

September Term 1817.

Monday 1st Septemb^r 1817

Present

Ch. Justice Monk
Justices Ogden & Reid

Tuesday 2^d Septe 1817.

The King
v
Austin Curllier

} On trial of Indictment
for assault on a bailiff in the
execution of his office —

Geo. Barnard, is a bailiff of the C. H. B. —
on 14th Dec^r last
was out by the Sheriff with a warrant to levy
a certain sum of money on the goods & chattels of the
D^o — he went to the D^o's Counting House, ^{in a room - upon} showed
him the warrant & demand^d pay^t — y^e he replied
says he owed nothing — Mr. then told D^r. that he

must

must seize his goods in part - The D. knew that
his effects were already under seizure - W. told D.
that he w^d. examine if there were any not seiz^d. he
w^d. seize them - D. went along wth. W. to his house
& on enter^{ing} observed to his wife if she meant to let
her effects be seized as there was an officer come to seize
them - & told also to W. that the effects were the
property of his wife - & that he was only a boarder
in the house - showed a ^{Drawer} store of W. took a note
of as not having been before seized - then began to
ex. the effects in lower part of a Cupboard then found
several articles not formerly seiz^d. - The D. then
app^{er}. to be angry - told W. he was young but his duty
ought not to ex. so minutely into the state of
the effects - W. observ^d. that it was his duty &
that he had rec^d. instructions so to do - ~~At this~~
The W. was exam^d. the effects in the lower part the
upper part of the Cupboard was locked - The
W. demand^d. that it should be unlocked - of both
D^s. this wife refused, saying he sh^d. not see
what was in it - The D^s. then proposed to W.
to wait till he sh^d. send for Mr. Beauchien his lawyer
he

he was sent for but could not be found - The
W. then sent Mr Ball his assistant to the Sheriff for
instructions - he returned & told W. that Sheriff
directed them when once in the house to open all the
locks in it - The W. then request: again the Dept
to open the Cupboard, w^{ch} was again refused, & w^{as}
it sh^d. not be opened unless by force - W. s^d. that
he would open it, if not prevent^d. by force -
The Dt. then called to persons below to bring up
cudgels, w^{ch} was done by the Serv^t - & he put
one on each side of the Cupboard - Mr C -
stood in front of the Cup^b. & push^d. back the W.
as he advanced - She at last took up the tongs &
threat^d. to strike him if he persisted in opening
the Cupboard - The W. still persist^d. in endeavour
to open the Cup^b - when he was struck several
times by Mrs C - on the arm & shoulder, &
Dept. called out to her to strike the W. over the
head & split his dam'd head open - and observ^d.
that he regretted that she was not at liberty
or he w^d. do it for W. - The W. obs^d. that he
seemed quite at liberty to do it if he dared

he then took up one of the Cudgels & told his ~~friend~~
Parault to take the other, & he did. The Deaf
lifted up his cudgel & threat^d M^r. to proceed if
he durst - The W^r did persist to open the
Cup^d. & was again pushed back by M^r L
The D^r then called up the Servant man -
who came up & the D^r told him to turn the
W^r out of doors - The man clenched M^r &
endeav^d. to put the W^r out - in the scuffle they
got near the head of the stairs - he then told
the Clerk Parault to take hold & turn W^r out
wh^o Parault did, laid hold of W^r & assist^d the
servant man to put the W^r out - The W^r
heard other persons were called for by D^r &
others did come in - The W^r was dragged near
the front door - M^r shut the door, & called
on Ball to come to his assistance - he came
~~led~~ ^{took} off Parault - when D^r laid hold of Ball
& pulled him down on the floor & scratched the
skin of his neck - The W^r liberated himself
from the Servant man - The W^r then again
took out his warrant & read it to the persons
who

who had come in the mean time, thought they might
be strangers to his business - told them at same
time that it was his duty to enforce the execution
& it was their duty to assist him if he req^d it, and
at same time did require it - they told W^r
he had no business to open locks, but ought to
make his return to the Sheriff - but that he
w^d. not be allowed to put his exertion in force by opening
the Cupboard - That Mrs C - stood before the
cupb. & the others pulled him away from it as
he attempted to open it - The W^r then s^d. he
would go & make a representⁿ. to the Sheriff of the
Case, & retired -

x^o

Rec^d. his instructions from the Sheriff, & also
from Mr Holland the att^y of Mr Aylwin -
does not recollect that any person was present
at the Sale room when he spoke to D^t. except
Ball - Was inform^d. by D^t. that all effects in
the house belonged to his wife - and Mrs C -
also told Mr. that c^t. was in the Cupboard was
hers - that words made use of by D^t. to Mrs
C. were force majeure, le sacre & capre la tite

that several persons were then present - Mr
Carter - Penault, the servant maid - That
it was D. who called up the servants to put
the Mr out of doors, that Mr C. may have
also called them - The first notice he had
of Carter's being there ^{was} when he was laid hold
of & turned out of doors - That Mr C.
told W. that the house was his & D. had
no property in it - That W. gave his notes
on this business to Mr Rolland who he understood
was the lawyer of the Plaintiff to put his deposition
in form -

William Carson Ball - is a bailiff of R. B. - on
the 14 Dec. last he went to assist Mr W. to
execute a Writ. of seizure of the goods & effects of
D. - saw D. at the Sale room of M. C. Currier
& Co where Barnard spoke to D. - The Mr
was then sent to house of Barnard for list of
effects already seized belong to D. - when he
returned he found B & C. together - That they
all went to D.'s house, went in, where
D.

D. told Mr. C. that their pursuers had come
to seize his property - she replied that she wd
not suffer it - B. i. e. he meant - only seize what
had not already seized - & it was meant that a sofa
was not in the list - D. said that Mrs. C. had
purchased it herself - B. sat down at table &
began to write down a list of some things - after
gt. he went to the bottom of a Cupboard where he
was looking for articles - Mr. C. was by - after
looking below - B. wanted to look into the upper
part, gt. was locked - & Mr. C. refused to open
it - when B. sent Mr. W. to get ^{Philp's} instructions
who told Mr. W. if they were in the house quietly
they were authorized to open the doors & seize all
that was in it, and to tell Mr. C. so - then
Mr. W. told this, when ^{D. & Mr. C.} they still refused to
open the Cup - & it sh. not be opened unless it
was done by force - that B. i. e. he wd. open it
unless prevented by force - that upon B.'s
proceeds to open the Cup - Mr. C. took up a
tr. tump & struck B. on the arm w. it - that
B. still persists to get at the Cup. then
D. went to the head of the stairs & called to
the

The servants, when a man came up & bro't
a couple of clubs of- were put in the room
near the Cupb^d that D^r. told the man to put
B- out of doors - thinks that D^r. spoke in french
the man laid hold of B- in order to put him out
after scuffling a little not being able to put
B. out D^r. rided Penault to assist - that
D^r. & Penault had before this taken up the clubs
of- had been bro't up - B^r. then called on W-
to assist as the man & Penault were likely to put
B. out - the W- laid hold of Penault, when
D^r. laid hold of W- & pulled him down on the
floor - & scabed^d him a little behind the ear - at
this time several others came in - one of them was
Mr Cartier, the other the W- does not know -
B- then read his warrant to the persons present &
called upon them to assist him in executing it - they
refused - upon this B. went up again to the Cupb^d
to endeavour to open it, & was prevented by several
persons from doing it - seeing it was impossible
to execute his warrant. B^r. & W^r. so & made his
report to the Sheriff, & both went off out of the
house

house -

7.

Does not rem. to have seen any other person in the house when they went in but Mrs. C - understood D^r. then told Mr. C. that the Bailiffs were come to seize her effects - Mrs. C. s^d. she wd not have her effects seized, that she would rather let Mr. Deylin & w^d. not leave her effects seized, - B - s^d. it was his instructions to seize the property in that house when B - sat down to the table to take note of the effects, saw no person in the room but Mr. & Mrs. C - Perault - B & W^r that D^r. said if he were in Mrs. C - he would not allow the effects to be seized - Thinks that Mrs. C. told B - he had no right to open that Cupboard - and that when Mr. C. pushed B - away it was to prevent him from opening the Cup^d - Heard D^r. say to Mrs. C - Je ne does not speak French, but understands it - Thinks that the clubs were bro^t. up by one of the servants - also that this was after the tongue had been used - That it was after order given by D^r. that B. was laid hold of - that Mrs. C. might also have given similar orders - that Mr. C. laid

laid hold of Perant to prevent B- being turned out, D^r upon this laid hold of W- & pulled him down wth violence -

When the evidence for the Crown was closed

The J^{ps} contended that Prosecution must fail as to the assault on a public officer in the execution of his duty - as no written warrant had been given in evidence -

1 East. 309¹⁰
§ 38 - The Court were of opinion that the production of the Warrant was necessary & therefore charged the Jury to discharge the P^r -

Verdict for Def^t. Not Guilty

The King
on
James Robertson
alias Alex. McBeath

On trial of Indictment for
Forgery - 7. Geo. 2^d.

1st Count - for forging -
2^d for uttering -

Samuel Hatt, being bro^t. up to prove that his name had been forged to the bill in question the Counsel for the P^r objected to the sufficiency of

of the evidence, - cit. case King v. Russell
Leach. 10 - M. Nally - p. 24.

Whom rejected -

Geo. Moffat - knows Mr. Samuel Hall of Frambley
who last year had monies in the hands of the
firm of Gerard Gellerpie & Co. has seen
him write, and has been in the habits of
corresponding with him & paying his drafts -
In Law. last the P^r came to the house with
a draft - now shown to Mr. G^r - he presented to
the Mr^s for payment - The Mr^s looked at
draft and told P^r he did not believe the
signature of Sam^l. Hall, there was of the
handwriting of S^r. Hall - the P^r said it was,
the Mr^s asked him if his name was Jas. Robertson
- he thinks he is, it was, - the Mr^s repeated to P^r
that he would not pay the draft - upon this
the P^r told Mr^s that he had come to town with
Mr. Hall's horse and Carriage, & was going to
return immediately, and told Mr^s if he w^d
not

not pay the draft to give him a line to Mr
Hatt on the subject - The W^r kept the draft
and told P^r that he would communicate w^t
Mr Hatt on the subject - That the
signature to the P^r Draft nor the body of the
draft is in the handwriting of S^r Hatt - has
no doubt on the subject -

X^r

Has seen the P^r before, he then passed by
the name of Sandy or Alex^r - he was then
in the service of one M^r Grae - That James
Sergeant and Rich^d. Gerard were in the
Counting house at the time the P^r presented
the draft - The P^r did not appear to be
under any alarm upon being told that it was
not the signature of Mr Hatt -

That within half an hour after the W^r applied
at the Police Office & got a warrant w^t P^r
and had him arrested in a house near the
Queen's barracks - That after the P^r was
arrested he called W^r aside and asked him
to forgive him, w^t W^r P^r he could not, as it
did not depend upon him -

John Samson - Clerk in house of Gerard & Co
of Montreal - has seen Mr Saml. Hatt
of Chambly write, and has seen letters
written by S^d Hatt to S^d House of Gerard & Co
and according to the best of his kn. believ
the paper now produced signature thereof
are not of the hand writings of S^d Hatt -

