DOCUMENT 2539.
BOX 59.

File 1854.
Date July 1, 1790.
Judge: Josef de Ortega.
C.C.: Pedro Pedesclaux.
French and Spanish.
8 pp.

RENE HUCHET DE KERNION PETITIONS FOR AUTHORIZATION TO SELL A MULATTO WOMAN AND A PARCEL OF LAND

Sale of Inherited Property

Petitioner, Don Rene Huchet de Kernion, petitions the court for authorization to sell a mulatto woman, supporting his claim to the ownership of the said mulatto woman by submitting three documents issued by the succession of Madame Desilet, his mother-in-law.

(Signed) Rene Huchet de Kernion

On July 1, 1790, the court grants petitioner's prayer.

(Signed) Josef de Ortega, judge

SUPPLEMENTAL PETITION

Petitioner, through his attorney Don Antonio Mendez (sic) petitions the court for a permit to sell a lot inherited from his mother-in-law, Madame Desilet, situated on Saint Ursula Street, New Orleans, next to the properties of Don Francisco Colier and Don Pedro

DOCUMENT 2539.
BOX 59.
(cont'd.)

Olivier, and substantiates his claim of ownership by submitting documentary proof.

(Signed) R. Huchet de Kernion
(Signed) Antonio Mendes

On May 4, 1792, Don Pedro de Marigny, (sic) Knight of St. Louis and senior judge of this City, calls Don Manuel Serrano, counselor and assessor of the administration, for consultation.

(Signed) Pedro De Marigny

On May 7, 1792, the court decrees the translation of the submitted documents to be made by Don Juan Josef Duforest, who, under oath, promised to make a faithful translation. The documents reveal that a mulatto woman named Catalina and a parcel of land were inherited by the petitioner, as signed by three successors of Madame Desilet, as follows: Desillets - Dezillet Siben - Livaudais. Signed by the public translator, Don Juan Josef Duforest.

Court clerk certifies to the above.

(Signed) Pedro Pedesclaux, court clerk

DOCUMENT 2540.
BOX 59.

File 40.
July 2, 1790.
Judge: Gov. Miro.
C.C.: R. Perdomo.
Spanish.
9 pp.

PROCEEDINGS INSTITUTED BY THOMAS PATTERSON

Petition Requesting an Extension from his Creditors

Petitioner, Don Thomas Paterson (sic), a resident and merchant of the City of New Orleans, petitions the court to be granted an extension of time by his creditors and submits a sworn financial statement with a list of his creditors and the respective amounts owed to each of them, amounting to a total of 7,647 pesos. He also lists the sum of 1,306 pesos as his only assets, which sum is owed to him by Don Olivero Pollock.

He prays the court to order his creditors to accept the sum of 1,306 pesos to be divided among them as partial payment. He promises to assume full responsibility for the balance, to be paid as soon as his financial condition enables him to do so.

(Signed) Thomas Patterson

The court accepts the cession of properties in accordance to law and decrees that the creditors be notified before this court within 3 days and present the necessary documents to prove their credits, fixing edicts in the accustomed public places in order to notify those who are not known.

(Signed) Miro (Signed) Postigo

DOCUMENT 2540.
BOX 59.
(cont'd.)

Don Thomas Paterson (sic) informs the court that his creditors not only have accepted his offer and are willing to grant the requested extension but even have allowed him the possession of the sum of 400 pesos after paying Dona Maria Fitzgerald plus the court costs. He prays the court to declare it so, in order that in the future his creditors who have not signed this petition would not make any claims against him.

(Signed) (Signed)

Thos Paterson (sic)- Edgar Gallaudet
Manuel Monsanto
Thos Dumford
James Jones
A Strother
C - Macarty

The court grants the above petition.

(Signed) Miro (Signed) Postigo

The court orders the above petition to be forwarded to those creditors who have not signed.

(Signed) Miro (Signed) Postigo

The following names also appear in this document:

D. De Materre - Don David Hodge
Madame Fitzgerald
Mr Ferguson
Don Alexando Moore
Santiago Mather
Thomas Irwin

DOCUMENT 2541.
BOX 59.

File 80.
July 2, 1790.
Judge: Esteban Miro.
C.C.: Rafael Perdomo,
Pedro Pedesclaux,
Carlos Ximinez.
French and Spanish.
103 pp.

JEREMIA ROUTH
VS.
DEVINCE BIENVENUE (SIC)

To Recover the Value of Certain Lumber, or the Return of the Lumber, Illegally Purchased by the Defendant

Don Jeremia Routh, a resident of the port of Natchez, proves in court by witness, that he was the owner of a barge and its cargo of lumber, a part of which was lost overboard during a storm, but was salvaged by the captain, who left it to notify the owner of the event. The plaintiff, Don Jeremia Routh, claims that, during the captain's absence, the defendant purchased the salvaged lumber from one Denis Camadiano, a sailor from the barge, and petitions the court to question Don Devins (sic) Bienvenu on this point.

(Signed) Jere (sic) Routh.

The court grants the petitioner's prayer.

(Rubricated) M. (Signed) Postigo

Don Alexandro Devince Bienvenu (sic), before the clerk of the court, states that he bought the lumber from Denis Camadiano, who told him it did not belong to him, only after he had paid for it; that he paid two reales for each piece, and that lumber of this size does not sell for as much as plaintiff states.

(Signed) Devince Bienvenue (sic)

Juan Josef Duforest, interpreter

Rafael Perdomo, court clerk

DOCUMENT 2541.
BOX 59.
(cont'd.)

Don Jeremia Routh begs the court, by virtue of the evidence, to order Don Bienvenue (sic) to return to him the salvaged lumber.

(Signed) Jere (sic) Routh

The court orders all documents in the case to be submitted for review. July 31, 1790

(Rubric) M. (Signed) Postigo

On August 7, 1790, the court approves the information submitted by the petitioner, and orders the defendant to be notified.

(Signed) Estevan Miro
Postigo
Rafail Perdomo, notary public

On July 20, 1790, the plaintiff gives full power of attorney to Nathaniel Basset.

(Signed) Rafael Perdomo, notary public

The defendant, through his attorney, Felipe Guinault, begs the court to have four questions propounded to his witnesses - Don Louis Macarty, Don Laurent Dupre, and Don Alexandro Baudin.

(Signed) Devince Bienvenu
Felipe Guinault

The court having granted the petitioner's prayer, the three witnesses declare that they know the quality of the lumber in dispute, and that two reales per piece is a fair price for it. They sign with the interpreter.

Louis Charles Macarty
Laurent Dupre
A. Baudin

Juan Josef Duforest, interpreter
Before me, Rafail Perdomo, (sic),
notary public

DOCUMENT 2541.
BOX 59.
(cont'd.)

Defendant begs the court to dismiss the case for the reason: That he bought the lumber in good faith; That the lumber was not marked: That the employer should know the honesty and character of his employees.

(Signed) Devince Bienvenu
Felipe Guinault

The court orders a copy of the defendant's motion to be transmitted to the plaintiff.

(Signed) Estevan Miro
Postigo

Plaintiff's attorney protests against the delays caused by defendants long absences from the city.

(Signed) Nat'l. Basset

The court orders defendant not to leave the city until he establishes a power of attorney.

(Rubric) M. (Signed) Postigo

On November 11, 1790, plaintiff presents three witnesses, who testify that the value of lumber, of the quality and size in controversy, is ten reales per piece, and sign with the interpreter, before the acting clerk of court, as follows:

Robert Jones Juan Joseph Duforest interpreter
Jacob Cowperathwait (sic)
Hubert Rowell Carlos Ximinez notary public

On January 26, 1790, the court decrees that the defendant must return to the plaintiff the two hundred, thirty-three pieces of lumber; or, to pay for them at ten reales for each piece.

DOCUMENT 2541.
BOX 59.
(cont'd.)

Defendant must pay also the costs of the court, plus a penalty of forty reales.

(Signed) Estevan Miro
Man'l. Serrano
Before me, Carlos Ximinez, Secretary of Public Administration.

On January 29, 1791, the defendant appeals the case.

(Signed) Ximinez, court clerk

The plaintiff does not object to the appeal, and calls into the case attorney Antonio Mendez.

(Signed) Atanacio (sic) Basset
Antonio Mendez

Antonio Mendez asks the court to enforce the payment of its judgment, on account of the long delays by the defendant.

(Signed) Antonio Mendez

On April 29, 1791, the court names Don Andres Almonester y Roxas, Royal Ensign and Alderman, and Don Carlos de la Chaize, deputy Alderman as consulting judges, who on May 27, 1791, decree that the defendant's appeal be rejected because it had not been submitted within the time specified by law.

(Signed) Estevan Miro
Andres Almonester y Roxas
Carlos de la Chaize
Nicolas M. Vidal

The costs of the proceedings amount to seven hundred, thirty-five reales.

(Signed) Luis Liotaud

DOCUMENT 2541.
BOX 59.
(cont'd.)

The defendant contests the valuation of the lumber as too high. The litigants finally reach a compromise agreement, and so notify the court.

(Signed) Nat'l. Basset
Felipe Guinault

On November 11, 1791, the court grants the petitioners prayers and discontinues the process.

(Signed) Miro
Nicolas M. Vidal

DOCUMENT 2542.
BOX 59.

File 153. July 3, 1790. Judge: Don Estevan Miro. C.C.: Rafael Perdomo. Spanish. 6 1-2 pp.	PROCEEDINGS INSTITUTED BY PEDRO THOMAS

A Petition for Authorization to Complete an Act of Sale

Petitioner, Pedro Thomas, a free negro, resident in this province, appears in court and states that he desires to sell a certain piece of property which he describes and locates, but that, owing to the loss of his title to said property, no notary public will pass the act of sale unless he (Thomas) has a court decree authorizing him to sell; that, in consequence of this, he is making petition to the court for such a decree, citing his long ownership of the property and the fact that he is well known to reputable citizens in the province. These proceedings took place on July 3, 1790.

On July 5, 1790, Judge Estevan Miro decrees that more information is required to verify the ownership of the property, and that Thomas be so notified. The nature of the decree is attested by,

(Signed) Postigo, notary public

Notary public attests to the decree and the signature of Don Estevan Miro, Brigadier of the Royal Army, Governor and Intendant of this province for His Majesty.

(Signed) Rafael Perdomo,
notary public

July 5, 1790

DOCUMENT 2542.
BOX 59.
(cont'd.)

Pedro Thomas is notified on the same day, as is attested by,

(Signed) Rafael Perdomo, notary public

To provide the information required, Pedro Thomas presents as a witness Don Francisco Broutin, a resident of this city, who, being put upon oath, examines the petition and declares that its contents are true; and, giving his age as sixty-five years, signs his statement.

(Signed) Francisco Broutin

(Signed) Rafael Perdomo, notary public

New Orleans, July 9, 1790

As another witness, Pedro Thomas presents Pedro Marigny (sic) of Mandeville, Knight of the Royal Military Order of St. Louis, lieutenant in the army, captain of the militia, and commandant of the post at St. Bernard, who, under the military oath, states that the contents of the petition are true; that he is forty years of age.

(Signed) Pedro de Marigny

(Signed) Rafael Perdomo, notary public

New Orleans, July 10, 1790

Witness, Don Francisco Blasch, resident of this city, under oath states that the contents of the petition are true and that he has known the petitioner for many years; that he is sixty-two years of age.

(Signed) Francisco Blasch

New Orleans, July 12, 1790

(Signed) Rafael Perdomo, notary public

DOCUMENT 2542.
BOX 59.
(cont'd.)

DECREED: In view of the preceding written information, the petitioner is authorized to sell his property on his own terms, and he is to pay the costs of these proceedings.

(Signed) Estevan Miro

Postigo

Notary public attests to the decree and the signature of Don Estevan Miro.

(Signed) Rafael Perdomo,
notary public

July 14, 1790

Pedro Thomas is notified of the decree on the same date. Notary public attests.

(Signed) Perdomo, notary public

On July 23, Don Luis Liotaud is commissioned under oath to appraise the costs of the proceedings.

(Signed) Luis Liotaud

(Signed) Rafael Perdomo, notary public

The bill of costs amount to 5 pesos, 4 reales.

DOCUMENT 2543.
BOX 59.

File 1896.
July 3, 1790.
Judge: Josef de Ortega.
C.C.: Pedro Pedesclaux.
Spanish.
9 pp.

SEVASTIAN MAS (SIC)
VS.
PEDRO BAHY (A FREE MULATTO)

To Collect a Debt

The plaintiff, Sebastian Mas, a resident of New Orleans, petitions the court, alleging that, as evidenced by the public deed duly presented, the defendant, Pedro Bahy, a free mulatto, is indebted to the petitioner in the sum of 1484 pesos; and, although on various occasions he has tried to collect this sum, the defendant has failed to meet his obligation. Therefore, the plaintiff begs the court to issue a writ of attachment against the property of the defendant, also against the two lots of land-mortgages, in order to secure the payment of the sum alleged to be owed to the plaintiff.

(Signed) Sebastian Mas

The court grants petitioner's request and orders the defendant to pay said sum within 3 days.

(Signed) Attorney Josef de Ortega

The court costs amount to 5 pesos, 7 1-2 reales.

DOCUMENT 2544.
BOX 59.

File 1802.
June 4, 1790.
Judges: Josef de Ortega. Juan Morales.
C. C.: Pedro Pedesclaux.
Spanish.
317 pp.

PROCEEDINGS FOR THE SETTLEMENT OF THE ESTATE OF JUAN BAUTISTA DUREL

Succession of Juan Bautista Durel

In the City of New Orleans, on June 4, 1790, Don Josef de Ortega, Senior Judge and counsellor of the royal court, upon notification received of the death of Don Juan Bautista Durel, on the same day, orders the clerk of the court to proceed to the premises of the deceased, and verify the death of the said Durel; the court also instructs the clerk to seal the property, and to collect the keys thereto, as a measure of protection, in the interest of an absent heir.

(Signed) Josef de Ortega
Pedro Pedesclaux,
notary public

The court clerk testifies to the death of Juan Bautista Durel, and complies with the preceding court order.

(Signed) Pedro Pedesclaux

On June 5, 1790, the court orders the court clerk to incorporate in the records of this process the last will and testament of Juan Bautista Durel.

DOCUMENT 2544.
BOX 59.
(cont'd.)

(Signed) Liz.do Ortega
Pedro Pedesclaux

The court clerk complies with the preceding court order with a copy drawn from the original document; the original was executed by the same clerk in the city of New Orleans, on May 30, 1790, and reveals the following:

That Juan Bautista Durel was married to Doña Cicilla Lebreun (deceased) and from that marriage they had the following children: Doña Maria Roza Durel (deceased), wife of Miguel Fortier; Don Francisco Durel; Doña Maria Feliciana, wife of Don Elias Toutan Beauregard; Juan Bautista Durel; Visino Durel; Doña Victoria Durel, wife of Florencio Bazille; Doña Emaie Durel, wife of Don Santiago Fortier.

That Miguel Fortier, is designated testamentary executor.

That the proceeds from the auction sale of all his properties - household goods, real estate, slaves; and the collection of all outstanding debts be divided into seven equal parts, and each one of his six children is to receive one seventh of the entire proceeds of his estate, the remaining portion is bequeathed to the five children of Don Miguel Fortier and Doña Maria Rozalia Durel (deceased), named Juan, Julia Feliciana, Miguel, Victoria and Edmon Fortier.

Executed in the city of New Orleans, May 30, 1790. Signed by Juan Bautista Durel before the following witnesses: Francisco Braguier, Guillermo Marte and Pedro Dupain. Also present and signing: Jean Batiste Durel, F. Braguier, G. Marre, Pierre Dupain.

DOCUMENT 2544.
BOX 59.
(cont'd.)

(Signed) Pedro Pedesclaux

On June 7, 1790. The court appoints Felipe Guinault, as attorney and legal advisor in behalf of an absent heir named Doña Victoria Durel.

(Signed) Liz.do Josef de Ortega

Felipe Guinault, attorney, accepts the appointment, and swears to execute faithfully the duties conferred upon him, and names Miguel Gomez as his guarantor.

(Signed) Miguel de Juan Gomez (Signed) Felipe Guinault
(Signed) Pedro Pedesclaux

The court re-affirms the appointment, and orders that the record of the process be delivered to Felipe Guinault, to act as he may deem best in his capacity of legal advisor.

(Signed) Liz.do Josef de Ortega

Mr. and Mrs. Santiago Fortier appoint Juan Soulie, as their representative in the settlement of the estate of the said Juan Bautista Durel.

Santiago Felipe Guinault, attorney, representing the absent heiress, petitions the court to order that the inventory of the property be made and the appraisement to be done by public appraisers appointed by the court.

The court orders that the heirs be notified of the preceding petition, and that their reply be submitted to the court for examination.

DOCUMENT 2544.
BOX 59.
(cont'd.)

Don Miguel Fortier, testamentary executor, and all the heirs, unanimously concurred with the petition.

On June 10, 1790. The court orders that the inventory and appraisement be made without delay, and appoints Vizente Fangui and Adrian de la Place as appraisers.

On June 10, 1790. Don Josef de Ortego, Senior Judge, proceeded to the premises of the deceased, and in the presence of the heirs, and with the assistance of the court clerk and the public appraisers, begins to take inventory and to appraise the property, which consists of the entire stock of a dry goods store, furniture, and furnishings, real estate, slaves, promissory notes, and other negotiable papers; the inventory and appraisement was completed on June 16, 1790. The record does not show the total value at which the property was estimated.

Felipe Guinault, attorney for the absent heir, petitions the court to approve the inventory, and to decree the sale of all of the property, on terms maturing not later than ten months from the date of sale.

On June 17, 1790, the court orders that all the heirs to the said succession be notified of the preceding petition; the petition was unanimously approved by the heirs.

