necessary permit to sell said slaves.

The cost of these proceedings amounted to 6 pesos and 1 real.

#25(A)
#10

DOCUMENT #1839.
BOX 51.

File #3
Aug. 9, 1788.
Judge: Don E. Miro.
CC: R. Perdomo.
P. 1 to 3.
Spanish.

CASE OF
TOMAS CANTRELO
VERSUS
PABLO SIMIGNANI.

The plaintiff, petitioned the Court alleging that the defendant, a resident of Caba-hanoce, is indebted to petitioner in the past due sum of 78 pesos for personal service that petitioner rendered to the defendant, as evidenced by the promissory notes presented, and that the defendant has failed to make payment on demand. Wherefore, petitioner begs the Court to send a warrant with a copy of this petition and the two promissory notes, to the commandant of said Port, so that said commandant may compel the defendant to appear before him to acknowledge his signature and declare whether he owes the sum claimed, and to order the defendant to make payment, that in default thereof, to seize the defendant's properties, and to sell them at public auction in order to satisfy the sum claimed.

The record shows that on Aug. 9, 1788, the court granted the plaintiff's prayer.

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

#23
#10

File #36.
Aug. 9, 1788.
Judge: Estevan Miro.
CC: R. Perdomo and C. Ximenez.
P. 3 to 15.
Spanish.

DOCUMENT NO. 1840
BOX 51.

CASE OF
JOSEF SERRA Y MILLACK
VERSUS
AGUSTIN CARSELLES AND JOSEF ZAGRERA.

The record shows that the plaintiff, a resident of New Orleans, brought action against the defendants, residents of the Post of Manchac, to recover the sum of 188 pesos and six reales, value of certain merchandise sold to said defendants. As evidence of his claim the plaintiff presented to the Court two invoices, alleging that payment thereof was due on Jan. 11, 1788; that the defendants have failed to make payment on maturity; and that he knows the defendant Josef Zagrera has arrived to this City with enough funds to make payment, but refuses to do so, giving as an excuse that defendant Agustin Carselles must be present. Wherefore, the plaintiff begged the Court to issue a warrant with a copy of this petition, instructing the Commander of the Post of Manchac to immediately send defendant Carselles to this City.

The Court twice issued and forwarded warrants to the Commander of the Post of Manchac, as petitioned by the plaintiff, but for some unknown reason they were not enforced.

The record shows then that there was a lapse of three years, after which the plaintiff having been informed that the defendants were to arrive to this city filed a petition to have the Court order the attachment of whatever effects they brought with them for business purposes until they satisfy his claim. The Court granted this petition, but it developed that the defendants did not come to the City.

(cont'd)

(Doc. #1840)
cont'd.

The plaintiff then filed another petition to have the Court issue a warrant with a copy of this petition and of the Court's decree and the original invoices presented, leaving a certified copy thereof in the Court records, instructing Commander Baleriano LeBlanc, of Point Coupee, where defendant Agustin Carselles was residing at that time, to establish the legitimacy of plaintiff's claim and once this has been done to order said Carselles to satisfy said claim, and to attach, in default therof, properties enough to cover said claim, plus interest and the costs of these proceedings.

The Court issued the warrant as petitioned by the plaintiff, but on petition of Court Clerk Carlos Ximenez and on the ground that proceedings in the New Orleans Court had been terminated and the case sent to the Commander of Pointe Coupee, the plaintiff was ordered to pay within two days the sum of seventeen pesos and five reales, costs of these proceedings.

#22
#10

DOCUMENT NO. 1341.
BOX 51.

File #71. Aug. 11, 1788. Judge: Estevan Miro. CC: F. Pedesclaux. P. 1 to 3. Spanish.	PROCEEDINGS INSTITUTED BY ANDRES FEDERICO EHERMESTORM, CAPTAIN OF THE BRIGANTINE NAMED "LA SENORA MIRO" FOR THE PURPOSE OF RESERVING HIM THE RIGHTS TO DECLARE IF NECESSARY HOW THE CARGO BROUGHT BY HIS SHIP INTO THIS PORT WAS DAMAGED.

Andres Federico Ehermestorm, Captain of the Brigantine named "La Senora Miro", brought action, alleging that he sailed from the port of Philadelphia on June 11, 1788, and arrived to this port of New Orleans on July 24th of the same year; that his ship was damaged by storms encountered on the high seas, and for this reason petitioner believes that the cargo was also damaged; and that after said cargo is unloaded and found to be damaged, petitioner wishes said damages to be imputed to the owner of said cargo. Wherefore, petitioners begs the Court to grant him the privilege to submit his declaration in case said cargo is found damaged, in order that he may not be held liable for said damages.

The Court granted Ehermestorm's prayer.

The record shows that after the cargo was unloaded and it was found to be damaged. Whereupon, one Daniel Clark and one Ebenecer Rees petitioned the Court to appoint two merchants to inspect the damaged cargo and suggested to sell said damaged cargo at public auction for account of the owner.

The record further shows that the Court ordered Daniel Clark to show what rights he has to make said petition and that after he has proven his rights the Court will order accordingly.

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

#24

#10

DOCUMENT NO. 1842.
BOX 51.

File #106. Aug. 11, 1788. Judge: Estevan Miro. CC: R. Perdomo. P. 1 to 16. Spanish and French.	PROCEEDINGS INSTITUTED BY CLAUDIO DUTUD, TO HAVE CERTAIN DOCUMENTS TRANSLATED FROM FRENCH INTO SPANISH, TO BE USED AS EVIDENCE IN AN ACTION HE INTENDS TO BRING AGAINST CARLOS GRATUIT, FOR THE COLLECTION OF A CERTAIN SUM OF MONEY.

The record shows that Claudio Dutud, instituted these proceedings to have certain documents that he presented to be translated from French into Spanish by the official translator Juan Josef Duforest, so that he may use said translated documents as evidence in a action that he intends to bring against Carlos Gratuit, to collect a certain sum of money.

The record further shows that said Claudio Dutud petitioned the Court not to issue a passport to said Carlos Gratuit, who intends to leave to the Island of "Piedras Negras" and to void said passport in the event it has been issued.

The Court granted said Dutud's petition. However, said Gratuit evidently left the city and for this reason the action instituted against him was dropped, on petition of Dutud.

#24
#10

DOCUMENT NO. 1843.
BOX 51.

File #95.
Aug. 14, 1788.
Judge: E. Miro.
CC: R. Perdomo.
P. 1 to 26.
Spanish.

PROCEEDINGS INSTITUTED BY DON JUAN CAFFIN, MASTER OF THE BRIGANTINE "EL ANDALUZ" FOR THE PURPOSE OF JUSTIFYING THE LOSS HE SUFFERED OFF THE COAST OF SANTO DOMINGO.

Don Juan Caffin, master of the brigantine named "El Andaluz" instituted this action to be released of all responsibilities for the loss that said brigantine suffered, caused by a pirate ship owned by Antonio Lefeble, off the coast of Santo Domingo.

The record shows that said Captain presented as his evidence a process verbal writing in French, signed by the passengers and crew of his brigantine "El Andaluz", and that the Court ordered said instrument to be translated into Spanish.

The record further shows that all the passengers and members of the crew of the brigantine "El Andaluz", that witnessed the assault and robbery by a supposed coast guard of His Majesty's Government of Santo Domingo, admitted under oath the facts of the incident stated in the said process verbal, which was presented as evidence by said Captain Caffin.

Then Don Juan Caffin, Captain of the brigantine "El Andaluz" further petitioned the Court alleging that it is convenient to him that the Court order the Administrator of the Royal Rents, to issue him certification of the effects and goods that are missing from the manifest of the cargo of said brigantine.

On Aug. 21, 1788, the Court granted Don Juan Caffin's prayer.

The record shows, that Don Jose de Villavaso, Administrator of the Royal Rents, in compliance with the pre-

(cont'd)

ceding decree, went on board said brigantine, to inspect the goods and effects that are missing from the manifest; after a thorough inspection he found several articles missing.

The record further shows that Don Juan Caffin, then petitioned the Court to forward a copy of these proceedings to Santo Domingo with the instructions to the Authorities in that island to arrest said Lefeble and his agents and to seize their properties in order to satisfy the damages that amounted to 20, 233 pesos 4 reales; which was caused by said Lefeble and his agents.

On Sept. 3, 1788, the Court granted said Caffin's prayer.

The record shows that the Court after having examined the documents decreed as petitioned by Don Juan Caffin, and condemned said Lefeble and his Agent Solary to pay for the cost of these proceedings, which amounted to 9 pesos and 2 reales.

#23
#10

DOCUMENT NO. 1343. A.
BOX 52.

File #39.
Aug. 14, 1788.
P. 1 to 44.
Judge: E. Miro.
CC: R. Perdomo.
Spanish.

CASE OF
DON JUAN BTA. HURLOT
VERSUS
DON ALEXANDRO BAUDIN.

The plaintiff, a resident of Martinique, brought this action to collect 81,360 Livres from the defendant, who is indebted to him said sum, as evidenced by the account presented. The plaintiff petitioned the Court to seize the defendant's ship and cargo on his arrival to this Port, in order to secure said claim.

On Aug. 14, 1788, the Court ordered the accounts and documents presented by the plaintiff, as evidence of his claim, to be translated by the official translator Don Juan Josef Duforest. After the Court examined the evidences presented by the plaintiff, the Court ordered a warrant to be issued to the Commandant of the Post of Baliza instructing said commandant to place one corporal and two soldiers on board the defendant's ship when she passes said Post, with instruction to prevent the cargo of said vessel to be unloaded, until inspected by the customs officials.

The record shows that the defendant denied the plaintiff's claim on the grounds that said plaintiff and his son had pocketed the money and has issued a bill of exchange on Lathebaudiere Brothers, of Natchez, in the sum of 46,000 livres Tournois, which is equal to 69,000 livres of the Island.