Evidence closed for Crown -

Defence

Samuel Hatt - Does not kn. a person of the
name of Jas. Roberson - That P^r lived wth
W^r. his name is Alex. M^r Beath - considers
him an honest man - The P^r had been out of town
some time before Jan^y -

J^r. Marie Mondelet - says nothing -

Jacob Marston - The P^r - when before the Police Magistrate,
offered to go for the man, Jas Roberson, from whom
he rec^d. the draft, but was not allowed - there
was some gentleman present at the time who
described

described such a man as Robertson - That P^r was not allowed to go in search of -^d Robertson

William McGee - W P^r who lived 2 months wth Mr^r as a servant - always considered him as an honest, faithful servant

Edward Cooper - The P^r lived 2 or 3 months in his service as bar-keeper while Mr^r kept a Tavern, & he had the charge of all the cash effects & furniture of Mr^r & Mr^r was always satisfied with his conduct -

Knows handwriting of P^r and draft now shown is not of his handwriting -

Verdict. Not Guilty

The King. }
J^r Fran. Caron. } on till Tuesday next

The King }
Jos: Dubreuil } On trial of indictment
for assault wth intent to
commit murder -

Henry Bertan - aged 15 years - N^o. P^o - about
the end of April, about 7 o'clock in the ev^g. he was
seated on steps of our Tourne in Montreal with
Jos. Jeffries & Wm. O'Brien - the man app^o. to be
drunk & was singing like an Indian. he passed
the W^o and in passing gave him a ^{stab} cut with a
knife under the eye, without saying any thing
thinks it was the P^o, but is not very sure,
but judges from his countenance it is the same
man -

Joseph Jeffries - N^o. last - W^o - O'Brien end of April
last, when he saw him at end of Notre Dame
Street

Street, when the P^r passed, wth a blanket-coat
& a small bundle under his arm & a knife in
his hand - he saw the P^r give a blow to Bertan
but did not see the knife - went up to the boy
and saw his face & hand covered with blood - the
boy followed the P^r wth W^r. They lost sight
of P^r for a short time, - went to house of P^r
where a woman told them that P^r had just come
in & from the manner in w^{ch} he came in he had
been doing something wrong - the P^r denied
having struck Bertan wth a knife, & that he
had a knife - but W^r saw a knife picked
up where P^r stood - The P^r is the man who
had on the blanket coat on & whom W^r charged
wth striking boy, but cannot see, it is the same
man who struck the boy, other than from his
dress, having a blanket coat on, a bundle under
his arm & some kind of hat on & being a
little drunk -

x

The W^r was distant about 30 y^ds from Bertan
when P^r gave the blow, did not see his face
at

at time, and judged from the dress only that P. is
the same -

William Boyer - his P. since end of Apr. last when
he passed W. in Not. Dam. Street - did not at
time take notice of his face, but only his dress
supp^d it was about 1/2 past seven - W. was wt
Iffris last W. he met two boys. & he made a
thrust at one of them, the boy avoided the stroke
the P. then passed on & struck at another boy
further on when W. came up he saw boy covered
w. blood - it was first W. Butan - he followed
the P., & the W. followed after - he came back
to W. that the P. had gone into a house, the W.
went after him & asked a woman if a man had
come in, she asked if it was her husband they wanted
the P. came out at same time, when W. recognized
him - the P. was arrested - was carried to Mr
Delish's, when a knife fell from P. Has no
doubt but P. is the same person -

x

That W. recognized the P. again from his dress
and

and appearance, but not from his countenance

Verdict - Not Guilty -

The King
vs
George Greaves }

On trial of Indictment for
stealing cattle -
over to the 9th - inst -

Wednesday 3rd Sept 1814. -

The King
vs
Laurent Bourgois
Antoine Vaudry }

On trial of Indictment
for Burglary. -

Shaw Armour, merchant in Montreal, that
in Feby. last on Wm Clarke, was a clerk in his
store - In the morn^g of 3rd Feby. last between
2 & 3 o'clk, he was awake by a noise as if a person
was breaking in at the door or windows of his auction
room, on looked out, saw a person coming from
the

the opp. side street w. a blue coat & fur cap - coming
towards the door of the auction room - & the noise caught
he got up - & awoke the clerk & told him to arm himself
as someone was breaking the door - he & clerk went
down stairs, still heard noise - told clk to secure
first person he found - opened the door & saw two
persons at the door, one in a drab coat & the other in
a blue coat - they both run off - the W. fired a pistol
at one who had a drab coat - one of them run up
the N. W. street - & the other went down by the River
side - pursued the man who went down by the
River side - when he fired his pistol the man w.
the drab coat fell, but got up & run off towards
the river - the Clerk run before W. & got near the
person & came up w. him at the corner of the
small street leading to the river, the P. had fallen
& the Clerk standing over him & the P. app. to have
rec. several severe blows, & when W. came up he
also gave him several blows w. his pistol on the
head - he told the P. to be quiet, or he w. give him
more - told clk to alarm neighbourhood & he w.
take care of P. - Clerk ^{went off &} knocked at some of
the doors, the P. began to stir - when W. called

to Elk to return, but before Elk got back the P^r
had got up and was running off. Havs. thrown down
W^r & got clear of him - returned by the same
route he at first took, went up by Walker's
lane & by the N. W. Street. It was light, but
could not recognize the face of P^r. That after
~~when~~ the P^r was apprehended, the W^r saw a coat
taken out of a trunk in the P^r room, of- resemble
the coat the man had on the night he escaped -
the coat was shown by Mrs. McMullan & another
woman who lived in the house - when P^r is copied
from W^r he ^{saw} left a shawl & glove ^{lying on the ground} ~~behind of~~
~~W^r picked up - is the same shawl & glove now~~
~~shown~~ ~~they~~ which the W^r thinks had dropt
from the P^r they were picked up by one Mr. Laughlan
as W^r ~~understand~~, on his return him directed Mr. Laughlan
to the place where he w^d find them - he bro^t them
to the W^r who deliv^d them to the police office - & an
oath now produced - When the W^r first went out
to pursue P^r he did not exp. the door pent^d, but observ^d
it had been nearly forced - when he ret^d he exp^d the
door, found a chisel stuck between the folding door
which

3 hooks & bolts
which were fastened by ~~bolts~~ - the opening was so
far effected as that a person might have put in
his hand between the doors - the hooks were not
deranged - When the P^r Bourgois was brot
to the police office there was found in his hat a
pair of gloves, w^{ch} were not fellows, some of w^{ch}
corresponded wth the gloves w^{ch} had been picked
up in the street the night in question - He leased
the house of Mr Grey in February last - ~~When~~
~~the P^r~~ that on the 4th day after they ex^d the body
of the P^r in Gaol and found some contusions
on his head and also one on the arm -

Then the Council for the P^r before cross-exam^d
stated, that no suff^{ic} breaks & entries had been proved
therefore the criminal part of the accusation must
fail, unless the Att^r Gen^l will offer to produce
further evidence of the entering as well as of the
breaking - The Att^r Gen^l stated that he
considered the evidence sufficient to go to the
Jury, but begged leave to examine another w^{ch}
to the point before the case was submitted to
the opinion of the Court - whereupon

William Clarke lives w. last W² last Feb^y - when the
door of house was forced - that when door was
ex^d. it was found that one tip of the handle of a
Chisel was forced in between the folding doors -
when the chisel was taken out the door sprung
to - that the opening between the doors was large
enough to have admitted the hand of a person
between them, but does not think that the person
could have made any use of his hand had he introduced
it by this opening -

Then the Court charged the Jury that the
offense was not made out, as to the entering
respecting which there was no proof, and
therefore directed a verdict of Not guilty
to be returned, which was done -

The King
or
Jos: Verdou
In B^{ty} Alexandre } On Trial of Indictment for
Grand Larceny. —

Jos: Larcheveque of the parish of Sault
aux Recollets - does not ten. P^m about the 5th or 6th
Dec. last in the night his milk house was —
broken open - hav^g. heard his dog bark once he
got up went out & saw a man at the door of
his milk house, he asked him what he wanted
there - he r^d. he was waiting for his comrades. The
W^{re} r^{nt}. into his house to dress himself & on going
out again the man was gone - he pursued on horse
back and came up with a sleigh at the door of
the house of one Poirrier when it had stopped in
it - was surdy of his effects of - had been stolen
viz^t. a quarter of beef, a linen & blanket of value
to the articles ment^d. in the Indictment -

Nicolas Poirrier, lives in the par. of Sault aux Recollets
Sec. the p^m seen the 5th or 7th Dec. last - when they
came to his house - it was about 8 or 9 o'clk at night -
w. a horse & sleigh, asked for someth^g to eat - asked
for

for something to eat - of Mr. gave them - they also asked
for rum, gave them a demijon - that they went
away with: Lewis paid, his man run after them pulled
off one of their tugues, of he kept - they then came
back & offered a triped for the tugue of. he refused
it was the P^r. Alexandre who offered the triped.

Thinks the P^r are the same persons who came
to his house -

Frans. Corbeil lives in Montreal, he P^r saw
the P^r ^{Vredon} last winter go into a milk house
in the parish of Sault aux R^e - he had a horse &
sleep wth him, did not see him take anything
out - does not kn. who lived in the house wth of -
the milk house belong^d - it was the house next to
that in of. Sr. Larchevigne lived when W^r lived
wth him about 18 or 14 years ago - that W^r was
at the house of Vredon's father, when he came home
about 4 of the next month - he had a train, with
a quarter of beef & other things in it of. the W^r did
not examine - that after Vredon ret^d home to
his father's house, the W^r went wth him to the

Mountain

mountain & then concealed sundry effects in
the cellar of an uninhabited house - then was
traces of butter & a godendard or long saw

Louis Filiatrau, lives at Terrebonne, N. Br. Poirier
the W^r who has been heard - saw the J^r Alexandre
at the house of S^r Poirier about 8 or 9 o'clock of the
6th or 7th Dec. last - that the W^r ran after a person
and took off his cap of - he bro^t - back to the house
the J^r Alex^r returned with tripped to release the
Cap. -

The Prisoners offered to evidence in their
defense, upon of the Att^y Gen^l was req^d to
state the points upon of - he expected a verdict at
the pris^{ms} this was objected to by the Counsel
for the Pr^s as he had no right to comment upon
his own evidence. - But the Court held
that the Att^y Gen^l had such a right -

Verdict - Jos Vredon - Guilty of plb^l larceny
J^r Alex^r - Not Guilty

The King
Edw.^m Sidney

On trial of Indictment for Grand
Larceny.