On June 19, 1790. The court approves the inventory, and orders the town crier to announce the sale of the property as previously stipulated. The town crier reports that on June 19, 22, and 26 he has complied with the preceding decree.

DOCUMENT 2544.
BOX 59.
(cont'd.)

On June 28, 1790, the court sets June 30, 1790, as the day to begin the sale of the said property, which is to be continued until completed.

(Signed) Liz.do Ortega

On June 30, 1790, Don Josef de Ortega, Senior Judge, proceeded to the premises of the deceased to begin the sale of the property and all effects, as provided by the last will and testament of said deceased, with the assistance of the court clerk, who recorded each sale; the total sale was completed on July 9, 1790. The record does not show the total amount derived from the said sale.

Felipe Guinault, attorney for Doña Victoria Durel, absent heir to the said succession, petitions the court for the appraisement of the court cost of the proceedings, stating that it will be paid by Don Miguel Fortier, testamentary executor of the said succession.

(Signed) Felipe Guinault

On Sept. 6, 1790, the court grants petitioner's prayer. The total cost of the proceedings amount to 284 pesos and 5 reales.

On May 7, 1791, the heirs to the succession of Juan Bautista Durel, petition the court to order the court clerk to deliver to them the record of the proceedings, for whatever purpose they may deem necessary.

(Signed) M. Fortier Antonio Mendez
Jn. Soulie Vrsin Durel (sic)
francois (sic) Durel B. Durel.

DOCUMENT 2544.
BOX 59.
(cont'd.)

On May 7, 1791, the court grants petitioner's prayer.

(Signed) J. Morales

DOCUMENT 2510

File 1761 see May 26, 1790. Document has been corrected by archives to read July 5, 1790.

Proceedings instituted by Juan Caraballo to establish the ownership of two slaves.

(CHANGE OF DATE OF DOCUMENT BY ARCHIVES, reported Nov 16, 1979)

DOCUMENT 2545.
BOX 59.

File 1741.)
July 6, 1790.)
Judge:)
Almonester.)
C. C.:)
Pedesclaux.)
Spanish.)
4½ pp.)
)

PROCEEDINGS INSTITUTED BY
VENTURA BAHY (SIC)
VS.
RAFAEL RAMOS

To Collect a Debt

Don Bentura Bohy (sic), plaintiff, a resident of the city (New Orleans), through his attorney petitions the court, alleging that, as evidenced by the promissory note and bill duly presented, Don Rafael Ramos, defendant, is indebted to him in the sum of 207 pesos, and although he has requested payment from defendant on various occasions to settle the above debt, he has been unable to obtain it.

Wherefore he begs the court to obtain from the said Romoz (sic) the customary oath and declaration stating whether or not he is indebted in the sum claimed, and to recognize the signature at the foot of these two bills, and that said declaration be released to said Bentura Rahy (sic), for further proceeding.

(Signed) Buenaventura Bayhi
Felipe Guinault

Decree by Don Andres Almonester y Roxas ordinary judge of this city and of this jurisdiction, who signed it on July 6, 1790.

(Signed) Almonester
Pedro Pedesclaux

DOCUMENT 2545.
BOX 59.
(cont'd.)

Court clerk on the same day notifies Don Rafael Ramas (sic) in person.

(Signed) Pedesclaux

The notary public declares that in the City of New Orleans, July 7, 1790, Don Rafael Ramos appeared in the public office in his charge, to whom by virtue of the commission conferred upon him he administered an oath which said Ramos took in the name of God and the Cross, according to the law; and under the oath he promised to tell the truth in any matter on which he might be questioned and the notary having questioned him regarding the statements set forth in the foregoing petition and shown him the promissory note and account appearing on pages 1 and 2. Said Ramos stated that the signature affixed at the foot of the said note was his own and the one with which he was accustomed to sign, that it was true he owes the sum claimed from him and that this deposition is accurate under his oath, giving his age as 35 years and signed, to which the notary attests.

(Signed) Rafael Ramos

The notary public certifies.

(Signed) Pedro Pedesclaux, notary public.

DOCUMENT 2545.
BOX 59.
(cont'd.)

Bill

Received from Don Bentura Bohy (sic) the sum of 160 pesos 4 reales in merchandise, for which I will pay when I return from my trip,

Signed by me in New Orleans, March 5, 1790.

Rafael Ramos

Dr. - Don Rafael Ramos to Bentura Bahy (sic) to wit

		P.	R.
March, 1788, for boarding and other effects----			15
March 7th, Wine----------			6
" 12, Dinner and games of billiards-------			7
			28
March 15, 1790; purchase from the wife of said Ramos as follows:			
	1 box of guava----------	2	2
	1 Bx of provanza Oil----------	2	4
April 18.-	1 pound of coffee and one pound of potatoes----------		5
	One box of guava and groceries------	4	
	At his return from his trip a dinner, cigar, and wine----------	9	4
		10.	67.
	Paid on acct.----------	8	60
	Balance -	2.	07

DOCUMENT 2546.
BOX 59.

File 1784. July 6, 1790. Judge: Andres Almonaster. C. C.: P. Pedesclaux. Spanish. 14 pp.	LUIS ANTONIO DECALLOGNE VS. PEDRO ST. MARTIN

To Compel Payment of Commissions on Collections

Don Luis Antonio Decollongne (sic) guardian of the minor children of the deceased Don Antonio Chourniac and Don Genoveva Decallongne (sic), petitions the court to compel Don Pedro St. Martin, (husband by second marriage of the aforesaid deceased Dona Genoveva Decallogne) to pay 5% on all the collections made by petitioner belonging to said St. Martin as his share of the inheritance.

(Signed) Decallogne

The court orders the petition forwarded to Don Pedro St. Martin for his examination.

(rubric) (Signed) Postigo

On the same day Don Luis Antonio de Cologna (sic) and Don Pedro St. Martin were given certified notices of the preceding decree.

(Signed) Pedesclaux, clerk

Don Pedro St. Martin in answer to the petition of the plaintiff states: that he is not entitled to

DOCUMENT 2546.
BOX 59.
(cont'd.)

receive any fees for the money he has collected since he has received already the sum of nine hundred pesos for the maintenance of the minor children and besides he did not make said claim during the testamentary proceedings.

(Signed) Pedro St. Martin

The court orders that this petition be forwarded to Don Luis Antonio Decallogne for his examination.

(rubric) Almonaster (Signed) Postigo

On July 9th of that year Don Pedro St. Martin and Don Felipe Guinault were given certified notices of the preceding decree.

(Signed) Pedesclaux, clerk

Don Santiago Felipe Guinault, attorney for Don Luis Antonio Decallogne, in answer to the last representation states: that the nine hundred pesos which he received were for the maintenance of his minors and not for his personal services, also that the fact that he did not file his claim is no reason to disregard his right to the 5% he has prayed for.

(Signed) Felipe Guinault

The court orders that the petition be forwarded to Don Pedro St. Martin for his examination.

(rubric) Almonaster (Signed) Postigo

On July 10th of that year Don Pedro St. Martin

DOCUMENT 2546.
BOX 59.
(cont'd.)

and Don Felipe Guinault were given certified notices of the preceding decree.

(Signed) Pedesclaux, clerk

Don Pedro St. Martin in answer to the last representation states: that the petitioner is not entitled to collect the 5% he claims because there are no legal nor moral grounds to support his claim; therefore, he petitions to bring these proceedings to a close and in order to avoid greater costs, to condemn petitioner to pay costs already incurred.

(Signed) Pedro St. Martin

The court accepts the petition for examination.

(rubric) Almonaster (Signed) Postigo

On July 13th of that year Don Pedro St. Martin and Don Felipe Guinault were given certified notices of the preceding decree.

(Signed) Pedesclaux, clerk

The court declares the pretention of Don Luis Antonio Decallogne without foundation, and condemns him to pay the court costs.

(rubric) Almonaster (Signed) Postigo

On the same day Don Pedro St. Martin, Don Felipe Guinault and Don Luis Liotau, the latter appraiser of court costs, were given certified notices of the preceding decree.

(Signed) Pedesclaux, court clerk

DOCUMENT 2546.
BOX 59.
(cont'd.)

The court costs amount to 7 pesos and 5 reales.

DOCUMENT 2547.
BOX 59.

File 1900.
July 7, 1790.
Judge: Josef de Ortega.
C.C.: Pedro Pedesclaux.
English and Spanish.
4 pp.

FRANCISCA CONEL SEARSE
VS.
JUAN GATES*

To Determine the Status of a Debt

Plaintiff Dona Francisca Conel Searse, through her attorney, Antonio Mendez, alleges that as evidenced by the promissory note herewith presented, Don Juan Gates, defendant, is indebted to the succession of Robert Searse,* her deceased husband, in the sum of 96 pesos, 2 reales. Wherefore, the plaintiff begs the court to order defendant to verify his mark, as witnessed by William Smith, and to acknowledge the said debt.

Plaintiff further pleads, that if it is found that this defendant has no fixed residence then he shall be classified with other defendants who have been subpoened by this court to no avail. Wherefore, she begs the court to order the present court clerk, to issue a capias to Jose Valer, deputy sheriff, to compel defendant's personal appearance before the said court clerk, to make his depositions.

(Signed) Antonio Mendez

The court orders defendant to comply with petitioners first plea, and grants her additional plea, in its entirety.

(Signed) Ortega, attorney

DOCUMENT 2547.
BOX 59.
(cont'd.)

The costs of court amount to 1 peso, 6 reales.

(Signed) Louis Liotau, appraiser

*His name by his mark is John Gates.

*His name in this petition is erroneously spelled, Roverto Squeasy. As evidenced by the promissory note, it is Robert Searse.

DOCUMENT 2548.
BOX 82.

No file number. August 9, 1790. Judge: Esteban Miro. C.C.: Rafael Perdomo. Spanish and French. 52 pp.	DON JUAN BAUTISTA URLOT VS. DON ALEXANDRO BAUDIN

For an Order of Seizure to Collect
Eighty-one Thousand, Three Hundred, Sixty-one Livres

Don Juan Bautista Urlot, a resident of Martinique, through his attorney, Don Antonio Mendez, offers in evidence a list of accounts by which he intends to prove that Don Alexandro Baudin is indebted to him in the sum of eighty-one thousand, three hundred, sixty-one livres; and begs the court to issue an order of seizure against the defendant's vessel and cargo upon arrival at this port.

(Signed) Antonio Mendez

The court orders Don Juan Josef Duforest, public interpreter, to translate the accounts from French into Spanish.

(Signed) Miro

The court clerk certifies to having notified, on the same day, Don Juan Josef Duforest, who signed his acceptance in his presence.

(Signed) Juan Josef Duforest
(Signed) Pedro Pedeselaux

The court orders the commandant of the port of Balize to detail a corporal and two soldiers as

DOCUMENT 2548.
BOX 59.
(cont'd.)

guards upon said vessel, to prevent its unloading until after inspection by customs officers.

(Signed) Miro

The defendant denies the plaintiff's claim, stating that plaintiff and his son have reimbursed themselves for the amount claimed, and have later issued a bill of exchange on the firm of Lathebaudiere Brothers, of Nantes, in the sum of forty-six thousand livres, tournois, which is equal to sixty-nine thousand livres in the currency of Martinique.

(Signed) Alex. Baudin

Rafael Perdomo,
court clerk

After further proceedings, the plaintiff failing to prove his claim, the court dismisses the case at his cost (twenty-four pesos).

(Rubricated) (Signed)

Esteban Miro Postigo

Court clerk certifies the decree.

(Signed) Rafael Perdomo,
court clerk

DOCUMENT 2549.
BOX 59.

File 32. July 14, 1790. Judge: Estevan Miro. C. C.: Rafael Perdomo. Spanish. 5 pp.	DON ISIDRO YLLA AND DON BENITO ALOM VS. DON ZENOM BALLS

To Recover Merchandise Seized from Don Zenon Balls at Galveston

Isidro Ylla and Benito Alom, merchants, and residents of this city, appear before the court and state that, as it is evident by the invoice duly introduced, they delivered to Don Zenom Balls all the goods stated in the said invoice to be sold for profit with the object of dividing the said profit on a fifty-fifty basis, and as they understand that the said Balls is in prison in the Royal Jail of this city, and the merchandise has been seized by the Commandant at Galveston. Therefore his honor will please order that the said Balls, under the declaratory oath, of which they do not relieve him, swear, recognize, and declare if it is true that the signature on the said invoice is his own, and if it is true that every line on that invoice is correct, and when this is done, the declaration shall be delivered to us to do with as we please. They also petition the court to please order as we have requested, with justice, costs, we swear not to act with malice and with the necessary, etc.

(Signed) Isidro Ylla (Signed) Benito Alom

Upon presenting the invoice, to swear and declare as to the contents as requested. To be done and

DOCUMENT 2549.
BOX 59.
(cont'd.)

delivered.

(Rubricated) M (Signed) Postigo

Decreed by Don Estevan Miro, Brigadier of the Royal Army, Governor and Intendant of this Province for his Majesty, who signed it on July 14, 1790.

(Signed) Rafael Perdomo,
Notary public

On the same day, Ysidro Ylla is notified. I attest.

(Signed) Perdomo

On the same day, Benito Alom is notified. I attest.

(Signed) Perdomo

In the City of New Orleans, on July 16, 1790, I, the notary public, by virtue of the commission conferred upon me, go to the Royal Jail there, in the office of Don Josef de la Peña, warden, appears before me the said Mr. Balls, a prisoner, who took an oath by God and the Cross as customary, and under it he promises to tell the truth to anything he knows or is asked of him; when asked to recognize the signature at the foot of the invoice, and if it is true that every line on the said invoice is correct and if the property belongs to Ysidro Ylla and Benito Alom, he states that the entire contents of the petition are true and that the account manifested in the invoice is true in every detail and that the signature by which it is validated is of his own hand, the same as he usually employs, and therefore recognizes, and further he states that what he declares under oath is the truth, that he is thirty-two

DOCUMENT 2549
BOX 59.
(cont'd.)

years of age, and signs it, to which I attest.

(Signed) Zenon Balls

before me

Rafael Perdomo

Ysidro Ylla and Benito Alom, merchants and residents of this city, in the proceedings instituted to prove the ownership of the merchandise described on the submitted invoice, in the best legal form, state: That they have received the declaration, made by Don Zenon Balls at their request, and as it is evident that their statement is true, they petition the court to please send a formal dispatch to the Commandant of Galveston, by whose authority the merchandise was seized, so that without delay it may be delivered to us; therefore, they beg the court to decree as requested, with justice, costs, we swear, and in the necessary etc.

(Signed) Ysidro Ylla

(signed) Benito Alorn

Bring before us all the papers pertaining to the case.

(Rubricated) M (Signed) Postigo

Decreed by Don Estevan Miro, Brigadier of the Royal Army, Governor and general Intendant of this Province for his Majesty, who signs it July 16, 1790.

On this same day, Ysidro Ylla is notified. I attest.

Perdomo

On this same day, Benito Alom is notified.

/ ATTEST.

Perdomo

DECREED

Send formal dispatch to Don Marcos de Villiers, Commandant of the port of Galveston, with a copy of these proceedings and the original invoice, in order that he may deliver to this party the merchandise described in the invoice, and which is now in his possession; charging the interested parties the customary fee for storage. Assessed ten reales, which have been received, and the court costs are to be appraised by Don Luis Liotaud.

(Signed) Estevan Miro

(Signed) Postigo

Decreed by Don Estevan Miro, Brigadier of the Royal Army, Governor and Intendant of this Province, for his Majesty, who signed it July 17, 1790.

Rafael Perdomo

On the same day Don Ysidro Ylla is notified. I attest.

(Signed) Perdomo

On the same day Benito Alom is notified. I attest.

(Signed) Perdomo

The dispatch, as decreed in the preceding decree, has been sent, to which I attest.

Perdomo

DOCUMENT 2549.
BOX 59.
(cont'd.)

Appraisement of the court-costs in the proceedings instituted by Ysidro Ylla and Benito Alom versus Zenon Balls, claiming merchandise seized, and in conformity to the latest decree, and in accordance with the Royal tariff, the proceedings are written in five pages.

To Don Estevan Miro, Brigadier of the Royal Army, Governor and General Intendant of this Province, for two full signatures and two half signatures, twelve reales----------12 rs.

To the Court Counsellor for the assistance of 4 sheets he received ten reales---------- 10 rs.

To Rafael Perdomo for his services in all the written statements and the dispatch, forty-four reales---------- 44 rs.

To the agent of Ysidro Ylla and Benito Alom for two petitions, ten reales------- 10 rs.

To the Assessor, for the assessment of the proceedings and the dispatch, two reales---------- 2 rs.

78 rs.

New Orleans, July 19, 1790. 9 pesos

(Signed) Luis Liotaud 6 rs.

DOCUMENT 2550.
BOX 59.

File 1773. July 14, 1790. Judge: Estevan Miro. C.C.: Pedesclaux. Spanish. 34 pp.	ANTONIO CARO VS. JUAN DOMINGO ZERESOLA

A Petition to Produce a Will in Court in Order to Prove a Debt

The plaintiff, Don Antonio Caro, who does not know how to write, presents a petition through the court clerk, asking that a certified copy of the last will and testament of Don Juan Domingo Zeresola, drawn before Don Rafael Perdomo, be presented in court, in evidence of a bill which Don Zeresola owes him.

(Signed) Pedesclaux, court clerk

The court grants the above petition.

(Rubricated) Miro (Signed) Postigo

The copy of the will discloses that Don Juan Domingo Zeresola admits owing the plaintiff fifteen pesos; further, that he owes plaintiff for food and medicine supplied to him from the first day of his sickness; executor is to pay these accounts and take proper receipt.