The record shows that after a long litigation the plaintiff failed to prove his claim and the Court condemned him to pay for the cost of these proceedings which amounted to 24 pesos.

#23
#10

DOCUMENT NO. 1844.
BOX 51.

File #31.
Aug. 16, 1788.
Judge: Esteban Miro.
CC: R. Perdomo.
P. 1 to 8.
Spanish.

INFORMATION SUBMITTED BY DON PABLO DUFRESNES IN ORDER TO PROVE HIS RESIDENCE AND RELIGION.

Don Pablo Dufresne, a resident of this City, through his attorney instituted these proceedings to establish his domicile and religion. Wherefore, he begged the Court to admit the witnesses that he will present to give their testimony of his domicile and religion.

On August 10, 1788, the Court granted Don Pablo Dufresene's prayer.

The record shows that the witnesses presented by said Dufresne declared that he is a resident and merchant of this city and that he professes the catholic religion.

The record shows that the Court on Aug. 21, 1788, ordered the court clerk to bring the documents to be examined and having found that Dufresne proved his allegation, the court granted him all the rights and privileges accorded to the residents of the Province and ordered him to ~~to~~ pay for costs of these proceedings, which amounted to 10 pesos and 7 reales.

#25(A)
#10

File #67
Aug. 16, 1788
Judge: Estevan Miro
Court Clerk: R.Perdomo
P. 1 to 6
Spanish

DOCUMENT NO. 1845
BOX 51

PROCEEDINGS INSTITUTED BY FRANCISCO GARREAU TO OBTAIN A PERMIT TO SELL A CERTAIN NEGRO SLAVE NAMED JONES BELONGING TO ESTEVAN ALIAS, JORGE MAKENSIE.

The record shows that Francisco Garreau, a resident of New Orleans, petitioned the Court alleging that he has in his possession a certain negro slave named Jones, fifty years old, belonging to Estevan alias, Jorge Makensie, and that as evidenced by the power of attorney which appears in the records of the proceedings instituted by petitioner to obtain the release of said negro slave and of a certain bilander named "El Vigilante" of the ownership of petitioner's principal which had been seized in the city of Pensacola, petitioner has been authorized by his principal to sell any of the latter's properties. Wherefore, petitioner begs the Court to grant him a permit to sell the negro slave aforementioned.

However, the record is incomplete and only shows that the Court ordered the petitioner to present the original power of attorney but since said power of attorney was in the records of the proceedings aforementioned the petitioner asked the Court to order the Court Clerk to issue a certified copy thereof. The Court granted this petition.

#22
#10

File #2382
Aug. 18, 1788.
Judge: Estevan Miro.
CC: P. Pedesclaux.
P. 1 to 10.
Spanish.

DOCUMENT NO. 1846.
BOX 51.

CASE OF
ANDRES ALMONASTER Y ROXAS
VERSUS
ANDRES MERCENARIO.

The plaintiff, a resident of New Orleans, through his attorney, petitioned the Court alleging that as evidenced by the certified copy of the public deed of sale presented, on October 6, 1782, petitioner sold to the defendant four arpents of land situated on the road to bayou Saint John for the sum of 2500 pesos to be paid in two installments as agreed in said deed; that payment on said installments are long past due as also an extension of time granted by petitioner, the defendant having failed to make payment. Wherefore, petitioner begs the Court to issue a writ of execution against the person and properties of the defendant, and to place the seized properties under the custody of the General Receiver, until they are sold to satisfy petitioner's claim.

The Court, after having examined the records of the case, denied the plaintiff's petition holding that the extension of time he granted to the defendant will not be due until September 15, 1788.

The record shows that the plaintiff waited until October 4, 1788, and then filed a new petition to have the Court issue a writ of execution against the properties of the defendant.

The record, however, is incomplete and only shows that the Court issued the writ of execution as prayed for by the plaintiff.

#22
#10

File #25.
Aug. 19, 1788.
Judge: Estevan Miro.
CC: R. Perdomo.
P. 2 to 9.
Spanish.

DOCUMENT NO. 1847.
BOX 51.

CASE OF
SANTIAGO MATHER AND ARTURO STROTHER, BUSINESS PARTNERS,
VERSUS
JEREMIAS KERSEY.

The record shows that the plaintiffs, business partners and residents of New Orleans, through their attorney, Antonio Mendez, petitioned the Court alleging that as evidenced by the obligation duly presented, the defendant is indebted to petitioners in the sum of 198 pesos and two reales and that although payment on said obligation is long past due, the defendant has failed to make payment on demand. Wherefore, petitioners begged the Court to order the defendant to declare under oath, through the official interpreter, Juan Josef Duforest, whether the signature affixed to the obligation presented is his and whether he owes the sum claimed, and then to deliver the defendant's declaration to petitioners to promote whatever action may be in order.

The Court ordered as petitioned by the plaintiffs, and the defendant appeared before the Court Clerk and acknowledged the debt as claimed by the plaintiffs.

The record further shows that the plaintiffs then petitioned the Court for a writ of execution against the person and properties of the defendant in order to satisfy the sum claimed, plus interest and the costs of these proceedings, but before the Court decided on this petition the parties came to an agreement whereby the defendant agreed to satisfy the sum claimed, plus the costs of these proceedings. The plaintiffs therefore asked the Court to order an itemized statement of the costs of these proceedings and to deliver the obligation

(cont'd)

presented to the defendant.

Notwithstanding the above agreement the defendant left the city without paying the sum claimed nor the sum of eight pesos and seven and one-half reales for costs of these proceedings. However, the defendant's representative, Ignacio Josef de Lovio, to whom the obligation in question was delivered, payed said claim, plus costs.

#22
#10

DOCUMENT #1848.
BOX 51.

File #81. Aug. 19, 1788. P. 1 to 8. Judge: Don E. Miro. CC: R. Perdomo. Spanish.	PROCEEDINGS INSTITUTED BY JUAN SANTIAGO MANGLOAN, SLAVE OF MARCOS OLIVARES, FOR THE PURPOSE OF OBTAINING HIS FREEDOM.

Juan Santiago Mangloan, negro slave of Marcos Olivares, brought this action alleging that his said master has granted him the privilege to obtain his freedom upon the payment of 1050 pesos, and that he is in a position to make said payment from the earnings that he has made as a tailor, plus a certain sum that he has secured for said purpose. Wherefore, he begs the Court to order the Court Clerk to issue his letter of freedom.

The record shows that the Court ordered said Mangloan, to prove how he came in possession of said sum of money, that he is ready to pay for his freedom.

The record further shows that said Mangloan, presented several witnesses to prove that he secured the money he is ready to pay from the earnings that he made as a tailor, and that he gave one Cristobal Francisco, a free negro, 200 pesos to carry on a mercantil business, which proved to be profitable to both parties, and from said profits, besides 600 pesos that said Cristobal Francisco, has given him, consisted the necessary funds he has to pay for his freedom.

The Court after having examined the evidence presented by said Magloan, ordered the Court Clerk, to issue him his letter of freedom.

The costs of these proceedings amounted to 10 pesos and 3 reales, which was paid by said Mangloan.

#23
#10

File #2414
Aug. 19, 1788.
Judge: Estevan Miro.
CC: P. Pedesclaux.
P. 1 to 4.
Spanish.

DOCUMENT NO. 1849.
BOX 51.

CASE OF
MAURICIO CONWAY AND JUANA LEBRETTON
VERSUS
ESTATE OF JUAN DAVIS.

The record shows that the plaintiffs, residents of Louisiana, brought action against the defendant to recover the sum of 170 pesos in newly minted Mexican silver coin, which was loaned by petitioners to the deceased Juan Davis, and also to recover the value of ten barrels of peas. The petitioner begged the Court to order Santiago Jones, as trustee of the properties of the deceased Juan Davis, to satisfy petitioners' claim.

The record further shows that upon notification of the plaintiffs' claim, Santiago Jones and David Hodge, testamentary executors and trustees of the properties of said deceased, stated to the court that after having examined said deceased's books they had found that in the year 1784 he received a loan of thirty-six pesos from plaintiff Juana LeBretton to use for business purposes in Jamaica, and a loan of 100 pesos from plaintiff Mauricio Conway. Said testamentary executors further stated that it is left to the court to decide ~~further~~ regarding the value of the ten barrels of peas and the additional money claimed by the plaintiffs, since neither of said items appear in said deceased's books.

The Court then after having examined the records of the case, rendered judgment ordering the testamentary executors to pay the sum of 100 pesos to plaintiff Mauricio Conway and the sum of thirty-six pesos to plaintiff Juana LeBretton, both sums in newly minted Mexican silver coin. The Court, however, granted the plaintiffs' the right to establish the legitimacy of their claim regarding the value of the ten barrels of peas, plus the additional thrity-four pesos.

#22
#10

File #2616.
Aug. 19, 1788.
Judge: Estevan Miro.
CC: P. Pedesclaux.
P. 1 to 12
Spanish.

DOCUMENT NO. 1850.
BOX 51.

PROCEEDINGS INSTITUTED BY SEVERAL RESIDENTS OF THE WEST SIDE OF THE RIVER TO PREVENT JUAN BAUTISTA SEZAN FROM CONSTRUCTING A SAWMILL ADJOINING THEIR LANDS.