Benjⁿ. Street, Shoemaker in Montreal
100 P. since January last - about 29 or 30 of that
months he applied to W^r for work, saying he had
no money and wished to be employed to earn ^{by his} work
money, enough to carry him back to Baltimore
where he lived - The W^r told him he had not work
for him - He ret^d next morn^g, when W^r agreed to
give him work - but told him he must wait till he
had served the other man first - while doing this
the boy came to call him W^r to dinner, the W^r
told the boy to stay in the shop till he returned
& went to dinner, was absent about 1/4 hour, when
he ret^d & found no one in the shop - the boy
came back in a few minutes w. a bottle drum &
told W^r that after he had gone out to dinner the
P^r took 1/4 doll^r. from the desk of W^r & had sent
him the boy, named Johnson for rum - the
W^r found that the money he had left in the
desk when he went to dinner was carried
away, to the amount of 60 or 70 dollars -
in

dollars & half dollars - there was among that money a $\frac{1}{4}$ doll^r of^r he had burnt, & which he found afterwards upon the P^r - there was some dispute some days before this at his shop respects the quarter dollar, some said it was an English shilling, and the W^r burnt it in order to shew the pillars - The W^r went after the P^r w^o our Fitch to Laprairie & found upon him $29\frac{1}{2}$ doll. among of^r was the of dollar in question - The P^r on the way back to Montreal acknowledged he had taken the money, but that was all he then had of it having spent the rest -

Joshua Johnson, aged eleven years, after being previously admonished by the Court was sworn - lived w^o our tent last winter - saw the P^r there, the W^r came to the shop to tell Mr Street to go to dinner, when Street told W^r to stay in the shop till he came back - the P^r was then in shop w^o W^r & after Street was gone the P^r went to the desk took out a quarter of a dollar & gave to W^r to go for some rum - the W^r refused
say)

says he must not leave the shop, upon this the P^r
threatened to whip the W^r if he did not go, the W^r
in consequence went for the rum, and was absent
two minutes, and when he came back with
the rum the P^r was gone - and he found only
the foreman in the shop -

When Mr. Street came back from dinner
the W^r and foreman were in the shop

Wm. G. Fitch - some time in Jan'y. last he went
into Mr. Street in search of W^r who he said
had robbed him of some money - went to
Laprairie after him, where the P^r was found
they took him & bound him, & found in his
pocket £7. 17. 6 - they put him in the
sleigh about him over to Montreal - the
P^r at first wished to escape & was very troublesome
of - was the cause of his being tied - On
the way across the River the P^r said that he
was sorry for what he had done, and
acknowledged that he had taken the money
upon this Street asked of P^r what he had
done

done with the rest of the money, Mr. P. said it was all he had taken of - had been found upon him - Street then told P. if he would confess where the rest of the money was it would be better for him - he then told Mr. W. that he had spent part of it on this side and part on the other side of the river, - When he took the money out of the prisoner's pocket Mr. W. observed a $\frac{1}{4}$ doll. of app. blackened of. Mr. Street said he recognized as having been among his money in his desk -

Evidence for the Crown closed

Defence -

Rufus Spottsburg. W. P. for 3 years past nearly - considered him an honest man - W. the W. Street - has drank Cigew w. him in his shop -

Pierre Leroux. W. P. since end of Aug. of last year, worked with W. about 2 months at one Mellett - That Mr. Mellett occasionally had large sums of money at his shop -

and the P^r had access to that money - but no
money was ever missing from Mr. Milotte's

Verdict: Guilty -

The King }
" }
John Spratt } On trial of Indictment for
Burglary -

In P^r de ferre, 1st house where Martin
Cheney lives in Montreal, during last March
Term about 2 O'clk in morn^g. he saw a man
standing upon a chair with both his hands
in the window of the Shop of Martin Cheney
when about 6 or 8 yd^s from him he came down
from the chair, ^{& run off} the W^r observed him to be a strong
built man wth Sailors dress - when he came
opposite the shop something struck at his foot
& he then observ^d. that the shop had been broke
open, called the people up, and they pursued
after the person - they came up with the P^r
at

at one of the ports of the Old market house,
they seized him & carried him to the Police
office - believes that P^r is the same person
he saw standing at Cheney's window, from
his appearance and dress - That from the
time he first saw the man at the window
until the P^r was arrested, it might be from
10 to 15 minutes - The P^r made no resistance
as he had been turned out of a public house
for being drunk and had been to sleep on
the benches of the market place -

X.

Carried the P^r to Mr. Cheney's, where he was
charged with the crime of breaking the house, he
denied it -

Samuel M^cClure - in march last lived at Martin
Cheney's, in the course of night was called up
by a watch w^m - called out that the shop was broken
open, he found the shutters of 2 windows
moved up in such manner as to allow a person
to take out several articles - the w^m the even' previous
had shut up the windows and doors of the shop
by bolting & locking them - before described
the

the person he saw at window as a strong
built man in a Sailor's dress - & on searching
they found the P^r on one of the benches of
the old market, when they arrested him as
being the man, and from the description
before gave of him the W^o. have been
induced to arrest the P^r as answering that
description - The P^r was stand^d at the side of
one of the stalls, not seemingly concealed
that they found at some distance from the
P^r on another stall sundry articles ofⁿ had
been stolen out of the shop tied up in a
bundle - The P^r made no resistance
but went along with Mr & Mr Lefevre -
speaks to the 2 razor cases & razor, 2 pairs
of Candesticks, several seals found in the
bundle as being the property of Mr Cheney
& stolen that night out of the shop -

Cannot say when he last saw ^{at Mr Cheney's Store} the articles
now shown - that there are figures on the back
of the razor cases of are in the handwrit of
Mr Cheney -

Griff

George Willard lives nearly opp. to Master
Cheney's of Montreal - was called up in the
night in the month of March last - he came out
and saw Lefevre - who told W. that he had seen
a stout man, square built, in a Sailor's Jacket
w. some white spots on it - at the window of
Mr. Cheney - went in search & found P^r - under
the market house, he fixed upon him as the
person from being alone, but would not
have fixed upon him had he been with several
other persons - found several articles in a hkt
tied up, on a bench at some distance from
the P^r -

P

There was a number of discharged
seaman in the streets of Montreal at that
time, who had come from Kingston -

Defence

George Owen Radford - Quaker - P^r has been in
custody since 4th March last - during of- time
he has conducted himself very orderly

Verdict - Not Guilty -

The King }
Daniel Burns } on trial of Indictment for
Grand Larceny -

James Farrar, lives in Montreal, N. Br
for 4 or 5 months - Saw him at work at house
of Johnson Holt - on 19th July last a person
in his house called out that a person was taking
away a coat of - did not belong to him - Mr
looked round saw P.^r putting on a coat and walk
away, having a long pipe in his mouth - Mr
W. followed him & charged him w.th steals the coat
he at first denied it, upon w.^{ch} W. went to the
place where the workmen were employed when
the coat was taken & being informed by one of
them that he had lost his coat, Mr W. told him
to come along w.th him & he w.th show him the man
who took it - The owner of the coat went along
w.th W. to the P.^r and being again charged with
steals the coat & demanded to return it, he
went to a place, where it was concealed under
some stones and gave it up to a the owner

a man of the name of Shaw who was one
of the workmen employed at Mr Holt's -

Noah Shaw is a Carpenter - and worked at
Mr Holt's in July last when the P^r used to work
& attend the Marrows - he lost his coat one morn
and after searchs, the last w^r came up with
P^r told him he had found the man who had
taken his coat - They both went wth the P^r to
a place behind Mr Holt's building, where he
took the coat from among a parcel of Stones
and returned it to Mr - It is worth five
dollars -

X

When P^r was charged wth taking the Coat, he denied
having taken the Coat, but said he could show
him where it was -

Deference

James Allen - one of the Jury - has known P^r
about 2 years - when in liquor seemed deranged
but never heard any thing of his character

Louis Loney - has known P. about 3 1/2 years
has lived in house of M^r never heard any
things of his character -

Guilty of Petty Larceny

Thursday 4th Sept 1814.

~~The King.
Geo. Hanley } On trial of Indictment for an
assault~~

~~The King.
Dom. Minicouche } On trial of Indictment for
stealing in a dwelling house to
the amount of 40/-~~

Charles Rivers, keeps a store in Montreal
He P. on the 18th July last the P. came into
his shop & asked for some stuff to make trousers
such stuff was shown him & he purch. what he
wanted - then asked to see some french cambric

he bot $\frac{1}{2}$ yard of it - the Mr turned round
to enter the money he rec^d - staid a bit in the
store to ask what of look it was - saw P^r take
a silk shawl, fold it up, then took out his
pocket h^{at} & laid it over the shawl & then took
up the h^{at} & shawl & put them in his pocket -
Mr. sent shop boy to call Mr Symes, who came
down the Mr. then told him the P^r had stolen
someth^g - pulled the h^{at} out of his pocket &
shewd in it - the P^r wished to escape, then
wished to compromise the matter, fell on his
knees offerd to give 20 or even 50 doll^s for
the shawl - this the Mr. refused. and told P^r
that he had reason to believe that he already
robbed him, the P^r then s^d to him he wd tell him
the whole, & ask how? that he had taken h^{at} &
2 doz. silk pocket h^{at}s. 2 pieces lace & one large
shawl - Mr got a search warrant - went wth P^r
to his house & then found ^{about} 2 doz. silk h^{at}s.
q^{ty} values 3/ each - a large shawl 20/-
five pieces ribbon, worth 20/- one odd silk

Stks. value 3/- ^{silks} two Scarfs value three
things he believes to be his property & to have been
taken out of his shop ^{q^r} is part of his dwelling
house in Montreal - the articles so found the
M^r deliv^d to the Police Office next day

X-

It has been several years in the Country - does
not speak french well, can sell his goods to
his Customers in his own french - There were
silks shawls & several other articles on the Counter
when the P^r came into the shop - the P^r took
out his purse to pay for what articles he purch^d -
the P^r might have dropt his key on the Counter
while taking his money out of the purse - M^r
had reasons three weeks before to suspect P^r from
having seen him at the time M^r came down stairs
push his hands down in his pocket & slaid into a
corner behind the door, also his coming frequently
and purchas^d a single silk key at a time -
Does not remember hav^g suspected any person
at Quebec - rem. hav^g shewn some articles to
~~two~~ ladies there, & after the Ladies were gone, he
missed

missed one of them, & said so, but he did not
suspect any of the Ladies had stolen the article.
Believes from the manner in wh^{ch} the shawl
was taken by P^r that he meant to steal it - it
might have been done by mistake - The
P^r s^d he would send for a constable upon finding
the shawl in the p^r's custody, & before he confessed
having taken other articles, & the P^r said he
would tell what he had taken and begged of
M^r not to send for a Constable, and upon
this ment^d what articles he had taken - That
while P^r was in the house, two women came in, one of
whom s^d she came for her Lumb and - did not say
to that woman that he suspected her to be an accomplice
of P^r - took a shawl from one of women, & gave her
another in lieu of it upon the P^r's acknowledgment
that he had taken it out of the Shop - P^r was in
habit of frequent^s Shop for 6 months before, purch^d
diff^t articles for wh^{ch} he p^d of same description as
those now produced, but of the Shop - he never
purch^d more than one at a time - cannot
swear that R^s now shewn were stolen out of
his

his shop, ^{otherwise than} from news had similar articles in the
shop - upon the wife of P^r inquired what w^d become
of him, if he w^d be hanged, the W^r said it was possible
he might - W^r before this time had sent similar
goods to auction -