(Signed) Rafael Perdomo, notary public

Wherefore plaintiff presents an itemized bill for food and other articles amounting to twenty-nine

DOCUMENT 2550.
BOX 59.
(cont'd.)

pesos, one real. He claims also the sum of thirty pesos for personal services.

Therefore, he prays that defendant be brought into court to acknowledge or deny the debt.

(Signed) For the plaintiff,

Pedesclaux, court clerk

The court grants the above petition.

(Rubricated) Miro (Signed) Postigo

In a supplementary petition the plaintiff prays that a writ of seizure be issued against defendant's property, because he has left the city to avoid payment of the debt.

Court clerk presents same for the interested party who does not know how to write.

(Signed) Pedesclaux, court clerk

The court grants the above petition.

(Rubricated) Miro (Signed) Postigo

No further proceedings in this case are recorded.

DOCUMENT 2551.
BOX 59.

File 227. July 15, 1790. Judge: Estevan Miro. C.C.: Rafael Perdomo. Spanish. 15 pp.	A JUDICIAL INVESTIGATION OF CERTAIN ACTS OF THE CAPTAIN AND CREW OF THE PACKET-BOAT, SANTA CATALINA

Relative to the Illegal Discharge of Cargo

In the city of New Orleans, on July 15, 1790, in open court, Don Estevan Miro, Brigadier of the Royal Army, Governor and Intendant of this Province of Louisiana and Western Florida, Inspector of the Troops and Militia for His Majesty, states that he has received an official report from Don Josef de Evia, Captain of the Port, and Commander of Customs, dated the thirteenth of the current month, wherein he states that: Knowing that the packet-boat Santa Catalina, from Martinique, has been in port for eight days unloading her cargo, it surprises him that so small a ship would take so long to unload; this fact combined with certain suspicious acts caused him to watch her last night from half past eleven until two o'clock in the morning. It caused him more surprise that two of the crew are walking around on the deck; so he goes into concealment in order to watch from the shore and thus be able to determine if they are unloading any of the cargo. However, after a short time he is discovered by a customs guard, who remarks that he is taking a walk, which increases his suspicions. Accordingly, he at once goes aboard- it was then about half past twelve - and finds the hold - and deck - hatchways open, and two trunks, several boxes, and bundles of clothing on the deck near the hatchway. Calling the ship's guard (who was sleeping) he asks the reason why the

DOCUMENT 2551.
BOX 59.
(cont'd.)

hatchways are open, and if they are not closed every night (as a rule requires this, and forbids unloading at night); the guard replies that they have not been closed since the boat had been aground over a week earlier, and that this was in accordance with the orders of the administrator. There being nothing at hand that he can use as a fastening, he assigns the cockswain and two sailors from the customs cutter to watch the hold until the next day. The guard further states that he knows nothing about the trunks and boxes on the deck, and that his companion guard has been taken off the ship since the day after she was moored in front of the customhouse.

Lack of authority prevents him from investigating further, but he feels that enough of an incriminating nature has been developed to make him believe that for many days the ship has been illegally unloading cargo during the darkness; as two days would suffice to put ashore much more cargo than what is claimed on the register or manifest of said vessel.
New Orleans, July 13, 1790.
To Don Estevan Miro

(Signed) Josef de Evia

Whereupon His Lordship decrees: That any person who can give information about this matter be examined and the testimony brought before the court. By His Lordship with the concurrence of the assessor of this administration, and so he orders and signs it. To which I attest.

(Signed) Miro (Signed) Serrano

Before me,

Rafael Perdomo,

Clerk of the Royal Exchequer

DOCUMENT 2551.
BOX 59.
(cont'd.)

His Lordship summonses before himself and the Assessor of this Intendancy, Gabriel Barrios, cockswain, who, before the notary, takes oath and declares that the information filed by Don Josef de Evia is true; and that the name of the guard who discovered him in hiding was Antonio Gonzales, and the one who was on board was named Francisco Benavides.

A sailor from the cutter, Bartholome Grau, testifies that the statements in the report of Don Josef de Evia are true.

Francisco Benavides, the revenue guard, deposes that he and another guard, Antonio Gonzales, having been assigned, by Don Marcos Olivares, head guard of the royal rent, to duty on the Santa Catalina, he is still on duty there, but Gonzales is not, having been removed when the boat changed her moorings and docked near the customhouse, which was on July 9th; that Gonzales claims that the order was from Don Marcos Olivares. Benavides verifies the contents of the preceding report, but cannot testify that two men were walking on the deck, as stated, because, at that time, he was asleep. He also avers that he believes it to be impossible for any cargo to be unloaded at night from that boat, because on some nights he does not sleep at all; while on others he lies down on the unloading platform itself; and on still other nights he walks up and down on the levee, right in front of the ship; that he went to sleep on the night reported because he could no longer endure the lack of sleep.

In regard to the open hatchways, he states that the sailors are usually drunk; and that the mate had told him it was necessary to keep them open in order

DOCUMENT 2551.
BOX 59.
(cont'd.)

to keep watch through them lest the crew open a box or a barrel and steal the contents. He has not complained about standing the watches alone because it is the rule for only one watchman to be assigned to a ship while moored; although two are used while aground or sailing; that the two trunks and bundles on deck near the hatch are leftovers from the previous day's unloading, which it is usual to leave near the hatchway.

Antonio Gonzales, guard, corroborates the statements of the report and of previous witnesses, and avers that he has no suspicions that any cargo is being illegally removed from the boat.

Don Marcos Olivares, head guard, deposes that all of the statements of his guards are true, and that in so placing and removing them he acts under the orders of the Commander of Customs.

DECREE: This investigation is to remain open and in statu quo until more definite evidence is produced. New Orleans, July 17, 1790.

(Signed) Miro (Signed) Licenciado Serrano

Rafael Perdomo, Clerk of the Royal Exchequer.

DOCUMENT 2552.
BOX 59.

File 1850. July 17, 1790. Judge: Josef de Ortega. C.C.: Pedro Pedesclaux. Spanish and French. 5 1-4 pp.	PROCEEDINGS INSTITUTED BY DR. LOUIS GIOVELLINA VS. THE SUCCESSION OF ROBERT SEARCE, CARPENTER

For Payment for Services Rendered

The plaintiff, Doctor Louis Giovellina, exhibits to the court a bill consisting of twenty-one items and amounting to 28 pesos 4 reales, alleging that it represents the amount due him for services rendered and remedies delivered to Robert Searce and his family before the decease of Searce. Wherefore, he petitions the court for an order requiring decedent's widow to liquidate said debt from proceeds of the succession, and signs.

(Signed) Giovellina

It is ordered by the court that the widow of Roberto (sic) Searce declare under oath whether or not the bill is just and valid.

(Signed) Ortega

The above is the decree of Don Josef de Ortega, Attorney of the Royal Councils for all the Dominions of His Majesty in America, Senior Judge of this city, which is signed by me on July 17, 1790.

(Signed) Pedro Pedesclaux,
notary public

DOCUMENT 2552.
BOX 59.
(cont'd.)

On the same date, Don Louis Giovellina is notified, in person, to which I attest.

(Signed) Pedesclaux

On the same date, Doña Francisca Canel Searce is notified, to which I attest.

(Signed) Pedesclaux

Before Pedro Pedesclaux, notary public, appears Doña Francisca Canel Searce, who under oath declares that she cannot acknowledge the bill, because she cannot read; that she believes it to be excessive because a previous bill, presented just before her husband's death, amounted to only 24 pesos and no services have been rendered since the presentation of the earlier bill; that she cannot sign this because she does not know how. To which I attest.

(Signed) Pedro Pedesclaux, notary public

Cost of these proceedings amount to 2 pesos, 6 reales.

(Signed) Luis Liotau

No further proceedings in this case are recorded.

DOCUMENT 2553.
BOX 59.

File 1869. July 17, 1790. Judge: Joseph de Ortega. CC.: P. Pedesclaux. Spanish. 40 pp.	)	FRANCISCA LALANDE VS. THE ESTATE OF DON MIGUEL PERRAULT

To be Put in Possession of Several Legacies

Francisca Lalande, free mulatress (unable to write), through the clerk of the court, presents a certified copy of the last will of Don Miguel Perrault, leaving to her the sum of fifteen hundred pesos, for services rendered; and to her son, Fermil, a residence with furniture, and a negro named Pedro. This is certified to by,

Pedro Pedesclaux, court clerk

Dona Maria Josefa Perrault, wife, notified of these acts, grants a power of attorney to Don Martin Duralde, her husband, before Don Nicolas Forstall, Commander of the Post of Opelousas, which power is then transferred to Don Felipe Guinault, of the City of New Orleans.

Don Carlos Laveau Trudeau, testamentary executor, and representing Dona Carlota Perrault, the widow, with Don Felipe Guinault, attorney for Dona Josefa Perrault, declare that they do not contest the request of Francisca Lalande, in any respect, but the fifteen hundred pesos cannot be paid over until collections are made to secure the cash.

(Signed) Carlos Trudeau

(Signed) Felipe Guinault

DOCUMENT 2553.
BOX 59.
(cont'd.)

Francisca Lalande then insists that she be paid out of the first money collected.

(Signed) Pedesclaux, clerk

The court decrees that the will be complied with in full, and orders the testamentary executor to plave Francisca Lalande, in person and as guardian of her minor son, Fermin (sic), in possession of the bequests as stated in the will.

(Signed) Liz do Ortega

On the same day the court clerk notifies all interested parties.

(Signed) Pedesclaux, clerk

On December 6, 1790, Francisca Lalande is placed in possession, for herself and her minor son, of the residence of the deceased, with all of its furniture and other effects, as well as the negro slave Pedro.

(Signed) Liz do Josef de Ortega
Carlos Trudeau

Before me, Pedro Pedesclaux, court clerk

DOCUMENT 2553.
BOX 59.
(cont'd.)

Francisca Lalande then insists that she be paid out of the first money collected.

(Signed) Pedesclaux, clerk

The court decrees that the will be complied with in full, and orders the testamentary executor to place Francisca Lalande, in person and as guardian of her minor son, Fermin (sic), in possession of the bequests as stated in the will.

(Signed) Liz do Ortega

On the same day the court clerk notifies all interested parties.

(Signed) Pedesclaux, clerk

On December 6, 1790, Francisca Lalande is placed in possession, for herself and her minor son, of the residence of the deceased, with all of its furniture and other effects, as well as the negro slave Pedro.

(Signed) Liz do Josef de Ortega
Carlos Trudeau

Before me, Pedro Pedesclaux, court clerk

DOCUMENT 2553.
BOX 59.
(cont'd.)

On December 7, 1790, Francisca Lalande before two witnesses acknowledges receiving the bequests as named in the will.

(Signed) Juan Gomez

(Signed) Miguel Gomez

Pedro Pedesclaux, court clerk

The costs of the proceedings were 21 pesos, 3 reales.

(Signed) Luis Liotau.

DOCUMENT 2554.
BOX 59.

File 1770. July 17, 1790. Judge: Almonester. C. C.: Pedesclaux. Spanish. 35 pp.	ROSA CHOUTAU VS. GABRIEL TIXERANT

For the Collection of a Sum of Money

AGREEMENT: Don Santiago Mather, Don Gabriel Tixerant and Rosa Chautau (sic) a free negress; the first two acting on their own behalf, and the third by virtue of the power conferred upon her in the criminal proceedings before the court of his Lordship, against a negro and a negress belonging to them - the aforesaid Don Santiago and Don Gabriel, concerning a robbery committed against the aforesaid Rosa. Now, Don Santiago and Don Gabriel in the best form according to law state that: Notwithstanding the fact that this case has been appealed by them (the aforesaid Don Santiago and Don Gabriel) and considering that they have been condemned to the payment of three hundred and more pesos, yet, wishing to remain at peace, they withdraw the appeal which they have filed, and they hereby obligate themselves to pay to the aforesaid Rosa the sum of two hundred pesos each, separately and individually (upon which sum they have agreed) and they cancel the present proceedings; and the aforesaid Rosa hereby agrees to receive the sum of four hundred pesos - two hundred from each of the aforesaid gentlemen. In order that the foregoing agreement may have legal effect, they plead to the court that it may be pleased to interpose its authority and judicial

DOCUMENT 2554.
BOX 59.
(cont'd.)

decree, compelling them all by the full force of the law to compliance with the agreement; it being just, and in justice to all, which is what we ask; we swear not to proceed with malice, etc.

(Signed) Santiago Mather
Bernardo Molina
Gabriel Tixerant

The court approves the above agreement on May 27, 1790, in a decree signed by Almonester and Postigo, as judge and attorney.

On the same day, the contracting parties are notified accordingly.

(Signed) Pedro Pedesclaux,
court clerk

On June 17, 1790, a certified copy of the foregoing proceedings homologating the contract is issued at the request of Rosa Choutau and submitted to the court as evidence in the proceedings which the aforesaid Rosa Choutau is now instituting against Don Gabriel Tixerant.

(Signed) Pedro Pedesclaux,
court clerk

The plaintiff, Rosa Choutau, a free negress, petitions the court representing that, as evidenced by the agreement she duly presents, Don Gabriel Tixeran is indebted to her in the sum of 200 pesos, as his share in the said agreement, in consequence of the loss she has sustained in the robbery by the two negro slaves; one belonging to Don Santiago Mather, and the other to the defendant. Therefore, she petitions the court to the effect that a writ of seizure be served on the proper-

DOCUMENT 2554.
BOX 59.
(cont'd.)

ties of the defendant in order to satisfy her claim.

This is presented by the interested party who declares that she does not know how to sign. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

The court accepts the certified copy of the agreement as evidence.

(Signed) Almonester (Signed) Postigo.

Decreed by Don Andres Almonester judge of this city who signs it on July 17, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Rosa Choutau, in person. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

A writ of seizure is issued against the properties of Don Gabriel Tixeran in favor of Rosa Chouteau, free negress, for the sum of two hundred pesos, plus the court costs in the ordinary form.

(Signed) Almonester (Signed) Liz^do Postigo

Decreed by Don Andres Almonester, judge of this city who signs it on July 19, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Rosa Choutau

DOCUMENT 2554.
BOX 59.
(cont'd.)

in person. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

The writ of seizure is issued on this date. New Orleans, July 19, 1790.

(Signed) Pedro Pedesclaux, court clerk

On July 19, 1790, a writ of seizure against the properties of Don Gabriel Tixeran is issued.

(Signed) Almonester

By order of his Lordship

(Signed) Pedro Pedesclaux, court clerk

On July 22, 1790, appears Joseph Vallez, deputy sheriff, and declares that he has served a writ of seizure on the residence of Don Gabriel Tixeran, to which attestation is hereby given.

(Signed) Joseph Vallez
(Signed) Pedro Pedesclaux, court clerk

The plaintiff petitions the court and represents that she has been informed that the writ of seizure has been served upon real estate, when it should have been served upon movable property, namely the slaves of the defendant; therefore, she requests that said writ be served upon the slaves, and, in its default, upon the person of Don Gabriel Tixerant.

This is presented by the interested party who declares that she does not know how to sign. In attésta-

DOCUMENT 2554.
BOX 59.
(cont'd.)

in person. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

The writ of seizure is issued on this date. New Orleans, July 19, 1790.

(Signed) Pedro Pedesclaux, court clerk

On July 19, 1790, a writ of seizure against the properties of Don Gabriel Tixeran is issued.

(Signed) Almonester

By order of his Lordship

(Signed) Pedro Pedesclaux, court clerk

On July 22, 1790, appears Joseph Vallez, deputy sheriff, and declares that he has served a writ of seizure on the residence of Don Gabriel Tixeran, to which attestation is hereby given.

(Signed) Joseph Vallez
(Signed) Pedro Pedesclaux, court clerk

The plaintiff petitions the court and represents that she has been informed that the writ of seizure has been served upon real estate, when it should have been served upon movable property, namely the slaves of the defendant; therefore, she requests that said writ be served upon the slaves, and, in its default, upon the person of Don Gabriel Tixerant.

This is presented by the interested party who declares that she does not know how to sign. In attesta-

DOCUMENT 2554.
BOX 59.
(cont'd.)

tion whereof.

(Signed) Pedro Pedesclaux, court clerk

The court decrees that a writ be served on the movable property of Don Gabriel Tixerant, annulling the one previously made.

(Signed) Almonester (Signed) Postigo

Decreed by Don Andres Almonester, judge of this city, on July 23, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Rosa Choutau, free negress, in person. In attestation whereof.

(Signed) Pedro Pedesclaux, clerk

On the same day, it is made known to Joseph Vallere. In attestation.

(Signed) Pedro Pedesclaux, court clerk

On July 28, 1790, appears before the court of clerk, Jph. Vallert, deputy sheriff and declares that he has called at the residence of Don Gabriel Tixerand with the purpose of serving the writ ordered by the preceding decree, and was told that there were no properties other than the residence itself, since his slaves were absent, but that on their return he would deliver one of them, having failed to do so. To which attestation is hereby given.

(Signed) Joseph Valler Pedro Pedesclaux, court clerk

DOCUMENT 2554.
BOX 59.
(cont'd.)

The plaintiff petitions the court again that the two slaves of the defendant, named Mariana and Meri, respectively, be seized, giving the defendant one day to present them, and in default of which to send an officer of the law to enforce this provision, remaining on duty until it has been complied with, charging all the costs to the defendant.

This is presented by the interested party who declares that she does not know how to sign. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

The court decrees that Don Gabriel Tiseran, within 24 hours present before the general receiver the two slaves named Mariana and Meri, respectively, or any other slave, with a warning that in default of this, the provision will be executed upon his person.

Almonester (Rubric) (Signed) Postigo

Decreed by Don Andres Almonester, judge of this city, who rubricated it on August 7, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Rosa Choutau. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

On the 9th of the same month I made it known to Don Gabriel Tixerant, in attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

DOCUMENT 2554.
BOX 59.
(cont'd.)