The record shows that Alexandre Harang, Carlos Juan Bautista Fleuriau, Pierre Dauphin and LeBretton D'Orgenois, residents of the west side of the river, brought this action alleging that Juan Bautista Sezan, also a resident of the west side of the river, has for a long time planned to construct a sawmill on the land which he purchased from the widow of Senet, which land adjoins those of petitioners; that said Sezan suspecting that petitioners would not approve of said sawmill because of the irreparable damages it would cause to their lands, spoke to petitioners on the matter and he was informed that petitioners were ready to file a petition to the Court to stop the construction of said sawmill. Petitioners pointed out to the Court that although the owner of a land is free to establish thereon whatever building he wishes, this only holds good when by so doing he does not cause any hindrance or damage to his neighbors and to the public, and that the water which the sawmill in question would produce together with the waters produced by the other sawmills thereon established and by the break in the levee of Miguel Cantrelle's land and of others would wash out the little cultivable land petitioners have been left by said continuous inundations. Petitioners therefore begged the Court to order the immediate inspection of said lands in order to ascertain the damages already

(cont'd)

caused to them, and to enjoin said Juan Bautista Sezan or any other person from constructing any new sawmills in the section of their lands until the break in the levee of Miguel Cantrelle's land is properly stopped and inspected, and that once this has been accomplished to provide measures tending to prevent that such sawmills cause any damages to the inhabitants of that section.

The record further shows that in compliance with the Court order Juan Bautista Sezan was notified of the petitioners' allegations and answered by filing a petition to have the Court order said petitioners to appoint two expert arbritrators in the matter, who together with Juan Bienvenue and Francisco Bernody, arbitrators appointed by Sezan, inspect the said lands and the conditions surrounding them and decide whether the sawmill which Sezan plans to construct would cause damages to the lands of petitioners.

The Court accepted Juan Bienvenue and Francisco Bernody as arbitrators for Juan Bautista Sezan and ordered the petitioners to appoint two on their part.

However, the record is incomplete and only shows that the petitioners appointed Juan Estevan Baure, Valentin Robert Avart and Santiago Livaudais, as arbitrators on their part, the court accepting the two first-named and rejecting the last.

#22
#10

DOCUMENT NO. 1851.
BOX 51.

File #47. Aug. 23, 1788. P. 1 to 6. Judge: Don E. Miro. CC: R. Perdomo. Spanish.	PROCEEDINGS INSTITUTED BY DON FRANCISCO DE SALES BADILLO TO HAVE HIS BILANDER NAMED "NUESTRA SEÑORA DEL CARMEN" EXAMINED.

Don Francisco de Sales Badillo, a resident of this City, and owner of the bilander named "Nuestra Señora del Carmen" alias "La Victoria", petitioned the Court alleging that said bilander has been abandoned in this Port since Dec. 23, 1787; that the sun and the rain has caused considerable damages to to said bilander, and that petitioner desires to place it in navigable conditions. Wherefore, petitioner begs the Court to order Alnardo Magnon and Espiritu Liotau, both master carpenters to estimate the costs of the damages in order to fix said bilander in conditions to navigate and that said experts also estimate the value of said bilander.

On Aug. 23, 1788, the Court granted Don Francisco de Sales Badillo's prayer.

On Aug. 27, before the Court Clerk, appeared the experts appointed by the Court and stated: That in compliance with the preceding decree, they went on board said bilander, and after they made a careful inspection they found that the damages amounted to 500 pesos, and that they estimated the value of said bilander at 800 pesos.

Don Francisco de Sales Badillo, further petitioned the Court alleging that it is convenient to him that the Court order the Court Clerk to deliver him a copy of the records of these proceedings and to order Don Jose de Evia, Captain of this port to set a

(cont'd)

day in which he desires to cut off the main mast of said bilander that sank in such a manner that was obstructing the passage of the other vessels.

On Sept. 19, 1789, the Court granted Don Francisco de Sales Badillo's prayer.

The record shows that Badillo was not able to carry out the decree of the court because of his illness and that Don Josef Hevia, Port Captain then ordered the cutting of the mast of Badillo's bilander, as it was obstructing the passage of other vessels.

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

#23
#10

DOCUMENT NO. 1852.
BOX 51.

File #130.
Aug. 23, 1788.
Judge: Estevan Miro.
CC: R. Perdomo.
P. 1 to 95.
Spanish and French.

SUCCESSION OF FRANCISCO SUBIELA.

The record shows that on Aug. 23, 1788, Governor Esteven Miro was informed of the death of Francisco Subiela, a native of Vescat, Province of Navarre in the Kingdom of France, and a resident of New Orleans, which occurred in this City on said day; that said deceased left various properties among which were cash money and several sums owed him by several persons, and as his heirs he left one brother named Juan Bautista and four sisters named Maria, Marta, Genoveva and Isabel Subiela, as per his last will and testament drawn before Court Clerk Rafael Perdomo; that said deceased appointed Pedro Jourdan as the first testamentary executor of his estate and Julian Viene as the second; that the Court took possession of the keys of the house of said deceased in order to protect the properties existing therein, placed seals in the proper places and secured a certified copy of his last will and testament.

The Court then appointed Antonio Mendez as the attorney for the absent heirs of the deceased, which appointment was accepted by Mendez who immediatley petitioned the Court to order an inventory and appraisal of the properties left by the deceased; this petition was granted and Vicente Fangui and Joseph Adrian de la Plaza, public appraisers appointed to that effect, in the presence of testamentary executor Pedro Jourdan and of attorney Antonio Mendez, made the requested inventory and appraisal of said properties which was approved by the Court.

(cont'd)

The record further shows that on petition of testamentary executor Pedro Jourdan and with the consent of attorney Antonio Mendez, the properties of the deceased which consisted solely of movable goods were advertised and sold at public auction, after which the testamentary executor who was also trustee of the properties and funds, presented an itemized sworn statement showing a remainder of 2107 pesos and three and one-half reales in favor of the succession, after having paid all debts, expenses, attorney's fees and his own commission as testamentary executor, all of which was evidenced by the proper vouchers and receipts.

After the Court decided favorably on a petition filed by attorney Antonio Mendez to pay the testamentary executor a three per cent commission instead of the five per cent which he had assigned himself in the itemized sworn statement he presented, and to pay said Mendez an additional twenty-five pesos for extra professional services rendered, the Court approved said sworn statement and ordered an itemized statement to be made of the costs of these proceedings, to be paid by the testamentary executor.

However, the record is incomplete and only shows that on attorney Antonio Mendez's petition the Court ordered an itemized statement to be made of the costs of other proceedings which had been instituted against the estate of the deceased.

#22
#10

DOCUMENT NO. 1853.
BOX 51.

File #5.
Aug. 26,1788.
Judge: Esteban Miro.
CC: R. Perdomo.
Spanish.
P. 1 to 3.

PROCEEDINGS INSTITUTED BY DON JOSE FRANCISCO ROZE, FOR THE PURPOSE OF OBTAINING A PERMIT TO SELL A CERTAIN BRIGANTINE NAMED "LA INDUSTRIA".

Don Pablo Francisco Roze, instituted these proceedings to obtain a permit to sell a certain brigantine named "La Industria". Said petition was accompained by a power of attorney of Andres Rofrigiol, Captain and owner of said brigantine authorizing said Roze to sell same.

The record shows that on Aug. 26, 1788, the court granted the permit to said Roze, as prayed for.

#25(A)
#10

DOCUMENT NO. 1854.
BOX 51.

File #2410. Aug. 26, 1788. Judge: Estevan Miro. CC: P. Pedesclaux. P. 1 to 193. Spanish.	SUCCESSION OF PEDRO BIDOU HERBERT.

The record shows that the Court was duly informed that Pedro Bidou Herbert had died, leaving considerable properties and legitimate heirs, and that the Court in order to protect the properties left by said deceased instituted these proceedings, by ordering the corresponding authorities to comply with the formalities requested by law, and to inform the Court of said proceedure to decree whatever may be convenient.

The record further shows that on petition of the party representing the minor heirs of said deceased, an inventory and appraisal was made of the properties and documents left by said deceased, later said properties were sold at public auction to divide the proceeds among the heirs of said deceased.

The record also shows that after said properties were sold at public auction the testamentary executor of said deceased was ordered by the Court to submit an itemized account of all the properties which were sold at public auction and of the funds said testamentary executor has in his possession derived from said sale.

The record seems to be incomplete and the outcome of the proceedings is not known.

#24

#10

DOCUMENT NO. 1855.
BOX 51.

File #129.
Aug. 28, 1788.
Judge: Juan Dorotheo del Postigo y Valderrama.
P. 1 to 60.
Spanish and French.

SUCCESSION OF CAPTAIN LUIS PERES BELLEGARDE.

The record shows that the Court was informed that Luis Peres Bellegarde, Captain of Infantry of the permanent regiment of the first cost of the Allemands had died, and that in order to protect the properties left by said deceased the Court instituted these proceedings, and ordered the corresponding authorities to make an inventory and appraisal of the properties left by said deceased and to comply with the formalities requested by law.

The record further shows that the inventory and appraisal was made, that said properties were sold at public auction and that the proceeds of said sale were divided among the creditors of said deceased. Some of the creditors were paid in full and some were only partly paid as the funds were not sufficient to cover all their claims.

The record shows that the deceased died intestate and that he did not leave any legitimate heirs.

#24
#10

File #2406. Aug. 29, 1788. Judge: E. Miro. CC: P. Pedesclaux. P. 1 to 12. Spanish.	DOCUMENT NO. 1856. BOX 51. PROCEEDINGS INSTITUTED BY LUIS BELTREMIEUX TO PROVE THAT THE SCHOONER NAMED MALY WAS LOST AT SEA.

Don Luis Beltremieux, instituted these proceedings to prove that the schooner named Maly, owned, captained and piloted by Florencio Macarty sailed from this Port on Jan. 4, 1787, for the port of Guarico; that there is no information regarding the whereabout of said schooner and it is presumed that it was lost at sea. Wherefore, he petitioned the Court to admit witnesses to prove that said schooner was evidently lost at sea, and after this is done to give him a copy of these proceedings.

The record shows that the Court granted Beltremieux's prayer; and that six witness testified under oath that the schooner Maly, was evidently lost at sea according to the facts and circumstances.

This record ends with the judgment of the Court accepting as a conclusive proof of the loss of said schooner the evidence introduced by Beltremieux.