John ^{Rybr. Naph^e} Sympson, was clerk to last W^r for 5 or 6
months - has frequented Mr Rivers's store and
asked for st^k h^{ts}, st^k st^k leave - w^d buy separate
h^{ts} at a time - that Mr R. told W^r some time
before that had had suspicions of P^r - but W^r saw
no cause to suspect him, he always behaved well
laid out a good deal of money at store, but would
however have an eye upon him - on 18 July Mr
R. sent for W^r who came down stairs when R.
charged P^r w^d have stolen something from the counter
the P^r appeared, confused R. pulled the h^{ts} out of
his pocket & s^d. there's my property - the P^r attempted
to run - was prevented, when he fell on his knees
to bewail himself, that he had a wife, & begged to
be let off - R. s^d. he would not, that he knew he
had robbed him before & he w^d make an ex. of
him - the W^r asked of P^r how many h^{ts}
he

he had taken, he s^d. two dozen - also two
pieces of lace - still begging to be let off - R
told him he could not let him off, & W. went to
police office where he got a warrant & the
P^r was committed - a search warrant was also
obt^d - and W. & MR - & some others went to
the house of P^r - accompanied by P^r - when they
found in a chest of drawers or Case a number
of articles among q^t - were Silk h^{ts} - q^r. MR
said were his - went into another room and
under a bed there were some baskets cont^s -
several articles such as lace, h^{ts} & the like
q^t - were deliv^d. to the Constable ^{John Ball} to be car^d to the
Police office - a womⁿ - in the house, who W
took for the wife of P^r - pointed out where the
articles were - in the presence of P^r - Found no
marks upon any of the goods found except upon
one piece of ribbon, q^t has MR - 's mark on
it in his handwriting - There was an odd Silk
stock^s found in the house, q^t. W. carried home &
found the fellow of it in the shop - The
Silk h^{ts} had no mark on them - nor did

the

The P^r acknowledges that the hats found in the house of the P^r were the identical hats which he had stolen - the P^r was in the house when they were found & claimed by M^r R. - as his and no hats been stolen from

7 -

It has been w. M^r R. for 12 or 18 months, has the superintendance of the shop & keeps the books there is another boy who also attends the shop - has sold to P^r articles similar to those now shown sold him a Vail, for 1/2 he thinks for 10 dollars cannot say that the articles now shown were missed or stolen by the P^r only from the similarity of the articles, the confession of the P^r believes them to be the property of M^r Rivers -

John Bower - the P^r for a year past - on the 18th July last recd. a search warrant to search for stolen goods in house of P^r - the P^r was present, also the 2 last W^s - the articles found he kept till next day & deliv^d them to the Clerk of M^r Moudelot at the Police Office -

The effects were found in an inner room, the
P^r

P^r remained wth M^r in an outer room, & did not acknowledge that the articles found had been stolen by him —

Peter Georgan, Liv^r. wrote Mr Rivers in July last, that P^r who came frequently to the shop — On 18 P^r month was present when articles were found on P^r of which had been stolen — Saw M^r R^r take a shawl out of his pocket — & claimed it as his property — The P^r made no answer, but made towards the door as fast as he could in order to get out — M^r R^r laid hold of him & brought him back, the P^r fell on his knees begged not to be sent to Gaol — offered money to M^r R^r — to let him off — M^r R^r — s^d he did not want his money but wanted him to tell him what things he had taken from him — The P^r s^d he had taken nothing — M^r R^r — s^d he thot. he had taken things and that he would send for a Constable — The P^r s^d if M^r R^r w^d let him go he w^d give him all the money he had about him, his watch & a note for 50 dollars & w^d return all the goods he had taken

taken from him, That Mr R- s^d nothing to the
P^a - to induce him to make any confession, except
his say^s. That he w^d. send for a Constable - The P^a
confess^d. he had taken 2 doz Silk h^{ts} - in 2 pieces, & in
each piece - a large shawl for his wife - when
Mr Symes was gone for a Constable, the P^a told Mr
that he w^d. be called to give his evidence in Court, & if
he did not say that he had bot^d. a great many things
at the Shop, he the P^a w^d. be hang'd - The W^a. said
if he was called to Court, he would tell the truth -

x²

The P^a has purch^d. similar articles, to those now
produced from the shop of Mr R- & p^d for them -
That a Silk shawl when rolled up is very small
& a man by throwing his h^{ts} over it in taking up the
h^{ts} might easily take up the shawl w^o it & put
it in his pocket - The P^a was in fear of going to
Gaol, & thinks the p^a might have confessed what
he did to Mr R- in order to avoid going to Gaol, -
but cannot say what passed in mind of P^a

Germain Lenoir & Rolland - W. J^r. In about
18 months - he was a soldier in Waterville
Ri^gt - he had articles to sell, and has seen the
P^r purchase ^{from the americans.} articles similar to those now shown
in the old market - has seen him with -
k^{ts} in pieces - Always considered the
P^r as an honest man - Has been at the
house of P^r - where he has purch^d articles from
him -

Anglique Gelineau, W. P^r & McKiver - was at
ship of W. R. w. wife of P^r on 1^o July last
about 8 o'clock in the evening - W. R. took away
a shawl from wife of P^r saying it was his,
& gave her another in room of it - charged W.
as being an accomplice wth P^r - was at the search
made 2^o day at house of P^r - saw W. R. take
away an article, ofth wife of P^r had bot. the day
before - W. P^r used to sell goods - & such as those
now shown - gives a good character to P^r -

Marie Valliere - Has known P^r since last fall
used to sell goods such as those now shown
& W. herself used to sell for P^r -

Jacques David - has kn. P^r since last fall, has met
him wth goods in the Country of^{ts} he was selling
such as those now shown -

Ju. P^r Dominico - 16^r P^r 5^y years - is an Italian
& serv^d in the De Wittwill Reg^t - was well
estimated in the Reg^t - serv^d 4 years as a servant
to the same person the Captⁿ of his Coy - & since
he was disch^d - has been a pedlar -

Dominique Broucher - 16^r P^r Ju 5^y years
was in same Reg^t wth him - Same evidence
as last W^r -

James Fraser - 16^r P^r Ju 10 months - has after
purch^d goods at his auction - has lately
& in July sold him silk goods - does not
recoll^d have sold any silk h^{ts} such as those
shown - Has bot. to amo^t. of £70 sup^r
& always paid well, & W^r consid^r him an
honest man -

John Lowder - 16^r P^r W^r lived clk with Mr
Cuvillier - has seen & buy sundry articles at
Mr. Cuvillier's -

Mr Osullivan. The Counsel for the P^r objected to the sufficiency of the evidence on the Capital part of the charge as it cannot be made out without admitting his confession as sufficient evidence - of - cannot be considered advisable from having been given under circumstances of menace, and the state of mind the P^r was in at the time -

The Court charged the Jury that the circumstances of the confession were not such as to reject it, but left the same to the consideration of the Jury - That the Capital part of the charge could not be made out without giving full faith to this confession in regard of the other articles besides the shawl of: the W^r Rivers saw the P^r take, namely the 2 doz of handkerchiefs - but there were 2 objections to this part - 1st - the confession if taken to the full extent, did not admit, that these hkerchiefs were stolen out of the dwell's house - and 2^d. they must have been stolen at some other & different period from the time of the stealing the shawl - and it was a principle, that a number of petty Larcenies committed

committed at diff^t times could not be united
 so as to form a grand Larceny, nor could
 several grand Larcenies committed at diff^t
 times be joined together so as to form a capital
 offence - The O^r therefore if guilty at all
 could be guilty only of a simple grand
 Larceny, or a petty Larceny accord to the
 value they might put upon the articles -

Petrie's Case
 1 Leach's Co. 294. -

Verdict ^{of} ~~of~~ ^{Equity} Stealing to the Value
 of 18^s. St. only, in the Dweller's Home

The King

v.
 Wm Billingham
 Edw. Owen -

} On trial of Indictment for Sheep
 Stealing -

Javier Normandier, hab. St. Luc. that
 last winter ^{about-christmas} ~~from~~ ^{13th Germay} Jean Dupont came on night
 to tell the W^r that he had met three dragons
 with one of his eyes on their back, asked
 him

him if he missed any of his sheep - This was
about 11 or 12 o'clock, & the W^r took a lantern &
on exⁿ. found one of his sheep was missing - That
he immediately set out after the thieves to St. Johns,
as he was arriving near the guard-house, he met
two persons carrying something like a sheep of
had been killed - Next morn^g went wth Mr. McCrae
the Justice, to the Capt. of the Comp^y, upon exⁿ the
Capt. promised to make enquiry, but noth^g was then
found, - before he left home he found a piece of a
suspender wth some of sheep's wool attached to it, of
he also shew^d Capt. - who again exⁿ the men of the
Co^y. and found one of them wth half of a Suspende
and ask^d the soldier what was become of the other
half - the sold^r. ret^d. wth the other half when the broken
part was united wth the piece of W^r head, it matched
exactly - the sold^r. was put under arrest - That
next morn^g. Mr. McCrae told W^r. that the Sheep & the
skin also of the Sheep had been found, on examⁿ
the skin the W^r. s^d. it did not belong to him - That
upon further search he found the skin of his Sheep
in the river - The sheep was worth 15/-

Jean B^{te} Gervais & Dupuis - R^e. Last W^r. That
there are 5 or 6 houses between house of W^r. and
trial

that of Normandin - That on the night of 27 Dec
last, he saw 3 dragons pass his house one of ^{wh}
had a sheep on his back -

Henry Millward - Soldier in 19 Drag^s - was quart^r. last W^r
at St Johns - W^r P^m who are of same Regt - one
Sunday night he went out wth P^m about 9 or 10 ^oclock
saw a sheep same night bro^{ught} to the barracks by the
P^m he accomp^{anied} them for about a mile, when
Owens carried the sheep - they killed the sheep
when they got to the barracks & was then assisted
to kill the sheep - it was of a dark colour - That
Mr cannot tell from what place the sheep was taken
as he was in liquor at the time - Was induced
by P^m to go wth P^m that night, but they did not say
for what purpose -

Then the evidence was closed

The Jury without retiring from the box
returned a Verdict of Not Guilty -

The King.
Ant^r: Raimond
Jean Barron

On trial of Indictmt. for Grand
Larceny.

Horace Dodge, clk to Lester Taylor & Co 10. P^m
he had employ^d. them as labourers about the store they
always worked with some other people belong^g. J. T. Co.
There was one barrel of pork of 200th & 40 pounds
of lay along side of it was carried away in the night
from the S^d store about 12 days ago. - there were also
about 20th Salmon bellies - these ant. he saw the
day before they were taken - That 2^d day after a
man hear^d. that W^r had lost pork, bro. some of he
had vot. to show him - cannot say it was same pork
of he lost - but tho^t. it same, being American pork
same quality - values pork at 25 d^o - Salmon
5 d^o - was property of Lester Taylor & Co.