The plaintiff in the possessory proceedings instituted against Don Gabriel Tixerant represents to the court that notwithstanding the order issued by the court to the effect that the said Tixerant will place at the disposal of the general receiver the aforesaid two slaves, within 24 hours, he has completely ignored this order, therefore, she pleads that the defendant be placed under arrest, as well as the aforesaid slaves.

This is presented by the interested party who declares that she does not know how to sign. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

The court decrees that a deputy sheriff call at the residence of Don Gabriel Tixerant, or at whatever place it may be necessary in order to carry out the provisions of this decree, placing the aforesaid slaves in the public jail of this city.

(Signed) Almonester (Signed) Postigo

Decreed by Don Andres Almonester, judge of this city, who signs it on August 17, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Rosa Choutau. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

On September 23, 1790, before the clerk of court appears Juan Bautista Combelle deputy sheriff and declares that in compliance with the preceding decree he has called at the residence of Don Gabriel Tixerant

DOCUMENT 2554.
BOX 59.
(cont'd.)

and seized a negress named Mariana, but that the sons of the said Tixerant wrested her from him by force; that he has not seized the other slave, on account of having found her sick in bed.

(Signed) J. B. Combelle

Pedro Pedesclaux, court clerk

The plaintiff petitions the court to the effect that, notwithstanding her previous requests and the orders of the court the slaves of Don Gabriel Tixeran still remain free, therefore, she requests that said slaves be arrested and placed in the public jail, and in the public jail, and in its default to arrest the defendant until he delivers the said slaves.

This is presented by the interested party, who declares that she does not know how to sign. I attest.

(Signed) Pedesclaux, court clerk

The court decrees that, in consideration of the fact that the Auditor of War has vacated his office on account of his promotion, and consequently has little knowledge of this case, this petition be forwarded to the attorney, Don Manuel Serrano, so that he may consult with the court.

(Signed) Almonester

Decreed by Don Andres Almonester y Roxas, judge of this city, who signs it on October 19, 1790.

(Signed) Pedro Pedesclaux, court clerk

DOCUMENT 2354.
BOX 59.
(cont'd.)

On the same day it is made known to Rosa Choutau, free negress, I attest.

(Signed) Pedesclaux, court clerk

The records having been examined, the court decrees the arrest of the two slaves in question, as well as of Don Gabriel Tixeran and his two sons for having disobeyed the orders of this court, they should be held in custody until they present the slaves, but even though they present them immediately they should serve one day, with a warning of a more severe punishment for a second offense.

(Signed) Almonester (Signed) Liz.do Serrano

Decreed by Don Andres Almonester, judge of this city on October 22, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Rosa Choutau, I attest.

(Signed) Pedesclaux, court clerk.

In the City of New Orleans, on October 23, 1790, before the clerk of court appears Juan Bautista Combelt (sic), deputy sheriff, and declares: that in compliance with the preceding decree, he has called at the residence of Don Gabriel Tixerant and arrested the two slaves named Maria and Mery (sic) respectively, as well as the two sons of the aforesaid Tixerant, placing all of them in the Royal jail; not having arrested Tixerant himself on account of having found him sick.

(Signed) J. B. Combelle
Pedro Pedesclaux, court clerk

DOCUMENT 2554.
BOX 59.
(cont'd.)

The plaintiff, through her attorney petitions the court and declares: That the course of these proceedings is stagnated on account of the promises made by the defendant, which he has failed to fulfill, therefore, she requests that the records be delivered to her in order to promote whatever she may deem convenient.

(Signed) Antonio Mendez

Deliver the records to the interested party in the ordinary manner.

Almonester (rubric) Serrano (rubric)

Decreed by Don Andres Almonester, judge of this city, on November 5, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Rosa Choutau. In attestation whereof.

(Signed) Pedesclaux, court clerk

The defendant, through his attorney, represents to the court that: In consideration that the properties he possesses are not sufficient to pay to his five children the share belonging to them from their mother's estate; and, further considering that three of them are minors and are entitled to more than three thousand pesos, he requests that the court appoint a curator ad litem to defend their interests.

(Signed) G.el Tizarrento
(Signed) Felipe Guinault

DOCUMENT 2554.
BOX 59.
(cont'd.)

In order to provide proof, give the specific ages of the minors.

Almonester (rubric) Serrano (rubric)

Decreed by Don Andres Almonester judge of this city, on Nov. 6, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Don Gabriel Tizerant. In attestation whereof.

(Signed) Pedesclaux, court clerk

The plaintiff, through her attorney, petitions the court to the effect that the two slaves belonging to Don Gabriel Tizeran which are being held in jail to be sold in order to pay her claim of two hundred pesos, be advertised by the public crier for their sale at public auction under the terms of the law.

(Signed) Antonio Mendez

Presented by the interested party who declares she does not know how to sign. In attestation whereof.

(Signed) Pedesclaux, clerk

Petition granted as requested.

Almonester (rubric) Serrano (rubric)

Decreed by Don Andres Almonester, judge of this city on November 8, 1790.

DOCUMENT 2554.
BOX 59.
(cont'd.)

On the same day, it is made known to Rosa Choutau, in person. In attestation whereof.

(Signed) Pedesclaux, court clerk

In the City of New Orleans on November 9, 1790, the undersigned clerk of court orders the first announcement for the sale of the two slaves seized in these proceedings, which is executed on this day by the public crier. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

In the City of New Orleans, on November 13, 1790, before the undersigned clerk of court appear Mariano Mata public crier, and declares that he has given the second announcement for the sale of the two slaves seized in these proceedings. In attestation whereof.

(Signed) Pedesclaux, court clerk

In the City of New Orleans, on November 17, 1790, before the undersigned clerk of court, appears Mariano Mata, public crier, and declares that he has given the third announcement for the sale of the two slaves seized in these proceedings. In attestation whereof.

(Signed) Pedesclaux, court clerk

The plaintiff petitions the court, requesting that since the three announcements for the sale have been given, without objection by any one person, to proceed and appoint a day for the sale.

(Signed) Antonio Mendez

DOCUMENT 2554.
BOX 59.
(cont'd.)

Presented by the interested party who declares she does not know how to sign. In attestation whereof.

(Signed) Pedesclaux, court clerk

The time fixed by law having expired, the day of tomorrow, at the customary hour, is hereby designated for the sale.

Almonester (rubric) Serrano (rubric)

The foregoing is decreed by Don Andres Almonester, judge of this city, on November 19, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Rosa Choutau. In attestation whereof.

(Signed) Pedesclaux, court clerk

In the City of New Orleans, on the said day, month and year, there being evident by the records of these proceedings that the appraisal of the seized slaves has not been requested; and, consequently they have not been appraised; therefore, I have not given notice of the preceding decree to Don Gabriel Tiwerant. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

The plaintiff petitions the court, requesting that in order to proceed to the sale of the slaves their appraisal be made by the public appraisers.

(Signed) Antonio Mendez

DOCUMENT 2354.
BOX 39.
(cont'd.)

Presented by the interested party who declares that she does not know how to sign. In attestation whereof.

(Signed) Pedesclaux, court clerk

The appraisers having been named, proceed with the appraisal, previously receiving their acceptance and oath; and notify the interested parties.

Almonester (rubric) Serrano (rubric)

The above is decreed by Don Andres Almonester, judge of this city, on November 25, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Rosa Chouteau. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Don Gabriel Tixerant. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Don Vicente Fangui, public appraiser, who accepts and swears to proceed well and faithfully with the appraisal, ordered in the preceding decree. In attestation whereof.

(Signed) Vicente Fangui
(Signed) Pedro Pedesclaux, court clerk

On the said day it is made known to Don Adrian de

DOCUMENT 2554.
BOX 59.
(cont'd.)

la Plaze, public appraiser, who accepts and swears to proceed well and faithfully with the appraisal ordered in the preceding decree. In attestation whereof.

(Signed) Adrian de la Plaze
(Signed) Pedro Pedesclaux, court clerk

In the City of New Orleans, on November 26, 1790, before the undersigned clerk of court, appear Don Vicente Fangui and Don Adrian de la Plaze and declare: That having called at the Royal jail and thereafter thoroughly examining the negress Maria, belonging to Don Gabriel Tixerant, and not finding in her any particular talent or ability, they appraise her in the sum of 250 pesos, which appraisal they declare they have done well and faithfully under their oath. In attestation whereof.

(Signed) Adrian de la Plaze
(Signed) Vicente Fangui
(Signed) Pedro Pedesclaux, court clerk

The defendant petitions the court and declares: That in order to conclude this matter and have peace and tranquillity, he makes a formal renouncement of ownership of his negress slave named Mariana; therefore, the court may be pleased to authorize the aforesaid formal renouncement, relieving me of all further responsibility; and with the proceeds from the sale of said negress to pay the claim of the plaintiff.

(Signed) O^el Tixerrante (sic)
(Signed) Felipe Guinault

Inform the contending party.

Almonester (rubric) Serrano (rubric)

DOCUMENT 2554.
BOX 59.
(cont'd.)

The foregoing is decreed by Don Andres Almonester, judge of this city, on December 1, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Don Gabriel Tixerant. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Rosa Chouteau. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

The plaintiff petitions the court in answer to the last petition of the defendant, requesting the court that the slave in question be appraised as previously requested, and sold at public auction, and her claim be paid with the proceeds.

(Signed) Antonio Mendez

Presented by the interested party who declares she does not know how to sign.

(Signed) Pedro Pedesclaux, court clerk

Forward the records of the proceedings.

Almonester (rubric) Serrano (rubric)

Decreed by Don Andres Almonester, judge of this city, on December 7, 1790.

(Signed) Pedro Pedesclaux, notary public

DOCUMENT 2554.
BOX 59.
(cont'd.)

On the same day it is made known to Rosa Choutau. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Don Gabriel Tixerant. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

Records are examined and in consideration of the great injury which may result to the minors of Don Gabriel Tixerant, notify them to the effect that they name a curator ad litem, and failing to do so this court would officially name such curator, and these proceedings will be suspended in the meantime.

(Signed) Almonester (Signed) Serrano

Decreed by Don Andres Almonester, judge of this city, on December 20, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Rosa Choutau. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Don Gabriel Tixerant. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

Dona Constanza Tixerant, a daughter of the defendant, petitions the court to the effect that in consideration that her father is old and seriously ill, the negress

DOCUMENT 2554.
BOX 59.
(cont'd.)

slave named Marianna be released from jail where she has been confined for a long time, there being no one to help her take care of him, ordering the public notaries not to issue any deed of sale concerning said slave.

(Signed) Constance Tixerant

Petition granted as requested.

Pedro de Marigny (rubric)

Manuel Serrano (rubric)

Decreed by Don Pedro de Marigny, judge of this city, on March 2, 1791.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Dona Constanza Tixerant. In attestation whereof.

(Signed) Pedesclaux, court clerk

On the same day, the undersigned notary public calls at the Royal jail of this city and makes known the preceding decree to Josef Lapena warden. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Don Francisco Broutin, notary public. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

DOCUMENT 2554.
BOX 59.
(cont'd.)

On the same day, it is made known to Don Carlos Ximenez notary public. In attestation whereof.

(Signed) Pedro Pedescleaux, court clerk

The plaintiff petitions the court requesting that, in order to forward the progress of this case against Don Gabriel Tixerant, to collect the sum of two hundred pesos the court may be pleased to deliver to her the records of these proceedings for which she will give the proper receipt.

Presented by the interested party who declares she does not know how to sign.

(Signed) Luis Liotau, court clerk

Deliver the records of the proceedings to the interested party in the customary form.

Josef de la Pena (rubric) Serrano (rubric)

Decreed by Don Josef de la Pena, judge, on January 21, 1792.

(Signed) Luis Liotau, court clerk

On the same day it is made known to Rosa Chouteau. In attestation whereof.

(Signed) Luis Liotau, court clerk

The plaintiff petitions the court reviving the case, and requesting that her previous petitions, still on file at the court, and not acted upon, be weighed on their merits, and consequently acted upon favorably.

DOCUMENT 2554.
BOX 59.
(cont'd.)

with the ultimate purpose of collecting her claim of two hundred pesos, to which she is entitled in all justice.

At the request of Rosa Chouteau

(Signed) Celestino Lavergne

Forward the records of the proceedings.

(Signed) Josef de la Pena (rubric)
(Signed) Lic^do Serrano (rubric)

Decreed by Don Josef de la Pena, judge of this city, on January 23, 1792.

(Signed) Luis Liotau, court clerk

On the same day, it is made known to Rosa Chouteau. In attestation whereof.

(Signed) Luis Liotau, court clerk

Records are examined and pending the final decision of this court, let the decree of December 20, 1790 be complied with, and when executed bring the records.

(Signed) Josef de la Pena
(Signed) Lic^do Serrano

Decreed by Don Josef de la Pena, judge of this city, on January 24, 1792.

(Signed) Pedro Fedeseleaux, court clerk

On the same day, it is made known to Rosa Chouteau.

DOCUMENT 2554.
BOX 59.
(cont'd.)

In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Don Gabriel Tixerant who gives me as his answer, that he has nothing to say concerning the matter. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

The plaintiff petitions the court declaring that: Notwithstanding the decree of the court of Jan. 24, last, ordering the defendant to comply with the decree of Dec. 20, 1790, he has replied that he has nothing to say, therefore, may their Lordships be pleased to order that the slaves in question be arrested again and advertised for public auction.

Presented by the interested party who declares she does not know how to sign. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

Order the defendant to give a clear answer for a first hearing, and, in default, to forward the records of the proceedings.

(Signed) Josef de la Pena (rubric)
(Signed) Lizdo Serrano (rubric)

Decreed by Don Josef de la Pena, judge of this city, on June 18, 1792.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Rosa Choutau. In attestation whereof.

(Signed) Pedro Pedesclaux, court clerk

DOCUMENT 2554.
BOX 59.
(cont'd.)

On the same day, it is made known to Don Gabriel Tixeran, who declares that he is going to procure the birth certificates of his children, in order to answer what he is ordered to do. In attestation whereof.

(Signed) Pedro Pedescleaux, court clerk

The record ends here.

DOCUMENT 2555.
BOX 59.

File 1727. July 19, 1790. Judges: Estevan Miro, and Marcos de Villiers. C. C.: Pedro Pedesclaux. Spanish. 527 pp.	ZENON BALLS VS. DOMINGO DE ASARETO (SIC)

Liquidation of a Partnership

Domingo de Assereto, a resident of the post of Galvestown, and Isidro Ylla, a resident and merchant of this city, draw up an article of agreement to trade with the Choctaw Indians; this agreement stipulates that after the capital invested and all the expenses are deducted from the receipts, the net profits are to be equally divided between them.

A passport was issued to Domingo de Assereto by the Governor of Louisiana, which reads as follows: "Don Estevan Miro, Brigadier of the Royal Armies, Governor and Intendant of the Province of Louisiana and Western Florida, and Inspector of their Troops,: Grants free and safe passport to Don Domingo de Assereto, in order that he or his agent, may go and trade through the villages of the Choctaw tribe, under the specific conditions that he is to deal with them, in accordance with the tariff established by the Congress regarding the trade with the Indian tribes; that he is to maintain them devoted to the great King of Spain, trying by every available means to inspire into them the veneration and respect due to our Catholic Monarch; that under no pretext is he to employ in this trade Englishmen or Americans; that the people employed in the trade must be vassals well known in this Province and to our satisfaction; that he is not to deal in

DOCUMENT 2555.
BOX 59.
(cont'd.)

the villages where there is a trader with a passport from this Government. Given the present passport, signed with my own hand, and sealed with the seal of my arms, and countersigned by the undersigned secretary of his Majesty's Government, in New Orleans, on the 22 of December, 1789."

(Signed) Estevan Miro

By order of his Lordship,

(Signed) Andres Lopez Armesto

The defendant, Domingo de Assereto, departs for Galvestown in company with Zenon Balls, agent of his partner, transporting in a pirogue merchandise valued at 1009 pesos. After arriving in Galvestown and while preparing for the trading operations, there is a violent quarrel between the defendant and his partner's agent. The defendant ejects the said agent from his residence, and he, in turn, proceeds to the commandant of the post with a petition to seize the merchandise which has been stored in the defendant's residence. Legal proceedings are instituted by the said agent, before the commandant of the post of Galvestown, Don Marcos de Villiers, to recover the merchandise and return it to New Orleans, to the owner. The said commandant seized the merchandise, and orders it to be deposited in the fort at Galvestown; after a preliminary litigation, the case is transferred to the City of New Orleans, and after numerous petitions and submittals of questionnaires, by which witnesses of both litigants are to be examined, the case, by mutual consent, is submitted to arbitration; each litigant to name two arbitrators, with the specific clause that in the event that the said arbitrators do not reach a una-

DOCUMENT 2555.
BOX 59.
(cont'd.)

nimous decision, a third arbitrator is to be named, subject to the approvalof the arbitrators of both parties, and whose decision will be final. The plaintiff names as his arbitrators Don Miguel Roig Girona and Don Jayme Jorda, and the defendant names as his arbitrators Don Francisco de Riano and Don Francisco Caiserguer. The arbitrators for the plaintiff decide, after a lengthy study of the record of the proceedings, that the defendant is entitled to 374 pesos and 4 reales as compensation for his personal labor, and small part of the merchandise. The arbitrators for the defendant decide that the said defendant was entitled to 384 pesos and 4 reales for the same reasons. As the decision of the arbitrators is not unanimous, a third "arbitrator in dispute" is appointed.

By mutual consent, Don Antonio Argote, is appointed "arbitrator in dispute" who decrees as follows:

"After a careful examination of the evidence presented by the litigants, I have come to the decision that the defendant is entitled to receive only 54 pesos and 4 reales. That in any business enterprise the losses as well as the profits should be shared alike by the partners."