The Court also ordered the Court Clerk to give Beltremieux a copy of these proceedings and for said Beltremieux to pay for the costs of these proceedings which amounted to 11 pesos 4 reales.

#25(A)
#10

DOCUMENT NO. 1857.

BOX 51.

File #2409
Aug. 29, 1788.
Judge: Esteban Miro.
CC: P. Pedesclaux.
P. 1 to 10.
Spanish, French.

CASE OF
ANTONIO BOUABELLE
VERSUS
DON PEDRO LACOUR.

The plaintiff, a resident of this City, instituted these proceedings alleging that as evidenced by the promissory note presented the defendant is indebted to petitioner in the past due sum of 230 pesos in Mexican silver coin. Wherefore, petitioner begs the Court to order the defendant to acknowledge his signature on said promissory note presented and to declare under oath whether he owes the sum claimed.

On Aug. 29, 1788, the Court granted the plaintiff's prayer.

The record shows that the defendant failed to comply with the court's order whereupon the plaintiff petitioned the Court to summon the defendant.

The Court ordered as petitioned by the plaintiff.

On March 9, 1789, Don Felipe Ravina, Lt. Chief Constable, appeared before the Court Clerk and stated that in compliance with the preceding decree, he requested the defendant to pay the sum claimed and that the defendant refused, whereupon he seized a certain negro slave of defendant's ownership, in order to satisfty the sum claimed.

The record shows that the plaintiff and the defendant compromised and that the defendant agreed to pay for the costs of these proceedings, which amounted to 22 pesos 4 1/2 reales.

#25(A)

#10

25

DOCUMENT NO. 1858.
BOX 51.

File #2397. Sept. 3, 1788. Judge: Antonio de Argote. CC: P. Pedesclaux. P. 1 to 232 Spanish	SUCCESSION OF RENATO BELUCHE.

The record shows that the Court was informed that Renato Beluche had died intestate, leaving legitimate heirs and considerable properties, and that in order to protect the properties left by said deceased, the Court instituted these proceedings by ordering the proper authorities to comply with the formalities requested by the law.

The record further shows that all the formalities requested by the law were complied with and that an inventory and appraisal was made of the properties left by said deceased.

The record also shows that most of the properties, left by said deceased were mortgaged to Antonio Ramis, who brought action against the Succession to collect the money which he had loaned to said deceased and for which the properties were mortgaged.

The properties were sold at public auction to pay Antonio Ramis his claim. However, he was not paid in full as the proceeds of said sale were not sufficient and because besides Antonio Ramis there were several other creditors who brought action against the succession to collect their claim.

#24
#10

DOCUMENT NO. 1859.
BOX ~~52~~. 57

File #59. Sept. 4, 1788. Judge: Estevan Miro. CC: R. Perdomo. P. 1 to 3. Spanish.	PROCEEDINGS INSTITUTED BY HONORATO LANOBILIERE TO HAVE HIS MOTHER, MARGARITA DARENSBOURG, GRANT HIM PERMISSION TO MARRY CELESTE CHRETIEN, HIS FIANCEE.

The record shows that Honorato Lanobiliere, of legal age, a Sub-Lieutenant in the Corps of Carbineers of the Province of Louisiana, and a legitimate son of Santiago Delachaise, deceased, and of Margarita Darensbourg, petitioned the Court alleging that he has been engaged to Celeste Chretien, legitimate daughter of Monsieur Chretien, a former Lieutenant of Militia in the Army of the King, and of Madame Chretien, both residents of Opelousas; that petitioner and his fiancee have agreed to be married and petitioner has asked his mother to grant him her consent to do so, but she has refused on the ground that there is disparity in the class of petitioner's family and that of his fiancee; that even in the event the disparity alleged by petitioner's mother would exist, which in reality does not, in accordance with the Royal Ordinance issued in the year 1776, said disparity would have to be of such nature that it would seriously hurt the honor of petitioner's family, whereas the honorableness of the family of petitioner's fiancee is well-known and can be ascertained, if necessary, by information from creditable persons who know said family. Wherefore, petitioner, based upon the aforementioned Royal Ordinance which commands parents and other people in tutelage of young people not to forbid or hinder their marriage whenever

(cont'd)

proper and honest, begged the Court to order his mother to give her consent for the performance of his marriage with his fiancee, Celeste Chretien, or if she refuses to do so to give her eight days in which to show cause why she should not grant her consent and if found to be groundless to grant petitioner judicial authorization, or if found just to advise petitioner that he can not contract his intended marriage under the penalty of disinheritance and the other penalties as stated in said Royal Ordinance.

The record, however, is incomplete and only shows that the Court ordered the petitioner's mother to be notified of her son's petition, but that due course could not be given to said petition because of illness of the Counsellor of War, with whom the case had to be consulted.

22
10

DOCUMENT NO. 1860.
BOX 51.

File #2408. Sept. 6, 1788. Judge: Don. A. Argote. CC: P. Pedesclaux. P. 1 to 8. Spanish.	PROCEEDINGS INSTITUTED BY BARTOLOME BAUTISTA, A FREE NEGRO TO HAVE THE COURT ORDER PEDRO PABLO LABASTILLE, TO SHOW CAUSE WHY HE SHOULD NOT MARRY HIS DAUGHTER CATALINA.

Bartolome Bautista, a free negro, who was in prison on charges of having persuaded Catalina Labastille to leave home, instituted these proceedings for the purpose of being released from prison and also to obtain an order from the Court to summon Pedro Pablo Labastille father of said Catalina to appear in Court with his daughter to show cause why he should not marry his daughter; and in the event he does not show a satisfactory cause to proceed with the marriage, as he desires to return to his farm to gather his crop before it is too late, and in order that he may be released he gave as his bondsman Don Tomas Pore.

The record shows that on Sept. 6, 1788, the Court granted Bartolome Bautista's prayer.

On Sept. 11, 1788, Pedro Pablo Lebastille answered Bartolome's petition alleging that he objected to the marriage of his daughter on the grounds that she was a quadroon, but that he was lately advised by his friends that the marriage between his daughter and said Bartolome a negro, is permissable and for this reason he objected at the beginning but that now that he is better informed he gives his full consent to the marriage between his daughter and said Bartolome.

The record further shows that the Court in view of Lebastille's consent to the marriage of his daughter referred said Bartolome Bautista and Catalina, daughter of Labastille to Reverend Father Antonio de Sedella, who has jurisdiction over both parties to celebrate their marriage ceremony.

#23
#10

File #62.
Sept. 9, 1788.
Judge: Esteban Miro.
CC: R. Perdomo.
Spanish and French.
P. 1 to 17.

DOCUMENT NO. 1861.
BOX 51.

CASE OF
DON SANTIAGO TOURNIER
VERSUS
DON JUAN CHESNEAU.

The plaintiff, a resident of this City, instituted these proceedings, alleging that as evidenced by the document presented, the defendant is indebted to petitioner in the past due sum of 637 pesos, Mexican coin, and that the defendant has failed to make payment on demand. Wherefore, petitioner begged the Court to issue a writ of execution against the properties of the defendant in order to satisfy the sum claimed, plus interest and the cost of the proceedings.

The record shows that on Sept. 9, 1788, the Court ordered the Public Translator of this City to translate the document presented by the plaintiff from French into Sapnish.

The Court also ordered the issue of the writ of execution against the properties of the defendant as prayed by the plaintiff.

The record shows that on Sept. 12, 1788, the Chief Constable reported that in compliance with the preceding decree he demanded the defendant to pay the sum claimed and that the defendant failed to make peyment, whereupon he seized a certain brigantine of the defendant's ownership named San Miguel, in order to satisfy the sum claimed.

The plaintiff further petitioned the Court to
(cont'd)

(Doc. #1861)
cont'd.

order Don Vincente Taugui to appraise the value of the brigantine seized from the defendant and to advertise said brigantine for sale, in order to satisfy the sum claimed, plus interest and the costs of these proceedings.

On Sept. 16, 1788, the Court granted the plaintiff's prayer.

The record shows that the plaintiff and the defendant compromised and the court ordered that the costs of these proceedings which amounted to 35 pesos 4 reales to be paid by the defendant.

#25(a)
#10

DOCUMENT NO. 1862.
BOX 51.

File #2. Sept. 19, 1788. Judge: Estevan Miro. CC: R. Perdomo. P. 1 to 133. Spanish.	DUPLICATE OF THE PROCEEDINGS INSTITUTED BY TERESA GALAY Y GRAND PRE, VERSUS CARLOS DE GRAND PRE, HER SON, REGARDING THE OWNERSHIP OF A CERTAIN HOUSE. THE ORIGINAL RECORD WAS SENT TO THE SUPERIOR COURT OF HAVANA, ON THE APPEAL MADE BY SAID CARLOS DE GRAND PRE.

The plaintiff brought this action against the defendant to recover a certain house from the defendant her son alleging that she purchased said house from Mr. Porte, drawing the title of said property, in the name of the defendant; that she believes the defendant or her grandchildren may deprive her of said property because the title of said house is on defendant's named; that she has requested the defendant to drawn an instrument wherein the defendant would donate said property to her for the duration of her life giving her also the right to sell it in the event that she was in need; and now she is aware that by having done this she had prejudized the interest of her other children; wherefore, she begged the Court to forward the defendant a copy of her petition and to order the defendant to declare under oath whether the above allegations are true and also to declare whether the only thing that the defendant owns in said house is a kitchen that he built when he was residing with her; and that in the event the defendant denies the above allegations, to order him to appoint an attorney in fact to represent him in this city to contest the case.