Mary Buck is in employ. of Lester Taylor & Co. - he is
one of whom Raimond was frequently employ^d for
J. T. Co. - does not recollect to have seen the P^r - On
18 or 19 Aug^t. lent ~~about~~ a quantity of pork was stolen
from the yard of J. T. Co. - there was one whole barrel
except a h^d head taken - & a parcel of Salmon bellies
taken - That 2 days after Tom Fran^d. Canton shew^d
him some pork of he S^d had been bro^t - to his house
he said in bags the day before, & W^r. believes it was
same

same as had been stolen -

x

Frans. Cantin - H^o P^{re} That on the 18th Aug^r. the P^{re} offered to sell to W. a quantity of pork q^t. they^o they had rec^d. to sell on Commission, w^h if he could tell them who would buy it - That W. told them to show it to him as he might buy it himself if it suited him - they bro^t. the pork to his house the next day and the W. bro^t. the whole, q^t. was in two bags, w^h some pounds of Salmon mixed with it, for fifty livres - this was at six o'clock in the morning, and they returned about 10 o'clock same day & got their money - the pork was not weighed when he bro^t. it - after he bro^t. it he found there was 200^{lb} of it -

x

H^o P^{re} J^ourt^h. Barron, who lived some time at house of W. where he could have taken a great many articles, but he never missed a single article - the pork is not worth above 5 w^hpers a pound - he sold it again 150^{fr} at 4^h. to one deduc, & W. does not find he had any profit in doing so. -

Deference -

Eustache Royer - H^o P^{re} for six months past, and
always

always considered them as honest men - on the
18th Aug^t. last they both slept at house of W^m
in same apartment wth W^m. & close to his bed, &
he does not think that they went out that night
or he must have heard them, and he saw them
next morning still in bed when he got up -

Verdict. Not Guilty.

Friday 5th Sept. 1817.

~~The King }
James M^r Guire } on trial of Indictment
for murder -~~

The King - }
J^{ts} Brousseau } On trial of Indictment for
Josette Lebrun } horse stealing -

J^{ts} B^{ts} Gaticer, curate of St^e Eustach in the
County of York - H^o. W^m P^r Lebrun but not
Brousseau - he had a black mare of - was
at pasture in the field of one Thompson -
in July last, - On the 27th of the month the

mare

missing from the pasture - and the next
morn^g - about 7 or 8 o'Clock he was informed
of this - values his mare at 20 to 30 doll^s -

Basile Barbeau - of St^e Eustache, the man of law
W^e missed her out of the field on Monday
morn^g, was sent in search of her and found
her in the possession of the P^{re} Brousseau, who
told W^e that it was the P^{re} Lebrun who
had told him to take the mare, saying she
was her property - the other P^{re} Lebrun was
~~there~~, she at first said the mare was hers, but
afterwards agreed that she had been wrong
in taking her - the o^r P^{re} Lebrun told W^e
that she had taken the mare out of the pasture
of W^m Thompson near where W^e lives -
That Lebrun is wife of one Lestier, a voyageur
who has been for years in the Upper Country
she generally resides in the parish of St^e Eustache
but has no fixed residence -

^{x^d}
The mare is four years old, does not know
whether she has had a foal or not -

That the P^{res} pass in the parish for husband
and

and wife, and he has heard the P.^{rs} themselves say
so -

Robert Simpson, w. Mr Gatiem - lives at Argentville
went w. last W. in search of a mare of - was
s. to belong to Mr Gatiem - found her in the possⁿ
of the P.^r Brousseau about 10 leagues above -
Argentville, the other P.^r Lebrun was in -
company w. Brousseau - At first the P.^{rs} said
that the mare belonged to the P.^r Lebrun, but on
the road back they both acknowledged to
have taken the mare in the field of one William
at River du Sene

William Thompson, w. Mr Gatiem saw his mare
The mare was at pasture in field of W.^r and
was missing on the 27 July last -

Philip Robbins, is a constable - w. P.^{rs} they were
deliv^d. into custody of W.^r on 28 July last on a
charge of horse stealing -

Defence -

In B.th Gatiem. The mare never had a foal,

Then the Counsel for the P.^r Brousseau
objected to the sufficiency of evidence to support
Indict. as the animal taken not having had

2 East. 615 - ~~There was no evidence to support the objection~~
a foal could properly be called a mare, but a colt
or filly - The Court over-ruled the objection
consider³ that Stat. did not raise such distinction

Verdict - J^r Brousseau - not Guilty
Josette Lebrun - Guilty

~~Verdict - Not Guilty - J^r Brousseau
Guilty as^t - Josette Lebrun~~

The King
" Jos. Vardon }

On Indictment for Horse Steal³

The P.^r being arraigned first by
reading the Indictment in English, and
afterwards by a translation in the French
language -

Mr Sherwood on behalf of the P.^r
objected to plead - as there was no legal
translation by an officer appointed by the

Crown

Crown, as the P.^r is a Canadian is entitled
to have sent a legal translation, as he is entitled
as much to enjoy the benefit of the proceedings
as him being in his language - obj^t: over ruled

The Counsel then moved that the Indictment
should be immediately quashed, as it did
not appear by whom it was found whether by
one or 12 men -

The Att^y. Gen^l Had this bill been returned by
Certiorari, the objection might apply, but the
return being by one of Judges this not necessary
1. Chitty. 333 - name of Grand Jury not always
necessary -

And^o: conf^d: over till to morrow

The King }
James McQuire } on trial of Indictment for
Murder -

Elizabeth Hughes - widow, lives in S. L. Sub.
Keeps a grocery shop & tavern - W. P.^r for about
two years - Th P.^r came to her house on Wednesday

was

even^d about end of March to lodge there - Knew
D. he was her neight. - 20 or 30 yards - On
Saturday saw P. in morn^g & about 3 o'clock in
afternoon - did not after^d see him till about 10' CLK
at night - when she saw him at 3 o' CLK. he was
walk^g backw^d & forew^d. wth his arms folded & his head
hanging down in a musing manner - when he came in
to the house at 10' CLK, there were in the house,
the W^r one Cath. Farran, a servant girl, her own
daughter a child of eight years, & a cripple boy -
the P^r did not appear to be drunk, did not take
particular notice whether he had been drinking
there was a change in his manner, he was saucy
and troublesome - the W^r told him to go to bed.
he said he w^d. not - On the Wednesday when
the P^r first came to the house the P^r was drunk,
but was not so on the Saturday night - When
the P^r first came in he had no stick in his hand
but walked into the shop & ret^d. into the kitchen
where the W^r was, threw the stick at her, and
said to her "take that or the fear of god" the
stick struck her, but did not hurt her, she looked
at the P^r - saw his looks to be wild, and he also
talked strangely - there was some beef on the
table

table of. he said was his, he caught hold of the
W. by the hand, hold's his stick in the other hand
the W. was alarmed & endeavor'd to escape, she struggl'd
towards the room door & escaped into it, when the
P.^r made a blow at her w. his stick & in order
to save her head, put up her hands, & rec'd. the
blow on the hand of. hurt her much - she then
escap'd. out of the house & went over to the house of
the deceas'd - and told him what had happened,
the servant girl rem'd. in the house - she asked
the D.^r to go over to the house as she was afraid the P.^r
might hurt the Children - the D.^r went away in order
to go to her house - w. one Homer - the W. saw nothg
further of the difficulty - a few minutes after she
saw Homer come back for the poker - and in 4
or 5 minutes after she went over to her own home
& saw the P.^r in custody of the D.^r on the ground
lying dead -

x³ -

She had occasion to see the P.^r at diff^t times over
the two years she has ment'd. to have kn. him - that
soon after she first kn. him he went to N. Canada.
Saw him again last fall - but did not know
him

him partic^r till the Wednesday ev^s when he
came to the house to board - till then he app^r. to the
W^m to be a civil polite kind of man - on the
Wednesday ev^s. he app^r. to be in liquor, &^s? he had
been at a wedding, he was not rude or ill-behaved
but went quietly to bed that night - from the
Thursday morn^s to the Saturday morn^s. he app^r.
to be quiet and peaceable and show her every respect
as mistress of the house by putting his hand to his
hat when she passed - was told on Saturday
morn^s that P^r was ill swant^d the Doctor - on
Friday night one Higgins slept wth. P^r he boarded
also at house - The W^m enq^d. of P^r what was the
matter wth. him, he s^d. he had never been well since
he had been at Mr Webster's, about 3 weeks before -
The P^r that morn^s sat down to the breakfast table
but she does not know whether he eat any thing
or not - from his melancholy app^r. she
advised P^r if he had any thing on his mind to go
and speak to his clergy, Mr Desaulnier, or if he
was sick to go to the hospital - The mind
of the P^r app^r. more diseas'd than his body
he had a gloomy manner look'd stupid &
heavy - & know^d. him to be a Rom. Cath.
sh

she advised him to apply to Mr Lescaulier, whom
she knew to be a very good man - & he had observed
the preceding days something drooping in his looks,
he was however quiet & inoffensive - he thanked
Mr for his advice, went out - & came back as she
thinks about 2 o'clock, & the s^d he had not
seen Mr Lescaulier, & that he must return to the
Church - he sat down to dine - seemed melancholy
and looked like a man who had something heavy
on his mind - when he ret^d before dinner he bro^t
something in a josh of - he s^d was holy water - when
he ret^d in the ev^g on Saturday, when he seemed to
have a curious air, began walking backward^s & forward^s
thum^s a tune - when Mr told him to go to bed,
he s^d he w^d not - s^d something about Mr Webster
but she does not recollect, but told him it was her
house - he observ^d some beef on the table & said, it
was his - he then had no stick in his hand - but
went out & bro^t in a stick, & he threw it at her - the
Mr astonished got up, & asked him what he meant,
the P^r grinned frightfully, cried out the Devil's
in the house, the Devil's in the house;" look
very frightful & alarmed the Mr very much, and
she

she began to look in what manner she could escape - she went towards the room where he made the blow at her he has ment^d - That from what she then observ^d of the P^r - he had ^{more} the appear^{ance} of a man out of his senses, than of a rational man -

Exam^d. again by Att^y. G^r. says - that he had never seen the P^r in that state before - From the moment the P^r bro^{ke} the stick in the W^r thinks he was out of his mind -

Catherine Farrah - W^r. last W^r. lived in her house - in March last - The P^r - he came to Mr H. house to lodge there on a Wednesday - was in the house on Saturday 29th March about 10 o'clk when P^r. came in - Mr J. B. & a blackboy were then in the house - the W^r. was not in the kitchen when P^r. first came in, but when W^r. came down stairs, the first thing she heard was Mr J. B. tell^d P^r. to go to bed, he s^d. he w^o. not, that she might go to bed herself went into the shop bro^{ke} out a stick of - he threw into Mr J. B.'s lap, saying, take that stick & the fear of God in ~~the~~ heart - Mr J. B. - went

into

into another room, when P^r struck her wth the stick
on the arm - Mr. L^c went out of the house, when
the P^r struck the W^r several blows wth the stick
on the head & other parts of the body - he asked when
Mr. L^c was and went out after her - the W^r went
and hid herself in the bed - saw him afterwards
in the street striking at the Deacons. Obvies who
was lying on the ground, saw 3 or 4 blows given
by the P^r with the stick - it was moon light
& she saw distinctly the blows given by P^r to the
D^r heard nothing by D^r - The P^r was not
in liquor that night - saw him drunk some
nights before, but was quiet & peaceably sat down
& fell asleep -

x³

Rem. that on Sat^r morn^g. the P^r complain^d of
being ill, & wanted to get the Doctor - had a
melancholy look - s^d he had seen a man show
his face at the window in the night, and he did
not kn. whether it was a man or the devil -
Went out after breakfast say^g he was going to see Mr
Lescaulier - ret^d about 12 o'clk & bro^g a small bottle
of h^l s^d cont^d holy water - say^g he had got it in France
but did not say what he meant to do with it -