On March 11, 1791, the court decrees that the decision of the "arbitrator in dispute" must be fully complied with.

(Signed) Estevan Miro (Signed) Lic^{do} Serrano

The court decrees that each litigant must pay the court costs individually according to the services rendered to them by their respective attorneys, witnesses, agents, etc., and that the common court costs be shared alike by the litigants, as follows:

DOCUMENT 2555.
BOX 59.
(cont'd.)

Plaintiff	124	pesos	1 real
Defendant	117	"	6 reales
In common	29	"	3 reales each.

DOCUMENT 2555-A
BOX 59.

File 1879. July 19, 1790. Judge: Estevan Miro. C.C: Pedro Pedesclaux. 6 pp. English and Spanish.	DON PEDRO LYONNET VS. THE SUCCESSION OF CHARLES ALEXANDER

A Claim for Payment of a Debt

Plaintiff, a resident of New Orleans, alleges that as evidenced by a letter and a promissory note, herewith presented, the late Don Charles Alexander is indebted to him in the sum of 40 pesos. Wherefore petitioner begs the court to order Don Daniel Clark, testamentary executor of decedent, to identify the signature at the foot of said note and to acknowledge the debt.

(Signed) Pedro Lyonnet.

The court ordered Don Josef Duforest, official translator, to translate the said letter and promissory note from English into Spanish.

(Signed) Miro.
Postigo.

As per preceding decree, Mr. Duforest, reports and submits his translation to the court.

(Signed) Juan Josef Duforest.

Don Daniel Clark, through his agent, Don Antonio Mendez, verifies the signature on said note and acknowledges the debt, but pleads that said claim

be directed against the estate of Henry Alexander, deceased father of Charles Alexander because the late Charles left no other assets than a small negro; and that the proceeds to be derived from the sale of said negro would barely cover the funeral expenses and medical care of testator.

(Signed) Daniel Clark.
Antonio Mendez.

The Court orders that plaintiff be notified.

(Signed) Estevan Miro.
Attorney Serrano.

The court clerk, reports his inability to serve notice, as plaintiff is absent from New Orleans.

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

DOCUMENT 2556.
BOX 59.

File 1984.	DON PEDRO SOUVE* (sic)
July 19, 1790.	TESTAMENTARY
Judge: Estevan Miro.	EXECUTOR OF THE LATE PEDRO
C. C.: Pedro Pedesclaux.	BIDOU* (sic)
French and Spanish.	VS.
12 1/8 pp.	DON FRANCISCO BROSSE* (sic)

To Collect a Debt Due the Succession

Appearing in court as testamentary executor and administrator of the succession of Don Pedro Bidou Herbert, Don Pedro Sauve presents in evidence an open account and a promissory note alleged to be past due by Don Pedro Francisco Roze, the defendant, to the succession; and petitions the court to order the defendant to verify his signature and declare the status of the debt, and to be furnished with a copy of the answer.

(Signed) Pierre Sauve

That translation of the account and note be made by Juan Josef Duforest, and that defendant verify and acknowledge same when completed. So orders,

(Rubrics) Miro
Postigo

So decrees Don Estevan Miro, Brigadier of the Royal Armies, Governor and Intendant General of this Province, and rubricates it on July 19, 1790.

(Signed) Pedro Pedesclaux, notary public

DOCUMENT 2556.
BOX 59.
(cont'd.)

On above date the notary, in person, notifies Don Pedro Sauve, to which he attests.

(Signed) Pedro Pedesclaux, notary

On the same date the notary notifies Don Josef Duforest, official translator. He accepts the appointment and swears to faithful performance of duty.

(Signed) Juan Josef Duforest
Pedro Pedesclaux, notary public

On the same date, in the City of New Orleans, Don Juan Josef Duforest, in compliance with the preceding decree, completes the said translation.

(Signed) Juan Josef Duforest

On July 20, 1790, the notary notifies Don Pedro Francisco Roze, to which he attests.

(Signed) Pedesclaux, notary

On October 9, 1790, in the City of New Orleans, Don Pedro Francisco Roze, in the presence of the court clerk and under oath, makes answer that his signature on the exhibits, on pages one and two are his own; that he owes the succession of Don Pedro Bidou (sic) the sum of 87 pesos; that he has paid the said Bidou the sum named in the note, but has failed to cancel same.

(Signed) Pedro Francisco Roze
(Signed) Pedro Pedesclaux, notary public

Don Pedro Sauve, administrator of the succession,

DOCUMENT 2556.
BOX 59.
(cont'd.)

acknowledges receipt of the statement made by Don Francisco Roze, and claiming that the latter truly owes the succession 191 pesos, petitions for a writ of seizure against the property of said Roze.

(Signed) Pierre Sauve.

Issue writ of seizure against all of the properties of Don Pedro Francisco Roze for the sum of 104 pesos, evidenced by the first obligation in favor of Pedro Bidou Herbert; charge the court costs in accordance to law. Charges 10 reales.

(Signed) Estevan Miro
Serrano, attorney

Decree by Don Estevan Miro, Brigadier of the Royal Armies, Governor and Intendant General of this Province, who rubricated same on November 25, 1790.

(Signed) Pedesclaux, notary public

On the above date, the notary notifies Don Pedro Sauve, to which he attests.

(Signed) Pedesclaux, notary

Notary certifies that on same date, the said writ is issued as per preceding decree and is delivered to the interested parties.

(Signed) Pedesclaux, notary

Appraisal of costs of the proceedings in the above suit shows that they amount to 9 pesos, 2 reales.

DOCUMENT 2556.
BOX 59.
(cont'd.)

New Orleans, July 18, 1791.
Louis Liotaud (sic)

*	Signature	shows	correct	name	to	be	Pedro Sauve
"	"	"	"	"	"	"	Pierre Bidou Herbert
"	"	"	"	"	"	"	Pedro Francisco Roze

DOCUMENT 2557.
BOX 59.

File 1985. July 19, 1790. Judge: Estevan Miro. C. C.: Pedro Pedesclaux. Spanish and French. 5½ pp.	PEDRO SAUVÉ, TESTAMENTARY EXECUTOR OF PEDRO BIDOU (SIC) VS. MARTONE VILLES (SIC), A FREE MULATTO

Collection of a Debt

Plaintiff, Don Pedro Sauvé testamentary executor of the succession of Don Pedro Bidou Herbert (sic), petitions the court, alleging that as evidenced by the promissory note duly presented, Martone Viller (sic), free mulatto, is indebted to the said succession in the sum of 32 pesos for merchandise. Wherefore he begs the court to obtain from the customary oath and declaration stating whether or not he is indebted in the sum claimed by the executor of the succession, and also requests that said proceeding be released to him for further action.

(Signed) P. Sauvé

The court grants the petition, and orders the translation of the said promissory note by Don Juan Joseph Duforest.

(Signed) Miro
Postigo

On the same day, the court clerk notifies Don Juan Joseph Duforest, public interpreter, who accepts and swears to faithfully and accurately make the translation.

DOCUMENT 2557.
BOX 59.
(cont'd.)

(Signed) Juan Joseph Duforest

Court clerk certifies to the above,

(Signed) Pedro Pedesclaux, court clerk

On the 20th of same month court clerk notifies the said Martuna Viller (sic).

(Signed) Pedro Pedesclaux, court clerk

The cost of court amounts to 4 pesos.

DOCUMENT 2558.
BOX 59.

File 1988.
July 19, 1790.
Judge: Estevan Miro.
C. C.: Pedro Pedesclaux.
Spanish and French.
4¾ pp.

CASE OF
PEDRO SAUVE AS TESTAMENTARY EXECUTOR OF PEDRO BIDOU
VS.
THE SUCCESSION OF FRANCISCO DE REGGIO

For the Collection of a Debt

Don Pedro Sauve, plaintiff, a resident of New Orleans, petitions the court alleging that as evidenced by the promissory note duly presented, the succession of Don Francisco de Reggio is indebted to the succession of Don Pedro Bidou in the sum of 268 pesos and 2 reales. Wherefore petitioner begs the court to obtain from the court clerk the declaration of the debt, and to acknowledge the signature at the foot of the note as the one of Don Francisco de Reggio.

(Signed) P. Sauve

The court grants the above petition and orders that the translation of the promissory note be made by Don Estevan de Quiñones.

(Signed) Miro
Postigo
Estevan de Quinones

The cost of court amounts to 3 pesos and 3 reales.

DOCUMENT 2559.
BOX 59.

File 1992. July 19, 1790. Judge: Gov. Miro. C. C.: P. Pedesclaux. Spanish & French. 4½ pp.	DON PEDRO SAUVE, TESTAMENTARY EXECUTOR OF DON PEDRO BIDOU (SIC) VS. DON LEONARDO MAZANGE

To Collect a Sum of Money

EXHIBITS, - A Bill

March 15, 1786. Mr. Mazange to Tounoir Dr.
To 100 jars of bear's grease, delivered to his plantation at 5 reales each 62 pesos, 4 rs.

An Order

I request Mr. Mazange to pay for me to the order of Mr. Bidou Herbert, 62 pesos, 4 reales, the amount of the present bill, and in full payment. New Orleans, September 12, 1786.

(Signed) Tounoir

Paid. New Orleans, January 3, 1787.

Don Pedro Sauve, testamentary executor of the estate of Don Pedro Bidou Hebert, presenting in court, the above bill and order claims that Don Leonardo Mazange, owes to the succession 62 pesos 4 reales, and petitions that the defendant be required to declare under oath the status of the debt.

(Signed) P. Sauve

DOCUMENT 2559.
BOX 59.

The documents submitted are accepted and Don Estevan Quinones is ordered to make translations to be submitted to the defendant for his declaration. Copy to petitioner.

(rubric) Miro (Signed) Postigo

The court clerk certifies that this order is issued by Don Estevan Miro, Brigadier of the Royal Armies, Governor and Intendant of this Province, who rubricates it on July 19, 1790.

(Signed) Pedro Pedesclaux,
Court clerk

On said day, the clerk notifies Don Pedro Sauve in person and attests.

(Signed) Pedesclaux, clerk

On the same day, the clerk notifies Don Estevan de Quinones who swears and accepts a faithful performance of duty and signs.

(Signed) Estevan de Quiones

(Signed) Pedro Pedesclaux,
Court clerk

TRANSLATION:

"March 15, 1786. Mr. Mazange owes to Tounoir the following: To 100 jars of bear's grease delivered to his plantation, at 5 reales each ------- 62 pesos, 4 reales.

"ORDER: I request Mr. Mazange to pay for me at the order of Mr. Bidou Herbert 62 pesos, 4 reales, the

DOCUMENT 2559.
BOX 59.

amount of the present bill and in full payment.

(Signed) Tounoir

New Orleans, September 12, 1786.

Paid, New Orleans, January 3, 1787.

(Signed) Pierre Bidou Herbert."

This translation is well and faithfully made.

(Signed) Estevan de Quinones

Fee 6 reales.

On the 20th. of the same month the court clerk calls at the residence of Don Leonardo Mazange and is informed that he is at his plantation. He attests.

Pedesclaux, clerk

Appraisal of the costs of the foregoing proceedings show that they amount to 3 pesos, 3 reales.

(Signed) Luis Liotau.

DOCUMENT 2560.
BOX 59.

File 1994. July 19, 1790. Judge: Estevan Miro. C. C.: Pedro Pedesclaux. Spanish and French. 4¾ pp.	PEDRO SAURE, TESTAMENTARY EXECUTOR OF PEDRO BIDOU, VS. PABLO MANDEVILLE, FREE MULATTO

To Collect a Debt

Plaintiff, Don Pedro Saure, testamentary executor of Don Pedro Bidou, petitions the court to order that defendant, Pablo Mandeville, free mulatto, declare under oath whether or not the signature appearing on the attached promissory note is his own and whether or not it is true that he owes the sum of 16 pesos to the succession of Don Pedro Bidou.

(Signed) P. Saure

The court orders that the promissory note be translated from the French to the Spanish language by Don Estevan Quiñones, and, after the contents are examined, to grant the petitioner's request.

(Rubricated)
M
(Signed) Postigo

Court clerk certifies to the decree by Don Estevan Miro, Brigadier of the Royal Army, Governor and General Intendant of this Province, who rubricated it July 19, 1790.

(Signed) Pedesclaux

DOCUMENT 2560.
BOX 59.
(cont'd.)

On the same date the plaintiff is notified of the court decree and also the interpreter, who, under oath, swears to make a faithful translation of the promissory note.

(Signed) Estevan Quiñones, translator;
(Signed) Pedro Pedesclaux, notary public

The promissory note translated reveals that Pablo Mandeville owes Don Pedro Bidou 16 pesos for a coverlet. Dated Nov. 30, 1787. The translator further states that the translation is faithful to the original and executed without perjury and signs to that effect.

(Signed) Estevan Quiñones

On the 20th of the same month Pablo Mandeville is notified and pays the debt plus the court costs, which amount to 3 pesos and 3 reales. The assessment of the costs is made by Don Luis Liotau, official assessor.

(Signed) Luis Liotau

DOCUMENT 2561.
BOX 59.

File 1995. July 19, 1790. Judge: Gov. Miro. C.C.: P. Pedesclaux. Spanish and French. 4 1-8 pp.	PEDRO SAUVÉ, TESTAMENTARY EXECUTOR VS. PATON VERSAILLE

To Collect a Sum of Money

Don Pedro Sauvé, testamentary executor for the estate of Don Pedro Bidou Herbert, represents to the court: that Don Paton Versaille is indebted to the estate in the sum of 15 pesos, which debt has been acknowledged by the signature of the defendant on the reverse of a bill of account; that he begs the court to send a deputy sheriff to demand payment, and, in default of this, to seize sufficient property of the defendant to satisfy the claim; and signs the petition.

(Signed) P. Sauvé

The court orders the account to be translated (languages not named) by Don Juan Josef Duforest, and the signature verified under oath, with copies to the interested parties.

(rubric) Miro (Signed) Postigo

The clerk certifies that the above is a decree issued by Don Estevan Miro, Brigadier of the Royal Armies, Governor and Intendant General of this Province, who rubricates it on July 19, 1790.

(Signed) Pedro Pedesclaux, clerk

DOCUMENT 2561.
BOX 59.
(cont'd.)

On the same day, notice is given to Don Pedro Sauvé. Attested.

Pedesclaux, clerk

On the same day, notice is given to Don Juan Josef Duforest, public interpreter, who accepts the appointment under oath, and signs,

Juan Josef Duforest

October 13, 1786.

(Signed) Pedro Pedesclaux,
court clerk

Translation:

Estate of Mr. Hidou Herbert
In account with Mr. Paton Versaille, Dr.
To one (1) woolen blanket---------- 15 pesos

Certified by,

(Signed) Juan Josef Duforest

A copy of the translation is delivered to Paton Versaille on the 20th of the same month.

(Signed) Pedesclaux, clerk

The costs in the proceedings according to the royal tariff amount to 3 pesos, 3 reales.

(Signed) Louis (sic) Liotau

DOCUMENT 2562.
BOX 59.

File 1749. July 20, 1790. Judge: Ortega. C. C.: Pedesclaux. English & Spanish. 11 pp.	INFORMATION PRODUCED BY GUILLEM BUTTLER TO AUTHORIZE THE SALE OF A MULATTO WOMAN

Sale of a Slave

Petitioner, Don Guillem Buttler, petitions the court to allow him to present information to establish the ownership of a mulatto woman named Mary, introducing as evidence the bill of sale made in his favor by Mr. Thomas Roach. Petitioner offers to present witnesses who will certify to his ownership, and requests the court for authorization to sell said slave.

(Signed) G. Buttler

On July 20, 1790, the court orders that the bill of sale be translated from the English to the Spanish language by the public translator Don Juan Josef Duforest, before the present notary public, and when this is done to submit to the court all documents pertaining to the case.

(Signed) Ortega

On July 21st, 1790, the public interpreter accepts the commission under the conventional oath and promises to make a faithful translation. The document reveals that Mr. Thomas Roach, of the City of New York, on March 10, 1790, sold to Don Gillam (sic) Buttler a negro wrench called Mary, for the sum of

DOCUMENT 2562.
BOX 59.

sixty pounds, current money of the State of New York.

(Signed) Juan Josef Duforest

On August 3, 1790, Don Guillem Buttler presents Don Favus Rapalje, who recognizes the signature of Mr. Thomas Roach on the bill of sale as authentic, and also testifies that the said mulatto woman belongs to the petitioner; affirming under oath that what he has declared is the truth, states that he is 36 years old, and signs it.

(Signed) Favus Rapalje

Court clerk certifies to the above.

(Signed) Pedro Pedesclaux,
court clerk

On the same day Don Isaac Sears testifies that the signature of Mr. Thomas Roach appearing on the bill of sale is the same as the one usually made by said Mr. Thomas Roach; that the mulatto woman belongs to the petitioner; and that what he has declared is the truth under his oath, that he is 22 years of age - and signs it.

(Signed) Isaac Sears

Court clerk certifies to the above.

(Signed) Pedro Pedesclaux,
Court clerk

On August 5, 1790, the court decrees that the petitioner be permitted to sell the said slave after the payment of the court costs, which amount to 7 pesos, $5\frac{1}{2}$ reales as appraised by Don Luis Liotau, official assessor.

(Signed) Licenciado Josef de Ortega

DOCUMENT 2563.
BOX 59.

File 1895. July 21, 1790. Judge: Josef de Ortega. C.C.: Pedro Pedesclaux. Spanish. 200 pp.	ANGELA MONGET VS. LORENZO CALLICHY

To Compel the Payment of a Debt

As a result of selling two negro slaves to Don Lorenzo Callichy for $1750.00, which was to be paid at the end of November, 1789; but which was not paid, even after repeated demands for it had been made, Dona Angela Monget, who had sold the slaves, comes into court and, through her attorney, Don Felipe Guinault, asks for an order requiring Callichy to pay the debt.