The record further shows that the defendant denied the plaintiff's allegations, setting forth that he is the legitimate owner of said house, as evidenced by the title of sale, in his possession, drawn in the presence of the deceased Notary Public Juan Bautista Carie; that he is very

(cont'd)

much surprised of the attitude taken by the plaintiff, his mother; that he is under the impression that the plaintiff brought this action induced by his sister Doña Carlota de Gran Pre, who is trying to cause trouble between he and the plaintiff. The defendant further declared that he does not intend to transfer said title of sale to the plaintiff, due to the fact that he had a large family and has worked very hard to earn the money to purchase said house; that it is true he loves and respects the plaintiff and he is willing to sacrifice his life for the welfare of the plaintiff, as evidenced by the private document the plaintiff has in her possession, wherein he granted her the privilege to live in said house as long as she desires; that he is well informed that the plaintiff his mother, is not in need, and that he is willing to contest the case and for this reason he is appointing an attorney in fact in this city to represent him in the action brought against him by the plaintiff, his mother.

The record also shows that the case was in litigation for sometime, and that both parties through witnesses and other means tried to prove their allegations. The Court after closely examining the record of these proceedings decided in favor of the plaintiff, placing her in possession of said house and condemned the defendant to pay the cost of these proceedings, granting him the privilege to dispose of the kitchen that he built at the time he was residing with the plaintiff.

The decision of the Court was appealed by the defendant to the Superior Court of Havana. The record shows that the defendant later dropped the appeal and plaintiff took full possession of said house.

30

DOCUMENT NO. 1863.
BOX 51.

File #131.
Sept. 22, 1788.
Judge: Esteban Miro.
CC: R. Perdomo.
Spanish.
P. 1 to 30.

SUCCESSION OF DON BERNARDO ALEXANDRO.

The record shows that the Court was informed that Don Bernardo Alexandro had died leaving his properties to his legitimate heirs. In order to protect the properties left by said deceased the Court instituted these proceedings and ordered the corresponding authorities to comply with the formalities requested by the law.

The record further shows that by order of the Court a copy of the last will and testament of said deceased was added to the record of these proceedings and that on petition of Don Santiago Felipe Guinault, Attorney for the absent heirs, and inventory and appraisal was made of the properties left by said deceased, and that said properties were left in custody of Bernardo Laburthe, testamentary executor, who kept said properties at the disposition of the Court.

The record also shows that later said properties were sold for the sum of 362 pesos, and that said sum was placed in the hands of the testamentary executor, to be equally divided among the heirs of said deceased.

#25(A)
#10

DOCUMENT NO. 1864.
BOX 52. √1

File #65.
Sept. 23, 1788.
Judge: Estevan Miro.
CC: R. Perdomo.
P. 1 to 2.
Spanish.

CASE OF
FRANCISCO BERNOUDY
VERSUS
JUAN LANGOURAN.

The record shows that the plaintiff, a resident of Louisiana, brought action against the defendant, a resident of the Post of Natchez, to recover the sum of 1491 pesos and three reales. (Petition does not state origin of debt). The plaintiff petitioned the Court to issue a warrant ordering the Commandant of the Post of Natchez to summon the defendant and have him declare under oath before two witnesses whether he owes the sum claimed and once he has acknowledged the debt to attach his properties or money in order to satisfy the sum claimed, plus the sum of 200 pesos to cover interest and the costs of these proceedings and to place said properties or money in deposit, ordering the defendant to appear in this City within eight days or to appoint a person to represent him. The plaintiff further petitioned the Court to instruct said Commandant to immediately forward to this City the defendant's declaration and the record of the proceedings performed in said Post, to be delivered to him.

The record, however, is incomplete and only shows that the Court issued the warrant to the Commandant of the Post of Natchez, as petitioned by the plaintiff.

#22
#10

File #86.
Sept. 23, 1788.
Judge: Estevan Miro.
CC: R. Perdomo.
P. 1 to 14.
Spanish and French.

DOCUMENT NO. 1865.
BOX ~~52.~~ 71

CASE OF
JUAN SORDO
VERSUS
JUAN CARRERAS.

The record shows that the plaintiff, a resident of New Orleans, brought action against the defendant to recover a third of the value of a certain house which he owned in partnership with said defendant and one Josef Moreno, which third he was ceded in payment of the sum of sixty-two pesos owed him by a former co-owner of said house, Pedro Baro. The plaintiff alleges that the said house has been sold and the defendant has failed to deliver him a third of its value as agreed.

The record further shows that in the course of the litigation it was proved that the house was sold for the sum of 175 pesos and that certain material purchased for the repair of said house amounted to forty-seven pesos and two reales, paid by the defendant out of his private funds, after the dissolution of the partnership, which made the plaintiff's share amount to forty-two pesos and five reales.

The Court then, in view of the fact that the defendant failed to comply with an order from the Court directing him to pay the plaintiff's share of the value of the said house and on plaintiff's petition, issued a writ of execution against the person and properties of the defendant in order to satisfy said share, plus interest and the costs of these proceedings.

(cont'd)

(Doc. #1865)
cont'd.

However, the defendant declared not to have any properties, in view of which the Lieutenant Chief Constable arrested him and placed him in jail to await further proceedings by the plaintiff to recover his claim.

#22
#10

DOCUMENT NO. 1866.
BOX ~~52.~~ 71

File #89.
Sept. 23, 1788.
Judge: Estevan Miro.
CC: R. Perdomo.
P. 1 to 11.
Spanish and French.

PROCEEDINGS INSTITUTED BY JUAN LOUIS LOISEL TO HAVE THE COURT AUTHORIZE AN EXTENSION OF TIME GRANTED HIM BY THE MAJORITY OF HIS CREDITORS.

The record shows that Juan Louis Loisel, a resident of Atakaps, instituted these proceedings alleging that as evidenced by the statement duly presented of petitioner's debits and credits, petitioner owes to several persons the sum of 17,434 pesos and one and one-half reales; that petitioner is not in a position to pay all of his creditors in full and has proposed to pay 2000 pesos a year to each until the final payment of their respective claims; that the majority of petitioner's creditors, with the exception of Santiago Mather and his associate Arturo Strother and one named Sauve, have accepted petitioner's proposition. Wherefore, petitioner begged the Court to summon said Mather, Strother and Sauve to establish the exact amount of their respective claims and then ask them whether they are willing to sign with the other creditors granting petitioner the extension of time as above stated, and if not to decide whether petitioner should be granted said extension of time.

The Court ordered Juan Josef Duforest, official translator, to translate into Spanish the statement presented by Loisel, with which order said Duforest complied.

From said statement the Court learned that in order to comply with his proposition to his credi-

(cont'd)

Doc. No. 1866.
Box 52.
cont'd.

tors the petitioner intended to mortgage a certain crop and to sell certain lands belonging to petitioner's wife, Catharina Estoupar, and to their minor children, the Court deciding that the extension of time petitioner desired could not be granted on the grounds that said properties can not be disposed of in order to satisfy the debts which petitioner had contracted before his marriage to said Catharina Estoupar.

#22
#10

DOCUMENT NO. 1867.
BOX 52.✓/

CASE OF
JOSEPH DE VILLAR
VERSUS
CLAUDIO CHABOT.

File #2613.
Sept. 25, 1788.
Judge: Estevan Miro.
CC: P. Pedesclaux.
P. 1 to 8.
Spanish.

The record shows that the plaintiff, a Commissary of the King in New Orleans, brought action against the defendant, a resident of Opelousas, to recover the sum of 900 pesos, value of a certain negress slave named Perina sold to the defendant and mortgaged by him in favor of the plaintiff to guarantee payment of said sum, as evidenced by the certified copy of a public deed presented to the Court by the plaintiff.

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

The record further shows that in compliance with the writ of execution issued by the Court the Commandant of Opelousas seized three negro slaves of the defendant as also the mortgaged slave and her son, but before said slaves were sent to this City, a friend of the defendant named Hilario Boutet, as a favor to said defendant, paid to the plaintiff the 900 pesos claimed, and on the latter's petition, the Court transferred in favor of said Boutet all the rights held by plaintiff to recover said sum.

#22
#10

DOCUMENT #1761.
BOX 50.

File #114.
Sept. 26,1788.
P. 1 to 4.
Judge: Don E. Miro.
Court Clerk: R. Perdomo.
Spanish.

PROCEEDINGS INSTITUTED BY MADAM MICAILA MICHEL, WIDOW OF DON PEDRO DELILE DUPARE, IN REGARD TO A DONATION OF HER PROPERTIES.

Madam Micaila Michel, widow of Don Pedro Delile Dupare, a resident of this City, petitioned the Court alleging that having divided her properties among her sons, as evidenced by the deed that was issued on Feb. 16, 1779 before the Court Clerk, Don Andres Almonaster; that petitioner reserved for herself, four houses located on Royal St. of this City, so that from the rents of same petitioner could live confortable; that said houses were destroyed by the fire that occurred on March of last year; that petitioner is unable to rebuild said houses because of her advanced age, and that petitioner desires to donate said properties to her sons and grandsons. Wherefore, petitioner begs the Court to approve said donation.

On Sept. 26, 1788, the Court granted the petitioner's request.

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

#23
#10

DOCUMENT NO. 1868.
BOX 51.

File #93. Sept. 27, 1788. Judge: Estevan Miro. CC: R. Perdomo. P. 1 to 14. Spanish.	PROCEEDINGS INSTITUTED BY JOSEF ZENE, CAPTAIN OF THE FRIGATE NAMED "LA LIDIA" FOR THE PURPOSE OF PROVING THAT THE DAMAGE DISCOVERED ON A CERTAIN CARGO OF FLOUR WAS NOT CAUSED BY THE CONDITION OF SAID VESSEL NOR THE WAY IN WHICH SAID FLOUR WAS LOADED.

Josef Zene, Captain of the frigate named "La Lidia" which sailed from Philadelphia bound to this Port with passengers and a cargo of flour, brought this action alleging that at the time of the unloading of said vessel it was discovered that said cargo of flour was partly damaged; that the damage suffered by said flour was not caused by the condition of said vessel nor by the way in which said flour was loaded, and that said flour apparently was shipped already damaged; wherefore, petitioner begs the Court to admit the testimonies of several witnesses that petitioner will present to substantiate the above allegations.