The

He went out again & came back again about
ten o'clock at night, had some melancholy look -
It was after he had struck Mrs T, that he said the
Devil was in the house - & he repeated several
times - she looked at him, saw him foam at the
mouth - The day before heard him say he was in
love wth a young girl who lived at Mr Webster's -
was not in liquor, - cannot say whether he was
out of his head or not -

Thomas Corner, W.P. has kn. him for some
months - The D. O'Brien lives near to Mrs T &
was at the house of D. on Saturday ev^g. 29 March
last when Mrs T. came in - it was about 11 o'clock at
night - The D. was sober at time - he was a
very mild, quiet man - when Mrs T. came in
she said a man of the name of McGuire has killed
my child & half killed me - D. O'Brien? it was some
drunken man, & declined going out - Mrs T.
still pressed them to go out, upon th D. went
out, without any kind of weapon - The W. an
instant after followed D. when he saw P. &
D. close together, when heard O'Brien call out
McGuire he quit - upon wh. he saw P. lay
hold of a spoke of a wheel, and with his two
hands

hands clenched it gave a violent blow to D -
gt the P. him down & as Mr. Hunter killed him, & before
Mr. could get up he had given him a 2^d blow
the W. then down the P. sender? to clutch the
stick of - he had, but he whiffed it out of his hand
upon this the Mr. went up to O'Brien & called out to
him, but he made no answer - upon this he said
to P. - you have killed O'Brien, Mr. P. replied,
yes you bugger & I'll kill you too - the
Mr. then ran into the house of O'Brien & took up a
poker w^{ch} he used? & when he came back he saw
the P. still striking O'Brien on the ground, with
all his might on the head w^{ch} the stick, at least
three or four times, the W. was not above half
a minute in going for the poker until he came back
again - distance he had to go might be about 15 yds
That there was not above half a minute after O'Brien
just left his house before Mr. followed him - he saw
D^o & P. together - That he is sure that O'Brien was
killed by the blows he so rec^d - he saw part of
the skull broken - knows of no provocation
having been given by D. to the P.

Jos. Russel Brownston - cannot speak to person of
 Dr. - knew Dr. O'Brien - saw him after he had
 been knock'd down in the Street - went out saw
 two men stand by the body of the Dr. - one of
 them was last Mr. Horner - ~~He~~ He saw
 the murderer give one blow when he run
 up seized the man & the stick he held in
 his hand - when Mr. saw the blow struck
 he was at his window, & the Dr. was lying
 on the ground - the Mr. immediately run out
 This was on 29th March last about 11 o'clock
 at night.

Robert Nelson - Surgeon, Montreal - On the
 30th March last he was sent for to examine the
 body of the Dr. - he went to the house of Dr.
 in the St. L. Sub. - On examin^g the place where
 the matter was s.^d to have happened, he observed
 parts

parts of the brain scattered about - on examining
the body he found the skull fractured in several
places and the brains hanging out - and it was
evident this was the cause of his death -

J^r. M. Mondelit - Coroner of the district of Montreal
as such was called upon to examine the body
of the late Th. O'Brien in the St. L. Sub. on the
30 March last - He held an Inquest on
the body before whom it was examined by
Dr. Nelson -

Deference -

Nicolas Merlin, 1st P^r lived w. him 5 months
at Mr. Webster's ~~with him~~ as a servant - They
slept in different rooms separated by a wooden
partition - That there were two girls who lived
in the house - one day a note was found in the
pantry addressed to the P^r in q^t - it was said
what a handsome couple + Mr. Guin and
Betty will make - The Devil's ugly and
so are you" - This note seemed to affect
him

him so as to prevent him from sleeping
and one night he called up the W. crying out
there were bad spirits in the house which tormented
him - the W. laid hold of the P.'s arm, found
him cold and shivering with fear - the W. made
him come into his bed where W. in a few minutes
fell asleep, the P.'s again called the W. up, and
told him he must light a candle for him as he
saw the house full of evil spirits which were
come for him - Requested of W. to burn the
note he had rec^d. of St. Valentine, as he considered
that as a Cause of all his misfortune, having
never been quiet nor happy since he rec^d. it -
That when the W. lighted the Candle, the
P.'s had a terrified look, his eyes starting
out of his head and the Cold drops of sweat
falling from his face - The W. gave him
his Chaplet told him to repeat his prayers
and endeavoured to tranquilize him in the
best way he could - That the P.'s was never
the same man after he rec^d. this note, he
neglected

neglected his work, and his person, and his manner was often like that of a man out of his mind - and had he done any extravagance at that time the W^r must have considered it as done from a distracted state of mind - and not from any bad intention. That other P^r - after the receipt of the note had neither the same department nor connected discourse, as he was accustomed to have before he rec^d. it - he would get up at night and walk about the kitchen -

Lawrence Murphy - saw P^r on 29 March last in the parish church of Montreal in one of the Chapels he had never seen the P^r before - saw P^r walk up w^t. a precipitated step low^l large altar, & stop^d short put his hands on the balustrade and looked round upon this the W^r put up his finger & the W^r came to him, looked furious, like a man out of his senses - the W^r ask^d. what he want^d. s^d he want^d a priest, the W^r made him sit down by him when he became troublesome by beats on the pew with his hands - the W^r told him to be quiet as he disturbed
the

the people - he s^d he did not kn. what he was
doing as he was very much out of his head -
The W^r asked P^r if ever he had been in a Church
before - he s^d he had been in the bath of Niagara
and had been confirmed by a Bishop in
Ireland - he still cont^d. beats on the Pew
the W^r told him to go out of the Church - he
asked what way - P^r pointed out the way
he sh^d. go, as he wanted to see a priest, and
mentioned the name of Mr Lesaulnier, the W^r
pointed the way to the Seminary - he went away
s^d. in 5 minutes and began again to strike wth
his hands & make a noise - & after remaining quiet
a few minutes got up and went out again with
a precipitate step - his looks, appearance and
manner indicated a man out of his head
That next day after the death of Obrien the
W^r heard of it - and enquir^d of P^r Kennelly
who told him what kind of man it was, the
W^r said immediately that's the man I saw
mad yesterday in Church - he went
to prison to see him - he at first did
not

not know the P^r but on faults on the dress
he now has 29^h he had in the Church, the W^r
recognized him immediately - The P^r did not
recognize the W^r nor did he remember having
been in the Church the day before, the W^r said
to him, that he was accused of having done a
very violent act yesterday - so they say, he
ans^r. but I have no recollection of it -

x^d

The P^r was in a dark corner in the gaol &
in a flannel dress, when he first went in to see
the P^r. then, of^r was the reason he did not at first
recognize him. -

Wm Patterson - W. P^r since he was a boy - knew him
this family in Ireland, ~~the~~ he is of respectable parents
heard that his father was 9 or 10 days out of his head
has been several years in some Reg^t w. him - When
at school he was of a retired disposition never played
or amused himself like other boys - and he seemed also
to be of the same turn of mind in the Reg^t - never
knew him to be of a quarrelsome disposition -

William Briggs - W^r P^r W. M^r H - boarded there when
the accident happ^d - the W. slept in same room with
M - he slept in same bed w^t M - on the Friday
night preceding - about two O'Clock in morn^g the
P^r jumped out of the bed & started to the window &
s^d that he had seen a Ghost or some one who was
come to break into the house - he kept walking
about in the house w^t a Cane in his hand, sometimes
w^d sit down by the stove - asked W^r to go for the
Doctor as he was very unwell - & app^d like a man
not in his Senses -

Adelaide Butler - lives w^t M^r Rolland, the Magistrate
on Saturday preced^d Palm Sunday about 11 or
12 O'Clock at night - the P^r was bro^t to the house
of M^r Rolland, on coming into the house the
P^r addressing himself to M^r Rolland, said
M^r Rolland I want to be married - he looked
like a man out of his head

D^r Nelson - Mental Derangement has a tendency
to be hereditary when there is an excitement thence
On examining some wounds of the P^r had said

and

which he dressed, he observed a depression of a part of the skull of P. said had been occasioned by a blow from a stone - a thing like this has a tendency to affect the mind - That melancholy is of itself a disorder of the mind has a tendency to madness -

John Martin, major of 99th Regt. H. P. for several years, always consid^d him a quiet peaceable orderly man - a man of a melancholy turn of mind and a religious sadness - he had so good a character that we recommend^d him to one of his friends as a servant -

Samuel Hinckston - adjut. of 99th Regt. H. P. for 7 years and always considered him a quiet peaceable orderly man - he was a silent and melancholy turn of mind at times - not a man to do an injury to any man -

Frank Rollard - magistrate - on n^o. of 29 March last the P. was bro^gt. to his house

Verdict. Not Guilty by reason of Insanity
The Jury recommended that P. sh^d be put under restraint

Saturday 6th Sept 1817.

The King.

Franⁿ Gendron }

On trial of Indictment for
Sacrilege wth Burglary -

Joseph Massa - lives at Cap Sante - rem. to have
seen the P^r there - he was arrested there on the 7th April last
and carried to Quebec - there was found in the P^r's box a
parcel of money - Ant. Germain came to tell W. that he
had found the P^r's steal^d money in the Church & had seized him.
he deliv^d him to the W^r in the presbytery - the W^r carried
the P^r to the Cap^t of Militia wth his Cassette of^r was found
at the house where he lives - the Cassette was carried
along wth the P^r to the Police Office at Quebec -

X^o

The Cassette was opened at the house of the Cap^t
of Militia at Cap Sante & the money found in it exam^d
there were 6 or 8 persons present - Does not remember
whether the key of the Cassette was given to the P^r or not
when they went to Quebec they lodged in a house in the
Suburbs, and the master of the house had charge of the
Cassette all night -

Gabriel Leandre Arsenault - curé de Contrecoeur
there was money in the strong box of the 3^d Church
which belonged to the Fabrique - the strong box

was

was kept in the Church - the money was counted
 and put there on the 4 Febr^y. last, and on the 18th
~~April~~ ^{May} the box was found to have broken & the money
 carried off - there were 3 boxes the one within the other
 the outer one was a large wooden box with a strong
 lock - the middle of sheet iron doubled with iron hoops
 and the third a inner one in which was the money
 also had a lock - the W^m himself had three
 keys and the Churchwardens of the parish had
 other three keys - and it was necessary to unite the
 six keys to open the three boxes - On the 18th May
 it was found that the money had been stolen except
 22^l 10^s - The name of the parish is St. Trinite.
 There was 9788^l in the box on 4 & 5 Febr^y.
 preceded - It was customary for the Churchwardens
 upon leaving the office to make up their accounts
 wth the money in the box, & deliver it over to their
 successors -

X³-

The lock of the outer box was forced - cannot say
 at what time was broken - The money of Mr. Fabre
 arises from rents of pews & other contributions of the
 parishioners -

Alexis Caron, is one of the police magistrates at Quebec

The names
 of magistrates
 are Joseph
 Challez,
 is ex-chap
 since new
 year day
 J^{es}. Berthier
 will be mag^{ist}
 next year
 and
 J^{es}. Dupont
 will be ex
 chap ^{of}
 the year aft^r.
 the mag^{ist}. in
 the church
 alone has
 the mag^{ist}.