(Signed) Felipe Guinault

The court orders Callichy to pay and when he fails to do so, the plaintiff asks for a writ of seizure against his property. This is granted.

(Signed) Liz do Ortega

No attachable property being found, Callichy is arrested and imprisoned. Release on bond being refused, and Callichy having been released on account of illness, then re-imprisoned, tries to appeal to the Superior Tribunal, at Havana.

The appeal, at first denied, is finally granted, when Callichy communicates through his attorney, directly with the Supreme Tribunal, at Havana, and Judge Ortega is ordered to accept the appeal.

DOCUMENT 2563.
BOX 59.
(cont'd.)

A certified copy of the record of the case is prepared and forwarded by mail to the Superior Tribunal of Appeals at Havana.

July 31, 1790. Certified by,

Pedro Pedesclaux, notary public
(Seal)

Rafail Perdomo (sic) notary public
(Seal)

Lorenzo Bouchene, (sic) alias Kaliche (sic) then petitions for a true copy of the original records, through his attorney, who signs.

Antonio Mendez

Judge Morales asks a consultation with Judge de Ortega on this matter, as the petition is forwarded to the latter, by Pedro Pedesclaux, notary public

(Signed) Morales.

Both judges, in accord, order that Callichy be furnished with a certified copy of the proceedings at his cost.

(Signed) Morales (Signed) Liz^do^ Ortega

On the same day the clerk notifies Don Lorenzo Caliche (sic) in person.

(Signed) Pedro Pedesclaux, clerk.

The costs of the proceedings are appraised at 44 pesos, 2 1-2 reales.

New Orleans, July 31, 1790.

(Signed) Luis Liotau.

The record goes no further.

DOCUMENT 2564.
BOX 59.

File 1882.	)	
July 21, 1790.	)	
Judge: Almonester.	)	SANTIAGO LIVAUDAIS
C. C.: P. Pedesclaux.	)	VS.
Spanish and French.	)	ROBERTO JONES (SIC)
$8\frac{3}{4}$ pp.	)	

For the Collection of a Debt

NOTE: Good for the sum 177 pesos 2 reales, that I promise to pay to Mr. Livaudais or to his order, of which the sum of 89 pesos 6 reales is the value of wood for construction delivered to me, and 87 pesos 4 reales represents the value of 200 boards he has also sold me at the rate of $3\frac{1}{2}$ reales per board.

New Orleans March 26, 1790
(Signed) Robt Jones

Received on account 28 pesos by note payable in favor of Mr. Delerie, (sic) Sr. New Orleans March 26, 1790.

(Signed) Livaudais

DOCUMENT 2564.
BOX 59.
(Cont'd.)

"I, Santiago Livaudais a curator ad bona, of the minor children of the deceased Don Francisco Delery, before Your Lordships in the best form according to law appear and state: that as is evidenced by the promissory note which I duly present, Roberto Jones, (sic), master carpenter, is owing to my minors the past due sum of one hundred and forty nine pesos and two reales, and notwithstanding that I have demanded payment from him on various occasions it has been to no avail. Therefore, to Your Lordships I plead that you may be pleased to order him to appear before the court and under oath according to law, from which I do not release him,to recognize, swear and declare if it is not true that he owes them the aforesaid sum and if the signature affixed to the note is not his own and the same that he customarily uses, and once this has been executed, to give to me a certified copy of his declaration, which is of justice, costs, I swear in the necessary etc."

(signed) S. Livaudais

The promissory note is hereby accepted. Recognize, swear and declare about its contents, and once executed give the interested party a certified copy.

(Signed) Almonaster (Signed) Postigo

Decreed by Don Andres Almonaster Judge of this city, who signs it on July 21, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Don Santiago Livaudais, in person. Attested.

(Signed) Pedesclaux, clerk

On the same day it is made known to Don Roberto Jones, Attested.

DOCUMENT 2564.
BOX 59.
(Cont'd.)

(Signed) Pedesclaux, clerk

In the City of New Orleans October 2, 1790, - "I, the undersigned clerk of court in virtue of the commission conferred upon me by the preceding decree, have received oath from Roberto Jones, who has made it by God and the sign of the Cross, according to law, promising to tell the truth under his solemn oath, and having been confronted with the promissory note of the first page, he has declared that the signature affixed at the foot of the said note, is his own and the same that he customarily uses, and as such he recognizes it; that it is true he owes the sum demanded and declares that what he has stated is the truth under the oath he has made, that he is forty years of age, and he signed."

(Signed) Robt.Jones
Attested. Pedro Pedesclaux, court clerk

"I, Santiago Livaudais, curator ad bona of the minor children of Don Francisco Delery, before your Lordship through my attorney in the proceedings instituted against Roberto Jones over the collection of one hundred and forty nine pesos and two reales, state that the declaration of the aforesaid Jones has been delivered to me, and in consideration of the merits resulting thereof, to Your Lordship I plead that you may be pleased to order a writ of seizure against the person and properties of the defendant in a sufficient amount to cover the said sum plus court costs in the ordinary manner, and I swear by God and the Holy sign of the Cross, that the aforesaid sum is owed to me and not paid. With justice, costs, I swear in the necessary etc." New Orleans, October 5, 1790.

(Signed) Felipe Guinault
(Signed) Livaudais

DOCUMENT 2564.
BOX 59.
(Cont'd.)

Forward to Don Manuel Serrano, attorney, Principal Assessor of this Intendancy, and Acting Intendant of this Province so that he may consult with me.

(Signed) Almonester

Pedro Pedesclaux, notary public

Attested.

Forward the proceedings.

(rubric) Almonaster
(Signed) Serrano, attorney

Decreed by Don Andres Almonester Junior Judge of this City, Perpetual Alderman and Royal Ensign, who rubricated it with the concurrence of Don Manuel Serrano, Assessor of this Intendancy and Acting Intendant of this Province, October 5, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Don Santiago Livaudais, which is attested.

(Signed) Pedesclaux, clerk

A writ of seizure is ordered hereby against the person and properties of Roberto Jones in favor of Don Santiago Livaudais for the sum of 149 pesos and 2 reales, which he has acknowledged plus the court costs until paid in full.

(Signed) Almonaster
(Signed) Manuel Serrano, attorney

Decreed by Don Andres Almonaster Junior Judge

of this City, Perpetual Alderman and Royal Ensign, who signs it with the concurrence of Don Manuel Serrano, Assessor of this Intendancy and Acting Intendant of this Province on October 7, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day it is made known to Don Santiago Livaudais which is attested.

(Signed) Pedesclaux, clerk

On the same day a writ of seizure is issued in accordance with the provisions of the preceding decree, and I have served it on the party.

(Signed) Pedesclaux, clerk

To the Chief Constable of this City, or his deputies: Demand from Roberto Jones (sic) the immediate payment to Don Santiago Livaudais of the sum of 149 pesos 2 reales, and in its default execute the writ on his person and properties in a sufficient amount to cover said sum plus the court costs until fully paid as per decree of this day which I have ordered. New Orleans October 7, 1790.

(Signed) Almonaster

In compliance with what was ordered and provided by his Lordship.

(Signed) Pedro Pedesclaux, court clerk

In the City of New Orleans, on January 15, 1791, before the undersigned clerk of court appears Don Juan Bautista Combell, acting as Chief Constable and declares: that, in compliance with what was

DOCUMENT 2564.
BOX 59.
(Cont'd.)

provided for in the preceding decree, he has instructed Roberto Jones to pay to Don Santiago Livaudais the sum of 149 pesos and 2 reales; and that he has replied that he has already paid that sum to the aforesaid Livaudais, and so that it may be evident he asks me to issue this certificate which he signs.

(Signed) J. B. Combell

Pedro Pedesclaux, court clerk

DOCUMENT 2565-A.
BOX 59.

File 1899. July 21, 1790. Judge: Josef de Ortega. C. C.: Pedro Pedesclaux. Spanish and French. 5 pp.	FRANCISCA CONEL VS. PABLO MANDEVILLE

To Collect a Debt Due the Succession of Her Husband

The plaintiff, Dona Francisca Conel, through her attorney Antonio Mendez presents in court a copy of the inventory of the estate of Roverto Squersy, her husband, which shows that the defendant Pablo Mandeville, a free mulatto, has signed a promissory note, payable to Mr. Roger Clary but now the property of the estate, for 35 piastres, and having failed to obtain payment after repeated demands, she begs the court to require Defendant under oath to identify his signature, declare as to the validity of the debt, and that a copy of the declaration be furnished her.

(Signed) Antonio Mendez

The note is accepted as evidence. Defendant is to acknowledge the obligation and signature and make declaration under oath before the clerk as requested by the plaintiff.

(Signed) Lizdo. Ortega

Court clerk certifies that above decree was issued by Don Josef de Ortega, counsellor of the Royal Courts of all the domains of his Majesty in America, Senior

DOCUMENT 2565-A.
BOX 59.
(cont'd.)

Judge of this City, who signed it on July 21, 1790.

(Signed) Pedro Pedesclaux, notary public

Court clerk on same day notifies Don Antonio Mendez and attests.

Pedesclaux, Notary

Court clerk on the same day notifies Pablo Mandeville, and attests.

Pedesclaux, notary

The appraisement of the costs of these proceedings, consisting of 2 pages and in conformity with the Royal Tariff is as follows:

To Joseph de Ortega, counsellor of Royal Courts for 1 half signature	2 reales
To Don Antonio Mendez, attorney 1 petition	5 reales
To Don Pedro Pedesclaux, notary public For services	5 reales
To the appraiser for services	2 reales
	14 reales

New Orleans, July 20, 1793.

(Signed) Luis Liotau

DOCUMENT 2566.
BOX 59.

File 1771. July 22, 1790. Judge: Estevan Miro. C.C.: Pedro Pedesclaux. Spanish. 26 pp.	TOMAS CAPRONI VS. SANTIAGO FLETCHER

For a Settlement by Arbitration

After a two years' absence Tomas Caproni returns to New Orleans, where he and Santiago Fletcher had in partnership carried on the business of silversmiths. No settlement of accounts having been reached between them, Caproni petitions the court to order the appointment of arbitrators whose decision will be final.

The court grants the petition and all parties are notified; defendant then stoutly declares that he owes plaintiff nothing.

Gabriel Fonvergne and Pablo Dufresne are named by the litigants and appointed by the court.

The plaintiff petitions for the garnishment of a debt of one thousand pesos owed by one Juan Bautista Jordain to Fletcher, who strongly opposes this proposal, on the ground that he owes Caproni nothing, and seeks to have plaintiff post a bond to cover costs of the proceedings.

The court upholds the opposition to the garnishment, but refuses to require a bond for costs from Caproni.

Francisco Caiserguer succeeds Fonvergne as arbitrator, because the latter has left the city.

DOCUMENT 2566.
BOX 59.
(cont'd.)

All of the records and books of account, as well as a certain trunk having been ordered submitted to the arbitrators, the litigants abruptly halt proceedings by notifying the court that they have reached a compromise agreement, whereby plaintiff agrees to deliver all vouchers, accounts, and documents pertaining to the partnership to defendant, and to pay the court costs; while the defendant agrees to pay to plaintiff three hundred pesos on January 1, 1791 and gives his promissory note to that effect.

The court approves the agreement and signs.

Estevan Miro (Signed) Liz. do Postigo

A certificate is issued by the clerk of court on September 27, 1790, attesting that the promissory note is paid four months in advance of maturity, for which Caproni receipts.

(Signed) Pedro Pedesclaux, court clerk

The appraisal of costs shows the amount to be twenty-two pesos.

(Signed) Luis Liotau.

DOCUMENT 2567.
BOX 59.

File 3. July 24, 1790. Judge: Andres Almonaster y Roxas. C. C.: R. Perdomo. Spanish. 9 pp.	IGNACIO SUAREZ VS. JOSEPH CULTIDA

To Compel the Payment of a Debt

The plaintiff, Don Ignacio Suarez, presents as evidence in court a promissory note, allegedly signed by the defendant, Don Joseph Cultida, representing a sum of 53 pesos which plaintiff claims is due him for services rendered the defendant. Therefore, plaintiff begs the court to order defendant to declare under oath whether or not the signature is his own.

(Signed) Ignacio Suarez

The court grants the petition and defendant declares the signature his own, but denies that the note represents a promise to pay for services rendered; that it was given the plaintiff as a donation or contribution towards paying his expenses while in the hospital.

(Signed) Joseph Cultida

Plaintiff begs the court to issue a write of seizure against the defendant as to property and person. After examining the records of the case, the court issues this writ on July 31, 1790.

(Signed) Almonester (Signed) Postigo

DOCUMENT 2567.
BOX 59.
(cont'd.)

The defendant having deposited the amount due in the general depository, instead of paying the plaintiff directly, plaintiff begs the court to order the depositary to turn the entire sum over to him and that the charges made by the depository be paid by the defendant.

The court so orders, and that all costs in the proceedings be paid by the defendant.

(Signed) Almonester (Signed) Postigo

The total costs in the proceedings amount to 9 pesos, as assessed by,

Luis Liotau

DOCUMENT 2565.
BOX 59.

File 2570. July 27, 1790. Judge: Ortega. C.C.: Pedesclaux. Spanish and English. 6 pp.	FRANCISCA CONEL VS. EDMUNDO AMBURY

To Collect a Debt

Antonio Mendes, attorney for Francisca Conel in the matter of the succession of her deceased husband, Roverto Squersy, claims that Edmond Hambury, (sic) a resident of New Orleans, owes to the succession 29 pesos; that not being able to collect this, he petitions the court to order the defendant to recognize under oath his signature on an attached promissory note for 29 pesos, and to declare whether or not he owes that amount to the succession.

(Signed) Antonio Mendez

Edmundo Ambury is ordered to swear and declare as requested.

(Signed) Ortega

The decree is signed on July 27, 1790, by Don Josef De Ortega, Counsellor of the Royal Courts, etc.

(Signed) Pedro Pedesclaux, notary public

Court clerk attests to serving notice on Don Antonio Mendez on the same day.

(Signed) Pedesclaux

DOCUMENT 2565.
BOX 59.
(cont'd.)

Court clerk attests to serving notice on Edmundo Ambury.

(Signed) Pedesclaux

A statement of the court costs shows that they amount to 1 peso, 6 reales.

(Signed) Luis Liotau

No further proceedings in this case are recorded.

DOCUMENT 2568.
BOX 59.

File 57. July 27, 1790. Judge: Estevan Miro. C. C.: Rafael Perdomo. Spanish. 9 pp.	PROCEEDINGS INSTITUTED BY EDGARD (SIC) GALLAUDET TO OBTAIN A PERMIT TO SELL THE SCHOONER FORMERLY NAMED THE NANCY

Requesting Permission to Sell a Schooner

Petitioner, Don Edgard (sic) Gallaudet, merchant and resident of New Orleans, petitions the court, stating that, as evidenced by the act of sale herein presented, he is the legal owner of the schooner named San Andres (formerly named The Nancy), and wishes to sell same to Don Andres Chernestrom.

Wherefore, petitioner begs the court to grant him a legal permit to sell said vessel.

(Signed) Edgar Gallaudet

The court grants petitioner's request upon the payment of the Royal Revenues and the court cost of these proceedings.

(Signed) Miro
Serrano, attorney

Court clerk certifies to the above.

(Signed) Rafael Perdomo, court clerk

The court costs amount to 4 pesos, 7½ reales,

(Signed) Louis Liotau

DOCUMENT 2568.
BOX 59.
(cont'd.)

List of additional names not found in the synopsis of Doc. #2568:

Ebenezer Rees, sea captain
Antonio Rodriquez, witness
Francisco Carcasses, "
Daniel Clark, former owner of schooner named The Nancy.

DOCUMENT 2569.
BOX 59.

File 79. July 27, 1790. Judge: Estevan Miro. C.C.: R. Perdomo, Fer. Rodriguez, Carlos Ximinez. Spanish. 138 pp.	GEROMO LA CHIAPELLA VS. JOSEPH DUGUET

To Collect a Sum for the Rent of Slaves

Chiapella claiming that Duguet owes him 192 pesos for the services of several of his slaves, petitions the court to compel Duguet to declare the status of the debt, and signs

Geromo La Chiapella

The petition is granted but Duguet fails to comply, so the plaintiff asks that a constable bring in the defendant for questioning. Whereupon Duguet states that the slaves were apprenticed to him and not leased, and that they could not even earn their bed and board. Signing

Joseph Dugues (sic)

The plaintiff produces witnesses to prove that the slaves were qualified workers and that, moreover, the defendant owes him the money which he has admitted before these witnesses, who are

Antonio Delague
Modesto Laferrere
Lorenzo Wiltz
Joseph Labic and
F. Caiserguer

DOCUMENT 2569.
BOX 59.
(cont'd.)

The witnesses declare that the slaves were rented to Duguet: one for twenty-five pesos per month, and the other two at fifteen pesos per month for each.

The plaintiff then petitions for a writ of seizure ad bona et personam against the defendant, which is granted and defendant ordered notified.

The defendant through his attorney declares that the witnesses are not competent, being in the employ of the plaintiff, and not skilled in the bricklaying trade.

The plaintiff, through his attorney, Santiago Felipe Guinault, petitions the court to punish the defendant for maliciously evading a legitimate debt, and disparaging honest witnesses; asking for a favorable judgment with costs etc.

On November 9, 1790, the court calls Manuel Serrano, a consulting counsellor into the case.

Upon being notified of the above petition, the defendant, through his attorney, denies admitting the debt to Chiapella, for the rental of slaves, before witnesses; and declares that the time he used in teaching them the trade made them a loss rather than a gain to his business; that the agreement was for him to teach the most intelligent one the trade, while using the other two as helpers; that he can prove the testimony of Chiapella's witnesses was prearranged.