The record shows that the witnesses presented by said Josef Zene, testified in accordance with the allegations of said Zene, and the Court taking into consideration said testimonies exonerated said Zene of all liability of the damaged discovered on said flour.

The cost of these proceedings amounted to 24 pesos and 1 real and were paid by said Josef Zene.

#24
#10

DOCUMENT NO. 1869.
BOX 52.

File #117.
Oct. 1, 1788.
P. 1 to 68.
Judge: E. Miro.
CC: R. Perdomo.
Spanish.

CASE OF
DOMINGO DIAZ
VERSUS
MANUEL DE CUELLAR.

The plaintiff brought this action to collect the sum of 300 pesos, alleging that said debt arises for the value of a certain slave that he sold to the defendant to be paid within the term of 12 months; that he has demanded the defendant to make payment; and that the defendant has failed to do so. Wherefore, he begged the Court to issue a writ of execution against the properties of the defendant and to place said properties in the custody of the General Depositor, pending the outcome of this case.

On Oct. 1, 1788, the Court granted the plaintiff's prayer.

The record shows that the defendant answered the plaintiff's petition denying the plaintiff's allegations, setting forth that the slave he purchased from the plaintiff was misrepresented as said slave was found to be of ill health.

The record further shows that the defendant proved his allegations by the testimony of Surgeon Santiago Leduc, who testified that he treated the slave that the defendant bought, who was suffering with small-pox of which disease said slave died.

The record further shows that after a long litigation the defendant satisfied the plaintiff's claim and also paid the costs of these proceedings which amounted to 68 pesos 31/2 reales, and that the defendant's properties were released by the Court.

#23
#10

File #137.
Oct. 6, 1788.
Judge: Don Dorotheo del Portigo y Baldenama.
Court Clerk: Rafael Perdomo.
P. 1 to 452.
Spanish and French.

DOCUMENT #1869 A.
BOX #52.

SUCCESSION OF DONA CARLOTA LALANDE DAPREMON.

In the City of New Orleans, on October 5, 1788, the Court was informed that Dona Carlota Lalande Dapremon, widow of Pedro Chavert had died. In order to protect the properties left by said deceased the Court ordered the Court Clerk to attest the death of said deceased, to make an inventory of the properties left; to obtain the keys of her residence, and to place said keys at the disposal of the Court to promote whatever action may be convenient.

The record shows that Rafael Perdomo, Court Clerk complied with what was ordered by the Court.

By order of the Court a copy of the deceased's last will and testament was added to the record of these proceedings. Said last will and testament shows that Don Luis, Don Carlos, Dona Rosa and Dona Margarita Lalande Dapremon, were nominated by said deceased as sole and universal heirs of her estate and Don Pedro Piernas, as her Testamentary Executor.

Antonio Mendez, was appointed by the Court to represent the absent heirs of said deceased.

The record also shows that an inventory, appraisal and sale at public auction was made of the properties left by said deceased and that a separate inventory was made of all the documents pertaining to said deceased which were found in possession of Don Pedro Piernas, Testamentary Executor of said deceased, said inventories, appraisal and sale were officially homologated by the Court and by the heirs of said deceased.

(cont'd)

(Doc. #1869A)
cont'd.

Don Pedro Piernas, as Testamentary Executor of said deceased, presented an account of the administration of the estate of said deceased, said account was homologated by the Court, by the heirs of said deceased and by their respective attorneys.

The record also shows that the creditors Don Alexo Reau, Don Miguel Fortier and Dona Magdalena Branbier and several others instituted proceedings against the succession to settle their claims. The Court ordered said succession to satisfy said claims, but said succession was insolvent and was not able to pay the claims.

There is nothing in this record that shows that Don Beltrand Gravier or his wife Maria Josefa Lalande Dapremon, had anyghing to do with the succession and in anyway connected. See Doc 1825, 1886.

#24
#10

DOCUMENT NO. 1870.
BOX 52.

File #57. Oct. 7, 1788. Judge: Estevan Miro. CC: R. Perdomo. P. 1 to 5. Spanish.	PROCEEDINGS INSTITUTED BY JUAN CAFFIN, CAPTAIN OF THE BRIGANTINE NAMED "EL ANDALUZ", TO OBTAIN A CERTIFIED COPY OF A ROYAL DECREE GRANTING FREE COMMERCE THROUGHOUT THE KINGDOM.

The record shows that Juan Caffin, a resident of New Orleans, applied to the Court for a certified copy of a Royal Decree granting free commerce throughout the Kingdom of Spain, for the purpose of recovering the duties of entry which he was forced to pay by the customs authorities of Porto-Cavello, in contempt of said Royal Decree, for a certain cargo of merchandise which he brought from New Orleans and sold in said port. Petitioner alleged that when he was ordered by said authorities to pay said duties, in order to show them the illegality of their act, he presented to them a French written copy of said Royal Decree whereby the King exempted from duties all goods traded between Spanish ports throughout the Kingdom, but that said authorities refused to accept it. Petitioner then decided to apply to the Court for a certified copy of said Royal Decree in order to present it to the said authorities and recover the duties he was forced to pay.

The record further shows that in compliance with a Court order the Court Clerk issued and delivered to the petitioner the certified copy he requested.

The costs of these proceedings amounted to five pesos and one real.

#22
#10

DOCUMENT NO. 1872.
BOX 52.

File #2389. Oct. 10, 1788. Judge: Estevan Miro. C^{C}: P. Pedesclaux. P. 1 to 149. Spanish.	SUCCESSION OF DON LOUIS BOISDORE

The record shows that Governor Miro was informed that Louis Boisdore had died leaving considerable property and legitimate heirs and that in order to protect the property left by said deceased, he instituted these proceedings by ordering the corresponding authorities to comply with the formalities requested by the law.

The record further shows that all the formalities requested by the law were complied with and that an inventory and appraisal was made of all the property left by said deceased; that a copy of the last will and testament of said deceased was added to the record of these proceedings, and according to said will the wife and children were the universal heirs of said deceased.

The record seems to be incomplete as it does not show that said heirs were placed in possession of the properties left by said deceased.

#25(A)
#10

DOCUMENT NO. 1873.
BOX 52.

File #198. Oct. 13, 1788. Judge: Estevan Miro. CC: R. Perdomo. P. 1 to 3. Spanish.	PROCEEDINGS INSTITUTED BY SANTIAGO LIVAUDAIS, TUTOR OF THE MINOR HEIRS OF DELERY, TO BE AUTHORIZED TO ACCEPT CASH AS PART PAYMENT OF A CERTAIN DEBT OWED BY DANIEL CLARK TO THE DELERY SUCCESSION, WHICH WAS TO BE PAID WITH SLAVES.

The record shows that Santiago Livaudais, as tutor of the minor heirs of Delery, petitioned the Court to authorize him to accept from Daniel Clark the sum of 1800 pesos as part payment of the value of several houses purchased by said Clark from the deceased Delery, which was to be paid with slaves, as per agreement. The petitioner alleged that the succession lacks funds with which to pay its creditors and that the above mentioned transaction will enable the succession to pay in full said creditors and at the same time it will report great benefit to the interest of the minors he represents, inasmuch as it will be to their advantage to have fewer slaves in their possession rather than be compelled to sell them in order to pay said creditors. The petitioner also stated that to perform the said transaction he has consulted and obtained the approval of Francisco Joseph LeBretton and Carlos Juan Bautista Fleuriau, executors of the estate of the deceased.

The record further shows that the Court notified Daniel Clark of the above petition and that he manifested to be ready to perform the transaction as stated by the petitioner, in view of which the Court granted said petition.

#22
#10

File # 4.)
Oct. 14th, 1788.)
P. 1 to 6.)
Judge: E. Miro.)
CC: R. Perdomo.)
Spanish.)
_____)

DOCUMENT NO. 1874.
BOX #52.

CASE OF:
BAUTISTA RUEDA,
VERSUS:
DON ZENON BALLS AND COMP.

The record shows that the plaintiff, boatswain of the packetboat named "ST. RILA", on his behalf, and that of the crew brought this action against the defendant, owner of said vessel, alleging that the defendant owes petitioners the sum of 1094 and 4 reales for past due salaries for services rendered on the defendant's said vessel; and that the Governor of Pensacola, to whom said vessel was delivered, failed to pay petitioners their salaries, from the proceeds of the sale of the defendant's properties, as decreed by the Court. Wherefore, petitioners beg the Court to again order said Governor to pay their back salaries.

On October 14th, 1788, the Court granted Don Bautista Rueda's prayer.

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

#23
#10

File # 91)
Oct. 17, 1788.)
Judge: Estevan Miro.)
Court Clerk: R. Perdomo.)
P. 1 to 9.)
Spanish)

DOCUMENT # 1875
BOX 52

CASE OF
JOHN WILLIAMS
VERSUS
ALEXANDRO BAURE.

The record shows that the plaintiff, a resident of Kentucky, brought action against the defendant, a resident of New Orleans, to recover the value of a certain cargo of tobacco which the plaintiff brought from Kentucky on a boat of his ownership by order of the defendant, which tobacco and boat were confiscated by the government as smuggled goods, on the grounds that the laws of the Kingdom prohibited the importation of such tobacco. Plaintiff also claimed damages, and based his claim on the fact that he being a foreigner ignores the laws of the land and that the defendant, a resident of New Orleans, by ordering said tobacco acted with malice and should be held responsible for the value of said tobacco and for the damages suffered by plaintiff.

The record further shows that after a short litigation the parties agreed to have an appraisal made of the confiscated tobacco and boat and of the expenses incurred, which was done by appraisers appointed by them, as follows: For 22,500 pounds of tobacco, 560 pesos; for the value of the boat, 60 pesos; for the wages of the boat's crew consisting of 6 men, 360 pesos; for provisions, 180 pesos; total 1,160 pesos.