160. P^r who was brot. to the Police office on 9 April
last by J^r. Master & Sub. Germain, — The W^r
sent for the Cassette of P^r who was of the Pedlar, usually
carry — he sent two Constables wth one of the persons who
bro^t the p^r in search of the Cassette — the person so
sent wth the Constables was Master — The P^r saw
it was his — and upon being asked, took out a key
of^h he s^d was the key of it — the W^r opened it in the
presence of the P^r after taking out the diff^t pieces of
goods. They found in the bottom a drawers contain^d a
large quantity of money in different parcels, wrapped
up & covered in different ways — the money was taken
out and counted and a bordereau made of it —
They found a parcel of gold in a stick^r w^{ch} was
a bordereau, and on comparing it wth the pieces gold
then were found pieces among it
~~it was found to correspond exactly with the pieces~~
~~of gold wrapped up in it~~ — there were other pieces
of gold loose not comprehended in any bordereau
the amount of the whole money was £322.15.5¹/₂
the pieces of gold ~~thus wrapped up in~~ ^{corresponding with} the bordereau
caused suspicion, & he put an advertisement
in the papers notifying the fact, in consequence
one ^{Marion} Mathias, app^r and recognised the bordereau
to be in his hand writing, and also the figures
on the pieces it contained — Then the W^r

specified

opened the different kinds of money found
in the Cassette - and which corresponded with
the Indictment - the money when counted was delivered
to Messrs Penault & Green, Clerks of the Peace for the
district of Quebec, to be kept - and the three bundles
of gold now produced are in the same state they
were in when deliv^d to the fact^s of peace in the presence
of Marion - then Fran^s Mathias Marion was
sworn - says, that he gave in his deposition to the
last W^t at Quebec in July last - says, that the two
bundles of gold now shown to him were wrapped
up in that manner by the P^r M^r Caron in the presence
of W^t (when two of parcels were opened) where
W^t says, that the bordereau now shown is in his
handwriting, & was wrapped up in the parcel now
exhibited in his presence - When the money was this
found on (Here Marion retired & M^r Caron conf^d
his evidence) - When the money was found
on the P^r he was asked when he had got such a
quantity, he claimed as his own - as hav^g gained it
partly by his commerce, and partly by what had
come to him by succession. - The bordereau now
produced was found in the Cassette of P^r cont^y
stated of monies to amount of 164.16.

To make up the bordereau found in the hands of Marion, 6 pieces were found to make it up - out of the whole pieces found in the Cassette - that similar pieces might have been found to make up the said bordereau in the hands of any other persons has a quantity of gold -

William Green is one of Clks Peace for district Quebec, 1st P^o since 9th April when he saw him at the Police office at Quebec - saw a Cassette produced there, of P^o claimed as his - and gave the key to open it - W^o saw it open in presence of P^o and a quantity of money was found in it, the same now produced here & as stated in the list or bordereau ment^d by M^r Caron, of - was written by W^o in presence of M^r Caron - and the money since that time has rem^d in the pass. of W^o & of M^r Percault his brother Eld since 9th day of April till this money under lock and key of - key he has always kept except at one time when req^d by M^r Percault - That among the gold found in the Cassette there was a small bordereau, and on search^s among the diff^t pieces they found wherewith to make up a corresponds number & to the amt. ment^d in the bordereau - The gold & bordereau were exhibited to Marion who recognised the same to be in his hands

handwriting -

x^d

That P^r rem^d in prison at Quebec from 9th April until he was sent to Montreal a few days preced^s the present Session of the Court - It would be easy among many pieces of gold to find pieces to correspond with the said bordereau -

Jos: Fran^s: Perrault - is one of Joint-Clk P. Quebec - he vault in Court House at Quebec w^{ch} is considered as a place of great security - was pres^t when Cassette of P^r was produced and saw him give the key of it - The money in the vault has remained untouched by the W^r -

x^d

After what we saw of P^r's def^r's conduct he took him for a man of weak mind, but not to the degree of not being able to distinguish between good & evil - The P^r was confined in Gaol at Quebec from 9th April until he was sent to Montreal -

Fran^s Mathias Marion lives at Contrecoeur, is a merchant - on 2^d Aug^t. 1812 he was req^d by one Fr^s: Godit, who was leave^d the office, to count & weigh some money he had to deliver over to his successor in office belong^g to the Church - he made up a bordereau of 164. 5. in gold which he gave him -

on

On the 18 Dec. 1814, he made out at the request of Fr. Lamoureux, he made out another bordereau of gold coin - wth an inscription on a cover on each piece he ~~was~~ weighed corresponds to bordereau, this money he understood was to be p^d into the strong box of the Church. The bordereau now shown is the same he made out for Godet & and the marks on the paper covering the gold pieces now produced corresponds wth the bordereau, believes ~~them to be the~~ the pieces of coin covered under the pieces of paper to be same he then weighed for Godet - That the Church of Contracour was robbed but cannot tell when - He went to Quebec in consequence & gave his depⁿ there on 8 July last. About 27 & 28 March last he saw a man resembling the P^r come into the house of one Boutillier who lives near the Church of Contracour, about 8 o'clock at night in order to buy milk - M^r M. Caron, Police Magistrate at Quebec - he showed ^{him} the bordereau he now holds written by him for Godet - he recognized it immediately cannot say that this money was ever deposited in the strong box of the Church -

x^o

That he recognizes only his hand writing on the bordereau & on covers of the gold pieces he weighed at the time - but cannot speak to the identity of the
the

the pieces cont^d in the covers -

Frans Godet, lives at Contrecoeur, that five years ago he was marguillier of the parish, when he went out of office he got last W. to draw up his a/c^t and the same morning with the bodereau of the rec^d from Marissa he put into the Coffre fort of the S^d parish -

Frans Lamoureux - that three years ago he was church warden of the parish of Contrecoeur - when he went ^{out} of office, Frans Marissa made up his a/c^t weighed and marked the gold he had to pay and the W. carried it to the Church and put it into the strong box of the S^d Church -

Joseph Chaille^s Church warden of par. of Contrecoeur, that in April last the Church was robbed -

Jacques Berthiaume, is Ch. ward. of par. of Contrecoeur on 18 May last perceiv^d that the strong box of the Church had been robbed

Marie Anne Menard lives at Soril, W. P^r saw him on 25. March last at her house, who ~~asked~~ ^{asked} of the W's husband if he w^d make a pedlar's box for him - he staid 5 or 7 days at house of W^m and
called

called himself Frans Turgeon - the P^r had a large quantity of money wth him, in his coat pocket in his waistcoat pocket in his mittens - it was in dollars & in gold - the gold was wrapped up in a small piece of cloth such as that now shown - one of bags now shown also resembles a bag she then saw - he said he had been at little maska to receive the inheritance coming to him by the death of his brother - said he lived in one of the parishes below Quebec -

x

Speaks to a stock's now shown of. she gave to P^r to put his money in -

Emmanuel Rivard, husband of last W^r lives at Soul on 25 March last, P^r came to his house & asked him to make a Pedlar's box for him, he staid there six or seven days - he had a quantity of money with him in dollars & gold - he^r an old stock's given to P^r to put his money in by wife of W^r same now produced - the piece of cloth now produced is same in of. P^r had his gold - said that he had rec^d. this money by the death of his brother
at

at little Maska - he called himself Frans
Turgeon -

Angelique Renaud of Contrecoeur - 1st P^r who came
to her house about 8 o'clk at night, ask^d for lodging
passed the night there, & went off next morn^g - He
asked if W^r of the Coffin Jack was in the Church, the
W^r without think^g o^f? she believed it was - ~~She~~
did not see him have any money, nor any bundle
he went off next day about 5 o'clk in morn^g - she
saw him some morn^gs, at breakfast at the house of
Curi^e where she had gone to bake - He said that
had come from the Lake of the Two Mountains
where he had made a vow, and that he had
a great many prayers to say at every church he
passed, and that he was going to Mass that
morn^g - He called himself Frans. Turgeon -
Know Marg^t. Bro, who was present
when P^r came to house of W^r

Cannot be positive as to day of Month - it was
the latter part of the month - never saw P^r before

Marg^t. Bro - mother of last W^r lives at Contrecoeur

Ms. P^r - when at her house called himself Francis
Gendron
Turgeon - it was between 24th and end of March
last - about 8 o'clock in the ev^g - he slept there,
he had a small bag wth him - saw him have no
money, and offered nothing for lodging - He asked
if the money of the Church was in the Coffre fort
the w^r o^r she did not know I did not believe it -
he went off next morn^g say^g he was going to Quebec
to his prayers as he had made a vow - He
called himself Francis Turjeon to last Mrs - as
she was told -

Jos: Duhamel lives at St. Ours - Ms. P^r saw him at St
Ours, about 5 o'clock in the morn^g about 4th or 5 March
he arrived at house of W^r on foot without any bundle -
said he had come 12 ^{leagues} further than Montreal and
said he was from Quebec - did not tell his name
the M^r carried him to hotel in a Calash for which he
paid him 5/-

Francois Lacroix of Contrecoeur - marquette - He that
strong box of the Church was broken open - about about
3 years ago he saw the money in the strong box -
amounts to 9. thous^d & some livres accord^g to the aut^h
stated by Mr Arsenault -

He was one of the keys of the strong box wh^{ch}

which has not been opened since upwards of
2 years when Mr saw the money in it - that
there are three Church wardens each of whom has
a key, and the Curé has three keys - all of
which are necessary to open the Coffin -

Evidence closed

Defense

Charles Fremont - 100 P^{re} for 7 years, liv^{ing} w^{ith} W^{oman} 8 or
9 years ago for 8 or 10 months - I always found him
an honest man, so much so that he trusted him
with the key of his store to sell his grain by
retail - was told that he was a man of weak
intellect - and scarcely a day passed that the
W^{oman} did not observe some instance of it -
That the P^{re} deposited ^{him} £75. to £100 w^{hich} he had
rec^{ived} by succession, aft^{er} he p^{aid} him when he left
the service of W^{oman} who sent him away on out
of his weak state of mind - knows nothing
of P^{re} for these last five years -

Eustache Gendron - Cousin of P^{re} 100. that P^{re} rec^{ived} about
7 years ago about 2700 to 2900^{fr} from suc^{cession} of his
late mother -

Proc. Gendreau of Marika, Cousin of P^a. He that
P^a recd. about 2700 or 2800⁺ from suc^r of his
late mother, and has also heard that he had
rec^d. the rights of succession of his late brother

2^d Fran^s. Gendreau - son, father of P^a - the P^a has rec^d
about 300⁺ from the suc^r. of his late mother

- Rolland of Larnaud for P^a here objected
- 1^o Time laid in Indictment not proved
 - 2^o That Mr Dursonau was not sworn -
 3. No Burglary proved
 4. The property not in Parish, but in the
Community, called Crew & Fabrique of
Contrecoeur. -

=
Hale - on subject of the oath of W^a on Safely -
a bond in England must be sworn, altho'
in Civil Cases he swears upon his honor.