On November 24, 1790, the court orders the case to trial.

DOCUMENT 2569.
BOX 59.
(cont'd.)

On March 11, 1791, the court, after hearing several witnesses from both sides repeat their previous statements, summonses the litigants to hear judgment.

Decree: On March 17, 1791, the court renders judgment in favor of the plaintiff, requiring the defendant to pay the sum claimed, plus the costs of the proceedings.

(Signed) Estevan Miro (Signed) Liz.do Man'l. Serrano

The court refuses to grant an appeal and charges the new costs to the defendant.

The plaintiff again asks for a writ of seizure against the goods and person of defendant, the court granting the writ.

The defendant then cites a decree of His Majesty of May 26, 1786, which forbids imprisonment of the master of any art or trade for civil debts, and asks for instructions as to how to meet his debt, without injury to his person, or the sustenance of his family.

The court suspends the order as to the person of the defendant, but two slaves are seized by virtue of the property writ.

After a long wrangle over the selection of an appraiser for each litigant, the plaintiff asks the court to intervene in the appraisement.

The defendant then settles the debt and the costs which amount to 101 pesos, 4 reales.

DOCUMENT 2571.
BOX 59.

File 1800. July 28, 1790. Judges: Estevan Miro, and Francisco Luis Hector, Baron of Carondelet. C. C.: Pedro Pedesclaux. Spanish. 14 pp.	JORGE (sic) DOUGHERTY VERSUS THE ESTATE OF CARLOS ALEXANDER

To Collect a Debt

Jorge (sic) Dougherty, a resident of this city, submits a petition to the court in which he states that it is a fact well known to the public that he was an intimate friend of Carlos Alexander (deceased); that he has on several occasions loaned small sums of money to the said Alexander and has never requested a receipt; that in the month of May, last, he loaned the deceased 150 pesos and, as usual, he did not request a receipt; and that depending on the punctuality and honesty of the deceased, he did not worry about the debt; that he had not been aware of the sickness of the deceased due to the fact that he was employed at the home of Don Gilberto Antonio De Maxent, in Chantilly; that as he has no documentary proof regarding the said debt, he appeals to the court, sustained by his impeccable character and record of honesty, to issue an order to the testamentary executor of the said deceased to pay him the sum claimed.

(Signed) Geo. Dougherty (Signed) Pedro Pedesclaux,
Notary public

DOCUMENT 2571.
BOX 59.

On July 28, 1790, the court orders that the testamentary executor of the said succession be notified of the preceding petition.

(Half signature) E. M.

Daniel Clark, testamentary executor of Don Carlos Alexander, in reply to the preceding petition, states that he is well aware of the honesty and good name of the petitioner, and of the difficulties of the deceased, and that he does not doubt in the least the veracity of the claimant, but inasmuch as the deceased only left a small negro slave, which he is trying to sell and use the proceeds to pay the debts directly caused by the sickness of the said deceased, he begs the court to instruct the petitioner to direct his action against the succession to Don Enrique Alexander, father of the deceased.

(Signed) Daniel Clark (Signed) Antonio Mendes

On Oct. 5, 1790, the court calls for Manuel Serrano as Counsellor in the case.

(Half signature) Miro

On Oct. 6, 1790, the court orders that the plaintiff be notified of the reply to his petition.

(Rubricated) Miro (Signed) Licdo. Serrano

The plaintiff, through his attorney, in virtue of the fact that Daniel Clark, testamentary executor of the defendant, acknowledges the debt, due to the integrity of his character, and that David Ross and David Hodge, testamentary executors of Don Enrique Alexander, father of the deceased Don Carlos Alexander,

DOCUMENT 2571.
BOX 59.

are also well acquainted with the honesty of the plaintiff, and therefore do not doubt the plaintiff's claim, he begs the court to decree that the said testamentary executors of Don Enrique Alexander pay him the sum claimed.

(Signed) Geo. Dougherty (Signed) Felipe Guinault

On April 14, 1791, the court calls for the record of the proceedings.

(Rubricated) E. M. (Signed) Jose Maria Vidal

On the same day the clerk notifies David Hodge and David Ross of the above petition.

(Signed) Pedesclaux, court clerk

On April 28, 1791, the court orders that Dona Isabela Alexander, widow and heiress of Don Carlos Alexander, be notified of the preceding petition, or, in her absence, her agent; and that in the event that this order can not be executed, a statement to that effect shall be inserted in the record of this process, and the said record, together with the record of the process of the succession of the said Don Carlos Alexander, be brought before the court for examination.

(Signed) Estevan Miro (Signed) Jose Maria Vidal

Pedro Pedesclaux, clerk of the court, reports that on the same day he inquired of the whereabouts of the said Dona Isabela Alexander, and that he was informed that she resides outside of this Province, and that he can not state whether or not she had an agent or power of attorney to represent her.

DOCUMENT 2571.
BOX 59.

(Signed) Pedro Pedesclaux,
Court clerk

On May 20, 1791, the court, in view of the preceding report, and in virtue thereof, appoints Don Estevan de Quinones as attorney for the said absent heir; and also decrees that the notification ordered on April 28, last, be transmitted to the said Don Estevan de Quinones.

(Rubricated) E. M.

Don Estevan de Quinones, in reply to the petition submitted by the plaintiff, transmitted by court decree of April 28, last, states; that in view of the fact that the testamentary executors of Don Enrique Alexander have acknowledged the honesty and integrity of the plaintiff, and that as there is no evidence of any act against the law, he begs the court to order that the plaintiff be paid the sum he claims from the succession of Enrique Alexander, father of the defendant.

(Signed) Estevan de Quinones

On June 16, 1791, the court orders that the creditors to the said succession be notified of the preceding petition.

(Signed) E. M.

Plaintiff begs the court for the record of the process, in order to proceed with the action instituted by him.

(Signed) Geo. Dougherty (Signed) Felipe Guinault

DOCUMENT 2571.
BOX 59.

On Sept. 13, 1791, the court grants petitioner's prayers.

(Signed) E. M.

The plaintiff, in view of the fact that the attorney for the absent heir and the testamentary executors are in accord that his claim be honored, and that as no creditor has appeared to protest his claim, he begs the court to order the said testamentary executors to pay his claim.

(Signed) Felipe Guinault

On Oct. 23, 1791, the court orders that the creditors again be notified, and that if there is no reply from any of them by the first term of court, to bring the records of the process for examination.

(Rubricated)
Baron de Carondelet

(Signed)
Jose Maria Vidal

The record ends here.

DOCUMENT 2572.
BOX 59.

File 1830. July 29, 1790. Judges: Estevan Miro and Francisco Luis Hector, Baron de Carondelet. C. C.: Pedro Pedesclaux. Spanish and French. 134½ pp.	GABRIEL FONBERGNE (SIC) VS. DEJEAN AND LASTRAPE

Collection of a Debt

Don Gabriel Fonvergne, a resident of this city, by virtue of the power of attorney conferred upon him by Don Juan Lafargue, of the City of Guarico, Santo Domingo, submits a petition to the court, enclosing a certified copy of the record of the proceedings instituted by the said Lafargue against Messrs. Dejean and Lastrape, residents in the post of Apelusas (sic). In the petition, the plaintiff begs the court to have said record (which is written in French) translated into the Spanish language by the public translator, Don Juan Duforest, and then to forward a dispatch to Don Nicolas Forstall, commander of the post of Apelusas, (sic), to compel the said defendants to pay the sum claimed, which amounts to 578 pesos and six reales; and that if necessary, to sell their property at public auction, and, that in the event that the sale cannot be executed for the lack of bidders, to bring to this city the property or slaves seized.

(Signed) Pedro Pedesclaux,
Court clerk

On July 29, 1790, the court decrees that the submitted documents be translated by Don Josef

DOCUMENT 2572.
BOX 59.
(cont'd.)

Duforest and delivered to the court.

(rubricated) M (Signed) Postigo

On July 30, 1790, the said translator completes the translation of the documents, which reveals the following:

That Captain Cochon of the vessel named Unicornia and Senor Lafargue, a merchant of French Cape, instituted proceedings against Messrs. Dejean and Lastrape, for the sum of four thousand livres, for 50 barrels of wine.

That the court rendered judgment in favor of the plaintiffs, and condemned the defendants to pay the court costs which amounted to forty-one livres five sueldos. The decree was signed by Juan Bautista Esteve, King's Counsellor, Lieutenant General of the Admiralty of French Cape, and is dated Feb. 9, 1787.

That Juan Lafargue, merchant and resident of French Cape, conferred full powers of attorney upon Gabriel Fonvergne, captain of the packet-boat El Navarro, of Luisiana (sic), in order that the said Fonvergne might represent him, request payment from the said defendants, and, in default, institute legal proceedings against them.

Gabriel Fovergne (sic), agent of Juan Lafargue, principal plaintiff in these proceedings, petitions the court, by virtue of the facts revealed in the translated documents, to forward a dispatch to the commander of the post of Apelusas (sic), Don Nicolas Forstall, to judicially compel the said defendants to pay the sum claimed, and that if they refuse to pay, to seize and sell at public auction sufficient property to satisfy the claim, and, that in the event that the sale cannot be executed for the lack of bidders, to bring the seized property to this city to be sold at public auction.

(Signed) Gab. Fonvergne

DOCUMENT 2572.
BOX 59.
(cont'd.)

On Aug. 5, 1790, the court calls for the records of these proceedings for examination.

paraph of Gov. Miro

(Signed) Pedro Pedesclaux,
Clerk of court.

On Aug. 9, 1790, the court grants petitioner's prayers, and orders that a copy of the translated documents, as well as copies of plaintiff's petitions, be forwarded to the said commandant, along with the court's decree.

(Signed)Estevan Miro
(Signed)Postigo

On March 17, 1791, the court receives a report from the temporary commander of the post of Opeloussas (sic), Don Luis de Villars; this report is written in the French language, and the court orders that the said report be translated into the Spanish language, incorporated in the record of these proceedings, and delivered to the interested party.

The report, translated by the official translator Don Juan Josef Duforest, reveals the following:

That Don Luis de Villars, Commandant of the post of Opeloussas, acknowledges receipt of the dispatch forwarded by Don Estevan Miro on Aug. 9, 1790.

That on Dec. 3, 1790, the defendants were notified of the plaintiff's petitions and that they stated that they were unable to pay the sum claimed at that time.

That on Dec. 10, 1790, he proceeded to the premises of the defendants in order to seize the required property, which was done in the presence of Messrs. Francisco Brunet and Andres Boisdore, witnesses; and that having found Messrs. Francisco Robin and Francisco Escoriffie, residents of the said

DOCUMENT 2572.
BOX 59.
(cont'd.)

post, he appointed them appraisers. That they seized a lot and house valuated at 2,200 pesos and another lot of ground valuated at 200 pesos.

That on January 30, Feb. 6, and Feb. 8, 1791, they tried to sell at public auction the seized property, but could not do so because the only bidder did not offer at least two-thirds of the estimated value of the property.

(Signed) Luis de Villars,
Juan Josef Duforest
Pedro Pedesclaux,

On January 25, 1791, Gabriel Fovergne (sic), transfers his power of attorney to Don Miguel Roche y Girona.

Don Miguel Roche y Girona, substitute-agent, in behalf of the plaintiff, through his attorney, petitions the court to issue another dispatch to the commandant of the post at Opeloussas (sic) instructing him to seize slaves instead of real estate property, and that in the event that they cannot sell them at Opeloussas (sic), to bring them to this city to be sold at public auction.

(Signed) Miguel Ruig
Felipe Guinault

On April 11, 1791, the court orders that the preceding petition be incorporated in the records of these proceedings and then brought to court for examination and judgment.

(rubricated) Miro (Rubricated) Nicolas Maria Vidal

On April 13, 1791, the court decrees as follows: Due to the fact that the sale of the seized property was not executed, on account of the fact that the highest bidder did not offer at least two-thirds of the said property, it is hereby decreed that a dispatch

DOCUMENT 2572.
BOX 59.
(cont'd.)

be forwardd to the commandant of the post at Opeloussas, (sic) instructing him to seize from the defendants, sufficient slaves to cover the amount claimed; to proceed with the sale of the said slaves, according to the law, and, that in the event that the sale cannot be accomplished for the lack of suitable bidders, to send the said slaves to this city, along with a report of the activities regarding the execution of these instructions.

(Signed) Estevan Miro (Signed) Vidal

Gabriel Fonvergne, agent for the plaintiff, through his attorney, petitions the court (due to the fact that his substitute has previously requested the court to issue a writ of seizure against the defendant's slaves, which writ was forwarded, but without results, and, that as he has knowledge that one of the defendants, Dejean, is at present in this city, preparing to leave the colony) to seize his passport and to forbid his departure until the case is settled.

(Signed) Gabriel fonvergne
Felipe Guinault

On Oct. 31, 1791, the court grants petitioner's prayers.
(rubricated) M. (Signed) Postigo

The agent for the plaintiff, through his attorney, petitions the court to issue an order for the arrest of one of the defendants, Dejean, who was supposed to bring to this city the seized slaves, as decreed by the court on April 13, last, and that the said Dejean be kept in custody until the commandant of the said post of Opeloussas (sic) remits to this city the required slaves.

DOCUMENT 2572.
BOX 59.
(cont'd.)

On Nov. 5, 1791, the court grants petitioner's prayers.

(Rubricated) M (rubricated) Postigo

A copy of the preceding decree is forwarded to the commandant of Opeloussas.

(Signed) Pedro-Pedesclaux, clerk.

Don Juan Fonvergner (sic), agent for the plaintiff, petitions the court to terminate the proceedings as he has received payment of the debt, and that the court costs be charged to the defendants.

On May 7, 1792, the court grants petitioner's prayers.

(Signed) Baron de Carondelet (Signed) Nicolas M. Vidal

The court costs amount to 70 pesos and four reales.

DOCUMENT 2573.
BOX 59.

File 1849. July 29, 1790. Judge: Ortega. C. C.: Pedesclaux. Spanish. 20 pp.	CLAUDIO FRANCISCO GIROD VS. THOMAS IRWIN

For the Collection of a Debt

The plaintiff, Don Claudio Francisco Girod, institutes proceedings to collect from the defendant, Don Thomas Irwin, the sum of 4,673 pesos; and, for this purpose, he submits to the court a promissory note, signed by the defendant before the notary public, Don Pedro Pedesclaux, in the presence of the following witnesses: Don Miguel Gomez, Don Tomas Gracia, and Don Santiago Lemayre.

(Signed) Pedro Pedesclaux

The plaintiff a resident and merchant of the city petitions the court, declaring that Don Thomas Irwin should pay him, at the end of the present year, the sum of 4,673 pesos, having given him several promissory notes, payable by various individuals, in order to secure the aforesaid sum. Since the face value of these notes do not cover said amount, he has promised to give another for the sum of 458 pesos payable in Natchez.

The plaintiff alleges that the defendant is about to leave the province, and that he should pay him the total amount of the obligation, or else furnish a bonds-

DOCUMENT 2573.
BOX 59.
(cont'd.)

man of good financial standing to guaranty his indebtness, before leaving the province.

Therefore, the plaintiff requests the court to order that a passport be denied him until he settles this affair in a manner satisfactory to the petitioner.

(signed) F. Girod

The court forwards a copy of the preceding petition to Don Thomas Irwin, and decrees to withhold his passport until he has settled this claim.

(signed) Liz do Ortega

Don Josef de Ortega, senior judge of this city, decrees as above, on July 29, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day Don Claudio Francisco Girau (sic) is notified in person. In attestation whereof.

(Signed) Pedesclaux, clerk

On the same day a notification about the preceding decree is given to Don Francisco Fernandez, official in the Secretariat of this Government. In attestation whereof.

Pedesclaux, clerk

On the same day, Don Thomas Irwin is notified. In attestation whereof.

Pedesclaux, clerk

DOCUMENT 2573.
BOX 59.
(cont'd.)

The defendant petitions the court to the effect that the proceedings instituted against him by the plaintiff be dismissed by the court for lack of merit, alleging that the sum he owes to the plaintiff is fully secured by the notes he has left in his possession, offering to grant him full legal power to collect same when due, and claiming also that although he will absent himself from the province he will leave all of his properties here; in consequence of which he pleads to the court to be granted his passport.

(Signed) Thomas Irwin

The court decrees that the petition of the defendant be forwarded to Don Claudio Francisco Girod, who in consideration of the urgency of this, will give his immediate answer for a first hearing.

(Signed) Liz do Ortega

Don Josef de Ortega, senior judge of this city, decrees as above, on August 9, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, Don Thomas Irwin is notified. In attestation whereof.

(Signed) Pedesclaux, clerk

On the same day, Don Claudio Girod is notified. In attestation whereof.

(Signed) Pedesclaux, clerk

DOCUMENT 2573.
BOX 59.
(cont'd.)

The plaintiff, in answer to the last petition of the defendant forwarded to him by the court for his answer, declares: That defendant should be prevented from leaving this province, by withholding from him his passport, until he either pays or presents a person of good financial standing as bondsman, to guaranty the sum owed him. He further suggests that he would accept as bondsmen the Morsanto brothers from Natchez, if they obligate themselves to pay him 4,673 pesos within the term of eight months; concluding that only on this condition will he consent that the said Irwin leave this province.

(Signed) F. Girod

The court orders that a copy of the plaintiff's petition be given to the defendant.

(Signed) Liz do Ortega

Don Josef de Ortega, senior judge of this city, decrees as above, on August 12, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, Don Claudio Francisco Girord (sic) is notified. In attestation whereof.

(Signed) Pedesclaux, clerk

On the same day Don Thomas Irwin is notified. In attestation whereof.

(Signed) Pedesclaux, clerk

This record ends here.