The court then in view of the parties' consent, approved the said appraisal and ordered the defendant to pay the plaintiff the sum of 1,160 pesos for said cargo of tobacco, as per said appraisal. The court also condemned the defendant to pay for the costs of the proceedings which amounted to 16 pesos and 7 reales.

#22
#10

File # 134.
Oct. 21, 1788.
Judge: Estevan Miro.
Court Clerk: R. Perdomo.
P. 1 to 58.
Spanish

DOCUMENT # 1876
BOX 52

SUCCESSION OF
ANTONIO AGUIAR

The record shows that on Oct. 21, 1788, Estevan Miro, Colonel of the Royal Army, Governor and Intendant of this Province was informed that Antonio Aguiar had died intestate in the English Turn leaving considerable property and legitimate heirs. In order to protect the property left by said deceased, the Governor instituted these proceedings by ordering the corresponding authorities to comply with all the formalities requested by the law.

The record further shows that all the formalities requested by the law were complied with and that an inventory and appraisal were made of the properties left by the deceased.

The record also shows that several of the creditors of the deceased instituted proceedings against the succession to collect certain unpaid debts. The properties left by said deceased were sold at public auction to satisfy said creditors, but the proceeds of said sale were not enough to satisfy said claims in full.

25(A)
151

DOCUMENT NO. 1877.
BOX 52.

File #2596. Oct. 23, 1788. Judge: Antonio Argote. CC: P. Pedesclaux. P. 1 to 3. Spanish.	PROCEEDINGS INSTITUTED BY DON PEDRO SAUVE, FOR THE PURPOSE OF HAVING CERTAIN PROMISSORY NOTES REGISTERED IN THE OFFICE OF THE COURT CLERK.

Don Pedro Sauve, petitioned the Court to have two promissory notes registered in the office of the Court Clerk Don Pedro Pedesclaux: One promissory note from Pedro Canus for the sum of 737 pesos, and the other promissory note from Juan Girault for the sum of 1240 pesos 4 reales.

On Oct. 21, 1788, the Court ordered as petitioned by Don Pedro Sauve.

#25(A)
#10

DOCUMENT NO. 1878.
BOX 52.

File #1878. Oct. 25, 1788. P. 1 to 16. Judge: Don E. Miro. CC: R. Perdomo. Spanish.	PROCEEDINGS INSTITUTED BY DON PEDRO ARAGON Y VILLEGAS, AS AGENT OF DON MANUEL MONGEOTY, TO OBTAIN SEVERAL CERTIFIED COPIES OF CERTAIN DOCUMENTS, IN REGARD TO A SHIPMENT OF TOBACCO AND OTHER MATTERS.

The record shows that Don Pedro Aragon y Villegas, as agent for Don Manuel Mongeoty, instituted these proceedings to obtain a certified copy of certain documents inregard to a shipment of tobacco to Veracruz, on board the frigate named "El Sagrado Corazon de Jesus" owned by said principal and also of other matters. Said requested original documents were recorded in the offices of the principal Accountancy.

The record shows that attached to Don Pedro Aragon y Villegas petition is the list of the certified copies that he requests.

The Court after having examined and admitted the power of attorney given by Manuel Mongeoty, a merchant of Havana, Cuba to Don Pedro Aragon y Villegas, ordered the court clerk to issue the certified copies of the documents requested by said Villegas.

The costs of these proceedings amounted to 5 pesos and 5 reales, said costs were paid by Villegas.

#23
#10

File # 40.
Oct. 25, 1788.
Judge: Estevan Miro.
Court Clerk: R. Perdomo.
P. 1 to 6.
Spanish

DOCUMENT NO.1879
BOX # 52

CASE OF
JUAN JOSEF DUFOREST
VERSUS
GUILLERMO FITZGERALD

The records shows that the plaintiff, a resident of this city, engaged in the mercantile business and an English interpreter appointed by His Majesty, brought this action against the defendant to recover the sum of 1,000 pesos in Mexican coin, alleging that as evidenced by the instrument duly presented, he is guarantor for the defendant for said sum which was advanced to the defendant by the Royal Treasury, as a loan, to enable the defendant to leave for North America, with the condition to return with his family to this city and establish himself in business, and to also transport to this city other families that were recommended by His Excellency Diego Gadoque, who is business representative of His Majesty in the United States; that thirteen months have elapsed and the defendant has failed to comply with said conditions; that the defendant is now residing in San Augustine, capital of the Oriental Florida, where he is engaged in private business and has failed to comply with the conditions of said loan, and that petitioner is unable to enjoy the benefit of his slaves which were mortgaged to secure said loan; wherefore, petitioner begged the court to forward a warrant to Vizente de Zespedes, Governor of Oriental Florida, to seize enough funds from the defendant to cover said loan, plus interest, damages and cost of these proceedings, and in the event the defendant has not sufficient funds to cover said claim to attach the defendant's properties and to sell them at public auction, forwarding the proceeds of said sale to this city to satisfy said claim.

(con't)

DOCUMENT # 1879
(con't)

The court ordered as prayed by the plaintiff.

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

24
151

File # 111.
Oct. 25, 1788.
Judge: Estevan Miro.
Court Clerk: R. Perdomo.
Pages 1 to 9.
Spanish

DOCUMENT NO. 1880
BOX 52

CASE OF
MARY FITZGERALD
VERSUS
GUILLERMO C.
FITZGERALD

The record shows that the plaintiff, a resident of New Orleans, brought action against the defendant, a resident of St. Augustine, Florida, to recover the sum of 224 pesos for room and board furnished the defendant during the time he resided in this city. The plaintiff alleged that the defendant has failed to return to this city to satisfy said debt for which he signed the past due promissory note which the plaintiff presented to the court as evidence of her claim. The plaintiff begged the court to issue a warrant requesting the Governor of Florida to summon the defendant and upon his acknowledgment of the debt to order him to satisfy it and in default thereof to seize enough of the defendant's properties and sell them at public auction, remitting the proceeds thereof to this Court to satisfy said claim, plus the costs of these proceedings.

The court issued and forwarded to the Governor of Florida the warrant as petitioned by the plaintiff, attaching to said warrant a copy of the plaintiff's petition and the original promissory note.

The costs of these proceedings amounted to nine pesos.

The record further shows that the Court's warrant did not take effect apparently because when said warrant arrived at St. Augustine, Florida, the defendant had moved

(con't)

his residence from said city. This fact was substantiated when a little over two years later -- May, 20, 1790-- the plaintiff filed another petition to have the Court issue a warrant in the same terms of the first one but addressed to the President of the Real Audiencia (Royal Court) of Spanish Santo Domingo, in the West Indies, where the defendant had established his domicile.

The court issued the warrant as petitioned by the plaintiff.

The costs of these latter proceedings amounted to five pesos.

22
151

DOCUMENT NO. 1881.
BOX 52.

File #127.
Oct. 25, 1788.
Judges: Estevan Miro, and Josef de Ortega.
CC: Rafael Perdomo.
P. 1 to 65.
Spanish and French.

CASE OF
JUAN BAURE LEGER AND AUGUSTIN SILVY
VERSUS
JUAN BAUTISTA MACARTY, MASTER OF THE NEGRO SLAVE NAMED JULIO.

The record shows that the plaintiffs, traveling merchants, brought action against the defendant, a resident of New Orleans, to recover the sum of 433 pesos, value of certain merchandise stolen from the plaintiffs' pirogue by the defendant's slave named Julio and by another negro who, having escaped, could not be identified nor captured. An inquiry was made of the theft and as the result thereof the guilt of the said slave was fully established through the testimonies of several witnesses and his own confession, said slave having been already captured and incarcerated.

The Court then sentenced the said slave to suffer a total of 120 slashes to be dealt him publicly in the customary place and in three consecutive days and also to serve six months in jail. In regard to the plaintiffs' claim, the Court ruled that inasmuch as the sentenced slave committed the theft in complicity with another negro who had not yet been captured, the defendant master of said slave, was liable for only the sum of 200 pesos which the Court ordered said defendant to pay to the plaintiffs.

The defendant then made a motion to appeal the Court's decision, to the Superior Court of Appeals of Havana, Cuba. The Court accepted the appeal but ruled that in accordance with the law said appeal should be heard by the Most Illustrious Council of New Orleans before which the appelant was ordered to appear to continue

(cont'd)

said appeal.

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

#22
#10

DOCUMENT NO. 1882.
BOX 52.

File #128. Oct. 25, 1788. Judge: Estevan Miro. CC: R. Perdomo. P. 1 to 40. Spanish French Dutch.	SUCCESSION OF LIEUTENANT LORENZO RIGOLENE.

The record shows that Don Juan Doroteo del Postigo y Balderrama, Military Counsellor was informed that Don Lorenoz Rigolene, Lieutenant at the Post of Natchez had died on Sept. 24, 1788, and the Court in order to protect the property of said deceased, instituted these proceedings by ordering the corresponding authorities to comply with the formalities requested by the law.

The record shows that an inventory and appraisal was made of the properties and documents left by said deceased, that said properties were sold at public auction and from the proceeds of said sale all the debts left by said deceased were paid, and that the Court ordered the authorities of said Post to forward all the documents pertaining to the succession of said deceased, to the Supreme Royal Council of War, to promote whatever they deem convenient.

#25(A)
#10

DOCUMENT NO. 1883.
BOX 52.

File #2614. Oct. 25, 1788. Judge: Estevan Miro. CC: P. Pedesclaux. P. 1 to 3. Spanish.	PROCEEDINGS INSTITUTED BY DON JOSEF VILLARD FOR THE PURPOSE OF HAVING REGISTERED IN THE OFFICE OF THE COURT CLERK A CERTAIN PROMISSORY NOTE.

Don Josef Villard, agent for the King of Spain, petitioned the Court to order the Court Clerk, to register in his office a certain promissory note presented.

On Oct. 25, 1788, the Court ordered as petitioned by Villard.