DOCUMENT 2574.
BOX 59.

File 1998. July 31, 1790. Judge: Almonaster. C.C.: Pedro Pedesclaux. Spanish and French. 4 pp.	CARLOS FELIPE FIXERANT (SIC) PETITION

For an Order to Obtain His Maternal Inheritance

Don Charles Felipe Tixerant appearing in court makes appeal that the court order his father to turn over to him his maternal inheritance. Having vainly made demand upon his father for the inheritance he now comes into court and represents that he has reached his majority as evidenced by a baptismal certificate signed by F. Irence, Capuchin priest, and certified as being in the baptismal book by

F. Cyrillo de Barcelona.

Therefore he begs the court to order his father to turn over the inheritance.

(Signed) Pedro Pedesclaux

The court accepts the evidence but orders plaintiff to prove that he has been emancipated by his father.

(Signed) Almonester

Court clerk certifies to above decree by Don Andres Almonester.

(Signed) Pedro Pedesclaux,

DOCUMENT 2574.
BOX 59.
(cont'd.)

On the same day the court clerk notifies Don Carlos Felipe Tixeran (sic) of this decree, and attests.

(Signed) Pedro Pedesclaux

The record ends here.

DOCUMENT 2575.
BOX 59.

File 2003. July 31, 1790. Judge: Almonaster. C.C.: P. Pedesclaus. Spanish. 5 1-4 pp.	CONSTANZA TISERANT VS. GABRIEL TISERANT

For Her Portion of Her Mother's Estate

The plaintiff, Dona Constanza Tiserant, institutes proceedings to compel her father, Don Gabriel Tiserant, the defendant, to give her the portion of her deceased mother's estate that rightfully belongs to her.

For this purpose, the plaintiff submits as evidence her birth certificate to prove that she is the legitimate daughter of Don Gabriel Tiserant, an officer of the French Army and of Dona Mariana Laloar, his legitimate wife.

The court decrees that the plaintiff is not any more under the paternal authority, on account of her emancipation, and the court will decide in her favor upon the presentation of further evidence, accepting the birth certificate as officially presented, and approving the supplemental petition.

(Signed) Almonaster (Signed) Postigo

Wherefore Don Antonio Argote, captain of militia and former judge of this city, produces a certificate dated during the year 1788, tending to show that at that time the plaintiff took her first steps in this case.

(Signed) Antonio Argote

DOCUMENT 2575.
BOX 59.
(cont'd.)

The plaintiff presents a second petition, again praying to be placed in possession of the share appertaining to her after the death of her mother; further petitioning, in a supplemental prayer, to be given the interest due on her share since she made her first petition three years ago.

The court decrees that the evidence submitted is not sufficient to prove that the plaintiff is not under the paternal authority, and, in regard to the supplemental prayer, that plaintiff must furnish sufficient evidence to prove that she has been outside the paternal authority for the past six years.

(Signed) Almonaster (Signed) Postigo

The record of this case ends here.

DOCUMENT 2576.
BOX 59.

File 1752. August 5, 1790. Judge: Josef de Ortega. C.C.: Pedro Pedesclaux. French and Spanish. 10 1-2 pp.	ALEXANDRE BAUDIN VS. ARNAULD MAGNON

To Collect 292 Pesos, Evidenced by Defendant's Notes

Plaintiff, Don Alexandre Baudin, a merchant and resident of New Orleans, through his agent Felipe Guinault, petitions the court, alleging that as evidenced by the two notes, he presents, defendant owes him, the past due sum of 292 pesos, which he has requested him to pay on several occasions, but to no avail.

Wherefore, he begs the court, to order defendant, to verify his signatures at the foot of said notes and to acknowledge the debt.

(Signed) Alexandre Baudin

Felipe Guinault

The court, grants petitioner's plea, and orders the present court clerk to receive defendant's deposition.

(Signed) Ortega, judge

The court clerk receives defendant's deposition, and deponent, verifies his signatures and acknowledges

DOCUMENT 2576.
BOX 59.
(cont'd.)

the said debt.

(Signed) Arnauld Magnon

Pedro Pedesclaux, court clerk

Plaintiff, again petitions the court requesting an issue of a writ of seizure against sufficient property of the defendant, to satisfy the said sum, with accrued interest, and the cost of these proceedings.

(Signed) Alexandre Baudin

Felipe Guinault

The court orders defendant to pay the plaintiff, the sum claimed within 3 days or subject his properties to seizure. August 18, 1790.

(Signed) Josef de Ortega, judge

On September 6, 1790, in view that defendant did not answer the preceding decree, the court orders the present court clerk to issue the said writ.

(Signed) Josef de Ortega, judge

On the same date, the said clerk reports issuance of said writ.

(Signed) Pedesclaux, court clerk

The plaintiff informs the court that the defendant has settled his obligation outside of court; therefore, plaintiff requests the court to return said notes to the defendant, and that the court-costs be appraised and paid by said defendant.

(Signed) Alexandre Baudin

Felipe Guinault

DOCUMENT 2576.
BOX 59.
(cont'd.)

The court grants petitioner's request.

(Signed) Ortega, judge

The court-costs amount to 9 pesos, 4 reales, appraised by the official appraiser.

(Signed) Louis Liotau

DOCUMENT 2577.
BOX 59.

File 45. August 7, 1790. Judge: Estevan Miro. C.C.: Rafael Perdomo. Spanish. 1 1-2 pp.	ETIENNE ROQUIGNY AND MARIE ELIZABETH DESRUISSEAUX PETITION

To Obtain Possession of Certain Papers

Before His Lordship, in court, appear petitioners Don Etienne Roquigny and his wife Dona Marie Elizabeth Desruisseaux, who state that in consequence of the death of Don Joseph Chalon, first husband of said Dona Marie Elizabeth Desruisseaux, certain papers belonging to the deceased's succession were left in possession of Don Guillermo Murray, among which papers are a certain number of American letters of exchange, and ask that these letters of exchange be turned over to the petitioners for their own use.

(Signed) Etienne Roquigny

Marie Elizabeth Desruisseaux

Felipe Guinault

Judge decrees that notice be served.

(Signed) Miro

Postigo

Notary public certifies that decree was issued by Don Estevan Miro, Brigadier of the Royal Armies,

DOCUMENT 2577.
BOX 59.
(cont'd.)

Governor and Intendant of this Province for His Majesty.

August 7, 1790

(Signed) Rafael Perdomo,
notary public

Notary public certifies that on above date he notified Don Etienne Roquigny in person.

(Signed) Perdomo, notary public

DOCUMENT 2578.
BOX 59.

File 215. Aug. 7, 1790. Judge: Estevan Miro. C.C.: Rafael Perdomo. Spanish and French. 7 pp.	PEDRO LARTIGUE VS. FLEURIAU

To Collect a Debt

The plaintiff, Don Pedro Lartigue, a resident of New Orleans, petitions the court, alleging that, as evidenced by the two promissory notes duly presented, the defendant, Mr. Fleuriau, is indebted to him in the sum of 248 pesos; that petitioner has on several occasions demanded payment of said debt, and the defendant has refused to pay. Wherefore, petitioner begs the court to order the defendant to declare under oath, whether or not the signature affixed on said promissory notes is his, and whether or not he owes the sum claimed, and, after these things have been done, to deliver a copy of the proceedings to petitioner to do with in whatever way he may deem convenient.

(Signed) Per. (sic) Lartigue

The court grants the petition, and orders the translation of the two promissory notes by Don Juan Joseph Duforest.

(Signed) Miro

Postigo

On the same day, I notify Don Juan Joseph Duforest, public interpreter, who accepts and swears in the name

DOCUMENT 2578.
BOX 59.
(cont'd.)

of God and the cross, to faithfully and accurately make the translation. He signs. To which attestation is hereby given.

Juan Josef Duforest

Rafael Perdomo

The record of the case ends here.

DOCUMENT 2579.
BOX 59.

File 1744.	)	
Aug. 7, 1790.	)	
Judge: Josef de Ortega.	)	DON ALEXANDRO BAUDIN
C. C.: Pedesclaux.	)	VS.
Spanish.	)	DON OLIVERO POLLOCK
25 pp.	)	
	)	

For Reimbursement for Several Letters of Exchange

The plaintiff, Don Alexandro Baudin, through his attorney, institutes proceedings endeavoring to obtain reimbursement for several letters of exchange; consequently, he petitions the court, stating that it has been brought to his attention that Don Juan Bautista Poeyfarre has instituted proceedings in that court for the purpose of collecting the sum of 1,900 pesos, the face value of several letters of exchange, drawn against Don Olivero Pollock, which letters have been returned by the said Poeyfarre to Dona Francisca Voisin, widow of Don Balthasar Devillier, who, in turn, has passed them on to the plaintiff. Therefore, he pleads to the court that through the public interpreter, Don Juan Joseph Duforest, he be given a translated copy, from the English into Spanish, of the proceedings concerning said letters of exchange, as well as a certified copy of the declaration of the aforesaid Pollock.

The plaintiff further petitions the court to the effect that the defendant shall be prevented from leaving the province, until he has settled this matter.

(Signed) A. Baudin (Signed) Felipe Guinault

DOCUMENT 2579.
BOX 59.
(Cont'd.)

The court grants the petition of the plaintiff, and orders that since the documents requested by the plaintiff have already been translated, on petition of Don Juan Bautista Poeyfarre, a copy of said translation be given to the petitioner, together with the certified copy of the declaration of the aforesaid Pollock.

(Signed) Liz^do^ Ortega

Don Josef de Ortega, senior judge of this city, so decrees on August 7, 1790.

On the same date, it is made known to Don Juan Bautista Poeyfarre. In attestation whereof.

(Signed) Pedesclaux, clerk

On the same day, it is made known to Don Alexandro Baudin. In attestation whereof.

(Signed) Pedesclaux, clerk

The record shows that Don Juan Bautista Poeyfarre petitions the court to the effect that Don Olivero Pollock appear before the court, and, under oath, swear and openly declare whether or not the signature appearing at the foot of the document, which he duly presents, is his own, and its contents true, and whether or not he is under obligation to pay the sums named therein.

The court grants the above petition and orders Don Olivero Pollock to appear before the court, and, under oath, to swear and declare as to the contents of the preceding petition.

Don Olivero Pollock, in compliance with this order, appears before the court, and, under oath, swears and declares that the signature affixed to

the document in question, is his own, and that he recognizes it as such; that the contents are true, but that he never has given his acceptance to those letters of exchange drawn against him for lack of funds; consequently, he does not feel obligated to pay them, since he has never accepted them. Consequently Don Juan Bautista Poeyfarre petitions the court to the effect that, since the document in question is written in the English language, to have it translated into Spanish by the public interpreter, Don Juan Josef Duforest.

The court grants the above petition and orders the translation of the document. The translation discloses a list of letters of exchange, issued by officers of the militia of the State of Virginia in favor of various individuals, and drawn against Don Olivero Pollock, as agent for the militia in the City of New Orleans.

A lengthy litigation follows and the record concludes with a certification, given by the clerk of the court, in the City of New Orleans, on August 9, 1790.

(Signed) Pedro Pedesclaux, court clerk

The plaintiff, in a petition to the court, acknowledges receiving the translation of certain letters of exchange, drawn against Don Olivero Pollock, which he requested in a previous petition, with the proper certification at the foot of them, as well as the judicial declaration he made concerning that matter; and, in consideration that this is purely a commercial affair, he requests that the proceedings be brought before the Intendant of this Province, in order that he may provide whatever he may deem convenient as to what he intends to represent before him.

DOCUMENT 2579.
BOX 59.
(Cont'd.)

(Signed) Felipe Guinault

(Signed) A. Baudin

The court orders that the petition be forwarded to Don Olivero Pollock.

(Signed) Liz^do^ Ortega

Don Josef de Ortega, senior judge of this city decrees as above on August 11, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Don Alexandro Baudin. In attestation whereof.

(Signed) Pedesclaux, clerk

On the same day, it is made known to Don Olivero Pollock. In attestation whereof.

(Signed) Pedesclaux, clerk

The defendant, in answer to the petition of Don Alexandro Baudin, concerning certain letters of exchange, drawn against him during the year 1779, declares: That he never did accept the said letters of exchange, on account of the lack of funds from the issuing parties, nor is he obliged to do it, much less to pay them; therefore, in answer to the last petition of the aforesaid Baudin, he further declares: That the plaintiff pretends that this affair is a matter for the consideration of the Intendant General, consequently, he pleads to his Lordship that, in all justice, he may disregard the petition of the plaintiff as extravagant, and without foundation; condemning the said Baudin to pay the court costs, and to perpetual silence.

DOCUMENT 2579.
BOX 59.
(Cont'd.)

(Signed) O. Pollock

The court orders that the petition be forwarded to Don Alexandro Baudin.

(Signed) Liz^do^ Ortega

Don Josef de Ortega, senior judge of this city, decrees as above on August 12, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Don Olivero Pollock, in person. In attestation whereof.

(Signed) Pedesclaux, clerk

On the same day, it is made known to Don Alexandro Baudin. In attestation whereof.

(Signed) Pedesclaux, clerk

The plaintiff, in answer to the declaration of Don Olivero Pollock forwarded to him by the court, declares that he defers his answer for the present time, and petitions the court to the effect that Don Olivero Pollock be summoned to appear before the clerk, and, under oath, according to law and its penalty, swear and declare: Whether it is true or not that, during the month of December, 1785, the State of Virginia credited him with a sum of more than 60,000 pesos for capital and principal, plus the amount of 23,000 pesos for interest on various sums which he and the American troops owed to this city as well as for several letters of exchange.

The plaintiff further petitions the court that the aforesaid Pollock be prevented from leaving this

DOCUMENT 2579.
BOX 59.
(Cont'd.)

city under any circumstances.

(Signed) A. Baudin (Signed) Felipe Guinault

The court orders that Don Olivero Pollock appear before the clerk, and, under oath, swear and declare as to the contents of the preceding petition, and, once executed, to deliver same to the interested party, together with the record of the proceedings as requested.

(Signed) Liz^do^ Ortega

Don Josef de Ortega, senior judge of this city decrees as above, on August 26, 1790.

(Signed) Pedro Pedesclaux, court clerk

On the same day, it is made known to Don Alexandro Baudin. In attestation whereof.

(Signed) Pedesclaux, clerk

On the same day, the court clerk calls at the residence of Don Olivero Pollock, and was informed by various persons that he left the city yesterday (25th of the current month), and so that it may be evident, he signs this statement. To which attestation is hereby given.

(Signed) Pedesclaux, clerk

The above act terminates these proceedings, and the outcome of the case is not recorded.

DOCUMENT 2580.
BOX 59.

File 1775. Aug. 9, 1790. Judge: Estevan Miro. C. C.: Pedro Pedesclaux. Spanish. 9 pp.	ALEXANDRO BAUDIN VS. GABRIEL DUBERTRAND

To Foreclose a Mortgage

Plaintiff, Don Alexandro Baudin, resident and merchant of New Orleans, through his attorney Don Felipe Guinault, petitions the court to foreclose the property of defendant, Don Gabriel Dubertrand, consisting of two slaves, to satisfy a mortgage in favor of the plaintiff for the sum of three hundred pesos, and submits a copy of the mortgage pledge, drawn by the notary public, Pedro Pedesclaux before the witnesses Don Fernando Mañer, Don Josef Comard, and Don Santiago Lemarie, to substantiate his claim.

(Signed) A. Baudin
(Signed) Felipe Guinault

On Aug. 11, 1790, the court grants petitioner's prayer.

(Signed) Estevan Miro
Postigo

SUPPLEMENTAL PETITION

Plaintiff, through his attorney, petitions the court for a second writ of execution against the pro-

DOCUMENT 2580.
BOX 59.
(cont'd.)

perty of Don Gabriel Dubertrand, claiming that the first writ was lost by the chief constable.

On March 13, 1791, the court grants petitioner's prayer.

(Signed) Esteban Miro
Postigo

DOCUMENT 2581.
BOX 59.

File 51. August 11, 1790. Judge: Estevan Miro. C.C.: Rafael Perdomo. Spanish. 2 pp.	PROCEEDINGS TAKEN BY MADAM MARIE FENOILLAUX IN THE MATTER OF THE ASSIGNMENT OF PROPERTY OF DON SIMON DUCORNEAUD

To File a Claim for Sixty Pesos

Appears in court, in person, Madam Marie Fenoillaux, who represents that in answer to a notification, she claims that there is due her from the settlement of the affairs of Don Simon Ducorneaud (whose property is now in escrow pending settlement with his creditors) the sum of sixty pesos; and, that this debt represents the value of food-stuff supplied to the sustenance of Don Simon Ducorneaux (sic) and his slaves; and, that this constitutes a preferred claim. Therefore, she begs for an acknowledgement from Don Simon Ducorneaux (sic) of this debt, stating that thirty-two barrels of rice were furnished him by the plaintiff for the thirty-two pesos; also, she approves the appointment of Don Daniel Clark as syndic for the creditors.

The above petition is presented without signature because the plaintiff does not know how to sign.

New Orleans, August 9, 1790. In attestation.

(Signed) Perdomo, notary

DECREE: File these incidental proceedings separately and identify them with the assignment pro-

DOCUMENT 2581.
BOX 59.
(cont'd.)

ceedings. Secure deposition from Don Simon Ducorneau (sic), as to particulars, to be taken by the clerk of the court.

(Signed) Miro

Ortega, attorney

The decree is issued by Don Estavan Miro, Brigadier of the Royal Armies, Governor and Intendant of this Province, for His Majesty, and is signed by him on August 11, 1790.

(Signed) Rafael Perdomo, notary public

On the same day the court clerk seeks the whereabouts in this city of Madam Marie Fencillaux to notify her of the decree, and is informed that she has left the city to go to her plantation. In attestation.

Perdomo, notary