#25(A)
#10

DOCUMENT NO. 1884.
BOX 52

File No. 19.)
Oct. 29, 1788.)
Judge: E. Miro.)
CC: R. Perdomo.)
P. 1 to 7.)
Spanish.)

CASE OF
DON BERNARDO LABURTE,
AS AGENT OF JUAN LACOMBE
VERSUS
DON BELTRAN GRAVIER.

The plaintiff, as agent of Juan Lacombe, brought action against the defendant to recover the past due sum of 361 pesos 3 1/2 reales, alleging that as evidenced by the promissory note, protest and the two judgments presented, the defendant, a merchant of Bordeaux, France, and at present a resident of this City, is indebted to said principal the past due sum of 302 pesos 1 1/2 reales, for tackles and rigging that said principal sold to the defendant for his brigantine named "Santo Spiritu", plus 59 pesos and two reales, for interest; which altogether amounted to the sum of 361 pesos and 3 1/2 reales, and that the defendant has failed to make payment on demand. Wherefore, petitioner begs the Court to order the official translator to translate into Spanish the documents presented, and after this is done to order a writ of execution against the person and properties of the defendant in order to satisfy said claim; and also admit as petitioner's attorney Don Santiago Phelipe Guinault, to follow up this case.

The record shows that the court ordered Don Juan Duforest official translator to translate the documents presented by Laburte, into Spanish, and admitted Guinault, as Laburte's attorney, once he has given him the authority to do so. The court then ordered the defendant to acknowledge the debt claimed by Laburte. However, the record does not show the defendant's acknowledgement, as the plaintiff dropped his claim.

#23
#10

DOCUMENT NO. 1885.
BOX 52.

File #141.
Oct. 29, 1788.
Judge: Juan del Postigo.
CC: R. Perdomo.
P. 1 to 27.
Spanish and French.

CASE OF
ALEXIS REAUD, FOR HIMSELF AND AS AGENT OF HIS BUSINESS PARTNER MIGUEL FORTIER,
VERSUS
ESTATE OF CARLOTA LALANDE DAPREMON.

The record shows that the plaintiff, for himself and as agent of his business partner Miguel Fortier, brought action against the defendant to recover the sum of 1600 pesos and three and one-half reales, for three past due promissory notes and one invoice for certain merchandise sold to Pedro Chabert, deceased husband of Carlota Lalande Dapremon, who had just died.

The Court ordered the translation into Spanish of the three promissory notes and invoice presented which were written in French, and after this was done the Court notified Antonio Mendez, Attorney for the absent heirs of the deceased, as also Luis Lalande Dapremon, brother and heir of the deceased, and Pedro Piernas, testamentary executor of her estate, of the plaintiff's petition. All of said persons in separate statements acknowledged the legitimacy of the plaintiff's claim, in view of which the Court ordered the testamentary executor to pay the said claim from the funds of the succession.

However, the record shows that a little over two years elapsed without said claim being paid, presumably because the succession lacked enough funds, and that on Feb. 12, 1791, Miguel Fortier, this time acting for himself and as agent of his partner Alexis Reaud, filed

(cont'd)

a petition wherein he alleged that payment of their claim had been unduly delayed in order to satisfy other claims which in his opinion were of less importance. He begged the Court to order the immediate payment of their claim or, in the event the succession lacks enough funds to satisfy said claim in full, to order that a proportionate payment be made on it from the existing funds. For some unknown reason this petition was not acted upon, the Court only ordering to be given the records of the case in order to examine them.

Nearly five years later -August 5, 1796- the said Miguel Fortier filed another petition to have the Court order the payment of his and his principal's claim from the proceeds of the sale of a certain plantation of the succession to Rene Huchet de Kernion.

The record, however, is incomplete and only shows that the Court ordered the other unpaid creditors of the estate to be notified of Miguel Fortier's petition.

#22
#10

DOCUMENT NO. 1886.
BOX 52.

File #42. Oct. 29, 1788. Judge:Juan del Postigo. CC: R. Perdomo. P. 1 to 12. Spanish and French.	CASE OF ALEXIS REAUD, REPRESENTING THE BUSINESS FIRM OF REAUD AND FORTIER, OF NEW ORLEANS, WHICH ACTED AS AGENT OF LUIS GAUDINET, A MERCHANT OF PARIS, FRANCE, VERSUS ESTATES OF PEDRO CHABERT AND CARLOTA LALANDE DAPREMON.

The record shows that the plaintiff brought action against the defendants to recover the sum of 1336 livre tournois (French pounds) equivalent to the sum of 420 pesos and six reales in Mexican currency, including interest of eleven years at the rate of 5% per year, due plaintiff's principal for merchandise purchased by Pedro Chabert, deceased husband of Carlota Lalande Dapremon, also deceased. As evidence of his claim the plaintiff presented a power-of-attorney drawn by Luis Gaudinet in favor of Reaud and Fortier; a promissory note executed by Pedro Chabert in favor of said Luis Gaudinet, and a statement showing in detail the capital and interest due.

The record further shows that in compliance with Court decrees the French documents presented as evidence by the plaintiff were translated into Spanish by Juan Josef Duforest, official translator, and then notification was made of the plaintiff's claim to the parties representing the succession of Pedro Chabert and Carlota Lalande Dapremon, all of whom agreed that said claim should be paid, in view of which the Court ordered said payment.

#22
#10

DOCUMENT NO. 1886 A.
BOX 52.

File #115.
Oct. 29, 1788.
Judge: Estevan Miro.
CC: R. Perdomo.
P. 1 to 20.
Spanish and French.

CASE OF
MARTIN BRAQUIER
VERSUS
MANUEL LEBIO.

The plaintiff, a resident of this City, through his attorney brought this action against the defendant to recover a past due debt of three hundred eleven pesos and five reales, alleging, that as evidenced by the private obligations duly presented the defendant is indebted to petitioner in said sum; and that petitioner has failed to make payment on demand; wherefore, petitioner begged the Court to order the defendant to acknowledge the signatures affixed on said obligations presented and to declare under oath whether he owes the sum claimed, and to deliver the defendant's declaration to the petitioner in order to promote whatever action may be convenient.

The Court ordered as petitioned by the plaintiff.

The record shows that the acknowledgment of said obligations and the declaration requested from the defendant did not take place due to the fact that the defendant was absent from the city, and that the plaintiff having been informed that one Miguel Roche, is holding in his possession six hundred pesos belonging to the defendant, he petitioned the Court to order said Miguel Roche to retain said sum in his possession, at the disposal of the Court in order to secure payment of the sum claimed in the event that the defendant refuses to pay at his arrival to this city. The court ordered said Miguel Roche, to withold said sum at the disposal of the Court; but that said Roche informed the Court that he had given the money he held for the de-

(cont'd)

fendant to one Narciso de Alba, who was holding said sum for the defendant during his absence from this City. Said allegations were approved by said Narciso de Alba.

The record further shows that the defendant arrived to this City, and acknowledged the debt claimed by the plaintiff.

The record also shows that on plaintiff's petition the Court issued a writ of execution against the person and properties of the defendant in order to satisfy the sum claimed. The Court notifying the defendant to pay the plaintiff his claim within the term of three days warning him that if he fails to comply with said payment said writ of execution will be enforced.

The defendant failed to pay the plaintiff his claim and on plaintiff's petition Narciso de Alba was ordered to pay the plaintiff's claim, plus the costs of these proceedings from the money he was holding in his possession belonging to the defendant.

The record does not show if Narisco de Alba satisfied the plaintiff his claim.

#24
#10

DOCUMENT NO. 1887.
BOX 52.

File #2412. Oct. 31, 1788. Judge: Estevan Miro. CC: P. Pedesclaux. P. 1 to 4. Spanish.	INFORMATION SUBMITTED BY LOUIS CORNU IN ORDER TO PROVE THE LOSS OF A CERTAIN SUM OF MEXICAN MONEY, BELONGING TO ESTANISLAUS DELASALLE DE LONGUEMARD AND COMPANY, MERCHANTS OF GUARICO.

The record shows that Louis Cornu, a resident and merchant of New Orleans, petitioned the Court to admit information from Mathurin Guerin and Juan Bautista Durel, Jr., who will testify to the fact that on the 23 of March, 1788, they saw petitioner in a parcel of land of his property searching for part of a sum of 495 pesos in Mexican money, which belonged to the business firm of Estanislaus Delasalle de Longuemard and Company, of Guarico, and which petitioner presumed had been burned in the fire occurred on March 21 of the same year; said witnesses will also testify to the fact that petitioner did not find any trace of said sum which made him believe that it had been stolen. Petitioner begged the Court to deliver him the original declarations of the witnesses once they have been received.

The record further shows that the Court received the information offered by petitioner which entirely substantiated his allegations, in view of which and on petitioner's request the Court approved said information and ordered the Court Clerk to furnish him with certified copies of these proceedings.

#22
#10

DOCUMENT NO. 1888.
BOX 52.

File #2590.
Oct. 31, 1788.
Judge: Estevan Miro.
CC: P. Pedesclaux.
P. 1 to 4.
Spanish.

CASE OF
JUAN SENAC
VERSUS
SANTIAGO HOLLIER.

The record shows that the plaintiff, a resident and surgeon of New Orleans, brought action against the defendant to recover the sum of 1650 pesos due on a certain house sold to the defendant, who mortgaged said house in favor of the plaintiff to guarantee payment of said sum. As evidenced of his claim the plaintiff presented to the Court a certified copy of the deed of sale and mortgage of said house, and begged the Court to issue a writ of execution against the person and properties of the defendant, in order to satisfy the said sum, plus the interest and the costs of these proceedings.

The Court requested the records of the case in order to examine them, but the record shows that at this time the defendant instituted proceedings to obtain an extension of time from his creditors, the plaintiff apparently having consented to grant said extension, the terms of which the record does not show.

#22
#10