1 McMillan. p. 9⁶⁴ Every Christian ought
to be sworn on the Gospels, except quakers

in whose favor there is a Stat. of exemption -

The offense charged is s^d. to have been committed
the 18th May - the proof is the offense was
committed in March - 2 Leach 816 -

Vandercombs Case -

Distinction between Comm. d' Habitans de
Paroisse - et Communauté de Fabrique -

Parish rights belong in common to all parishioners
whatever their religious principles may be

this different from Quere & Fabrique of the
parish - of - refers to a religious establishment -

The Government of the Fabrique regards the
interior of the Church - which belongs to the

Quere & Fabrique - what regards the external
is at the charge of the parish -

Att'y Genl - 1 Chubb 544 - with a view to religious
feeling of the

as Chubb 214 - property must be laid in parish or
the church itself can have
no property -

1. Martin 50.
—

The Court held that the time laid in the indictment was altogether formal, & that any difference in the evidence from the day so laid would support it, if the Jury believed it. —

Phillips on
Ex. p. 19. —

That in administering an oath, so as to render it obligatory, that form was to be observed, which according to the religious belief of the W^s was considered to be most binding — and according to this principle Pagans, Turks, Jews, and even Christians, have been admitted to swear according to their respective religious belief —

That no evidence having been adduced to prove the burglary, the Jury could not be charged with it —

That all the forms agreed in stating the goods of the Church stolen therefrom, according to the present indictment —

Monday 8th Sept. 1817

The King }
Geo. Greaves }

On trial of ^{two} Indictments for
stealing ^{two} ~~oxen~~ ^{sundry cattle}, the property
of Jos. Hurbut - also for
stealing two oxen the property
of Frans Lebert

Patrick Devereux, butcher in Montreal, his
P^r nearly 2 y^s - knew him first at P^r ~~when~~
when he was a farmer - has seen him since
at work in Montreal as a labour's man - has seen
him being shup at diff^t times to market, thus
also seen him deal in horses - last autumn Mr
bought ~~two oxen~~ from P^r a small steer & an ox -
the ox was of a reddish color, & the steer, somewhat
brindled with a white face - P^r 40 dollars for the
two, of - he was^d to be the full value of them - the
P^r assisted to drive cattle to the yard of his brother in law
Henry Lacombe, where Mr. slaughtered his cattle - the
Mr. P^r the P^r 25 dolls on act - the Monday after - that
next day Jos. Hurbut came & visited the cattle

and

and claimed them as having been stolen - and the
W- agreed to give up the Cattle upon their promising to
prove they belonged to J^d Hurlbut - the W- then
went to inform P^r of this, who insisted that the
Cattle were not stolen, but that he had paid for
them to an American - understands that J^d
Hurlbut is an American - Hurlbut agreed
to deliver back the Cattle if they were not proved
to be his - has never rec^d. back his cattle nor the
money he p^d. for them to the P^r -

x^d

It was on a Sunday when P^r went to house of W-
about the Cattle about the end of Sept last - the
Cattle were then in the yard of one Gerish, who keeps
a public house - K^d. Hurlbut, thinks that he has
bot. cattle of him - has heard that Hurlbut employed
people to sell cattle for him -

Henry Lawton. re. P^r & last W- that they bot. two
Cattle last fall to the agent of W- suggested of him to
keep them then till next day - that next day when
in market one Gilbert came to W- & told him the
J^d. Cattle were his, and had been stolen from him -

or had gone out of his yard -

Has often bro^d. Cattle who have bro^d. them in from States
that it is very common for the people bring in Cattle
from that Country to employ different people to sell
them -

George Barnard is a barliff - That some time last
fall in coming along the road he saw some Cattle
in the possⁿ of P^r - wh^o from the description given of
them by one Brooks were some - & upon enquir^s
of P^r if there were the cattle wh^o he had found, he
ans^d. they were not, that the Cattle were his & had
been in his possⁿ - for a month or upw^d - The
M^r understood from one Heulbut who was the poss^r of
the Cattle as he told M^r that the cattle he had lost were
taken the night preceding from the yard where
his cattle were kept - & described their colour to
M^r - That M^r. Brooks told M^r there were two ^{grown} oxen
of a reddish colour, besides some young cattle
which were marked with white spots about the
flanks & legs - The cattle the P^r had were, two
large red oxen & one young beast, wh^o answered

He

The description he had rec^d from Brooks - saw
the same cattle afterwards in the possⁿ of Tom Heulbut
who s^d he had found part of the cattle of^t belonged
to his kinsman - this was when W- saw same
cattle in the yard, of^t he had seen in possⁿ of P^r

Evidence done upon first indictment -

Frank Lebert - butcher in Montreal - 10. P^r per
about a year - The W- bot. some cattle from
Gilbert & Colman, cannot tell day, but it
was about St. Michel - Gilbert & Colman he
believed to be partners - they kept a tavern near the
hay market - he bot. 2 oxen of B & D^r who were
driven to house of W- - they ~~did~~ app^r from the
yard of W- who in consequence went wth Colman
to St. Catherine in search of them - but did not find
them - on their way next day in consequence of
information of^t had been given to the house of
one Mr Grey - they went there & found ~~them~~ ^{one of his oxen}, but
at the ^{Gate of the field} ~~entrance~~ they were stopped by Mr Grey
who s^d they sh^d not take the ^{ox} cattle that they
belonged to Grey Greaves - ~~That~~ the ox
was of a brindled colour - "barre" the other red

one he never found - The value of the bundled
up was about 25 dollars -

F^d

That when he went to yard of Gilbert & Coleman
he saw only the two open in their yard which he
not - The reason he took Gilbert & Coleman with him
to look for the open was that they had been so
short time in their possession he could not himself
recognize them -

Thomas C. Colburn - In Sept. last he sold 2 open
to Capt W. Lebert - one of them was a bundled up, and
the other a lightest and, with some spots of white on
him - They were deliv^d to Lebert - This was about
Wednesday - Thursday - on the Sunday after Lebert
came told M. he had lost the open & requested of M.
to go along w. him to look for them - he did & search^d
all day without find^g them - pass^d P^m at his door
near the Mountain deng^g of him, he s^d he had not
seen them - Some days after they ret^d again to Mr
M. Green's farm & found the bundled up there -
Mr. Green w^d not let them drive the open away as Mr
Green had put him there -

X^d

D

The purchase of the oxen from Mr Gilbert, Lent was not in so partnership with him - Gilbert bot them some days before from one Thomas who comes from Vermont. - -

Moses H. Gilbert - On the 19th last Sept. he sold a yoke of oxen to the last W^r & his brother - one them banded the other whitish - The same oxen Colburn sold to Lent in a day or two after - Saw the banded ox on the Sunday evening after at the farm of old Grey. - It is no doubt but was same ox he sold - Lent claimed the ox but old Grey refused to give him up, as he had rec^d. him Geo. Graves - Saw P^r after the ox had been deliv^d. up & was present when two cattle were got back by Mr Houlbert & Mr Lent who had lost them, the P^r & D^r he had bot. them from an American sp^r. for them in watches & other things - That three or four days after the P^r told Mr on the market place that he had rec^d. the Cattle from an American to sell but could not tell the name of the person - but w^d. know him when he saw him -

nor did he know where to find him -

I positive to say that P^r did not say that
he had rec^d. the oxen from one Jones -

James M. Greer, is farmer & lives at St. Catharines
No. P^r nearly two years - last autumn on a
Sunday eve about 21 or 22^d Sept. the P^r put some
cattle into the pasture of W^r - on the Monday morn^g
the P^r told W^r that he had put some cattle into his
pasture requested of W^r to keep them for a few days
till he sh^d. kill them or dispose of them - About
8 or 9 days after one Gilbert came to the pasture w^h
one Gilbert, he wanted to drive them away, saying
they had been stolen & claimed them - W^r refused
to deliver them up without a warrant - & ment^d. that
some americans had already claimed them in the
same way - that Geo. Greaves had put them into
his possessⁿ - they then went away & left the cattle -
The W^r sent for P^r next day & told P^r he w^d. not
keep them any longer as there app^d. to be a difficulty
about who was the owner of them - the P^r & W^r
went to Mr. Gilbert's house about them - before
this another American who said he had been
at

at the farm of the W^r claimed 5 out of 6 w^h were
on it - That after^d when Gilbert came up
he claimed two of them either for himself or for
some other person - The P^r said the Cattle were
his - and that he had bot. them about Montreal

X^r

P^r rents a house & small garden on part of
W^r farm - believes there were two brindled
oxen among the Cattle - good char^r to P^r

Edw^d Mc Geyer - son of last W^r - saw some Cattle
of P^r had put into his father's pasture on the
Monday morn^g in Sept last, the P^r s^d he had put
them there the night before - s^d he was in partnership
with another man in the Cattle - About 8 days
after Lebert & Gilbert came there and claimed
three of them of the remaining - the P^r had before
this taken away three of them - among those of
rem^d there was a dark brindled ox w^h was
claimed by Lebert -

X^r

Given good character to P^r -

Jacob

Jacob Marston - is high constable - W. two last W^{ks}
also the P^r - He obt^d. a warrant sweet to W^m Jones
farm & took away these 2 ^{head} oxen & some other
cattle, five in all, w^{ch} he deliv^d to Gilbert, - there
were several persons who claimed them. -

Defence -

Daniel Holland - W. P^r for 2 years - remembers
to have seen him on the 22^d Sept. last in the
New Market - It was on a Sunday - he saw
the P^r and another man together draw P^r pay
the other man some money, there were five head
of cattle ^{all oxen} there of. the man deliv^d to the P^r and
he consid^d. the money to have been p^d on acc^t. of the
Cattle - the man who rec^d. the money said he w^d
be back again in the course of a fortnight - he
assisted the P^r afterwards to drive the Cattle into
the yard of our Demands in the Market - the
man who sold the Cattle called himself Jones
and w^{as} took him for an American - This might
be between 12 & 1 o'clock -

John Flatman. Has Mr. P^r for several years before he came to Canada - remembers to have seen the P^r purchase some Cattle in the New Market on the 22^d Sept. last on a Sunday - The man called Morris of Jones, was a tall man wth a light col^d coat on - There were 5 head of Cattle, mostly Oxen or M^r bullocks - Jones said he w^o be back again in two or three weeks - Saw P^r give the Jones a parcel of money but does not know how much - it was about the middle of the day - the M^r assisted P^r to put them into Mr Durand's yard on the market place - Always understood P^r to bear a good character - That Jones when he returned was to pay back the money he had rec^d from P^r - if he did not dispose of the Cattle, and pay for keep^g the Cattle -

Pierre Durand fils - lives on the new market wth his father who keeps a tavern there - On a Sunday about our O^ll^d on or about the 22^d day of Sept. last, the P^r bro^g some Oxen into the yard of the house - there were four or five

oxen

Oxen - That it often happens that Americans & others put things into the yard -

Jean Jac. Ferrer - He is a barber lives at house of Durand on the New Market in Montreal remembers to have seen the P^r on a Sunday in the month of Sept. last to have bought some Cattle and put them into the yard of Mr Durand's house - there were 4 or five head of Cattle -

Charles Wright - remembers having seen the P^r on the new market in Sept. last he was driving some Cattle out of Mr Durand's yard, and asked Mr if he would assist him to drive them to his own place through the main street in the St. L. Sub. - there were 5 or 6 head of Cattle, some oxen & some Steers - they were put into Mr McGee's farm - the Mr slept at house of P. that night & P^r did not absent himself from his house that night -

Thomas Lane - has known P^r 2 years - Mr P^r bought
an

a dark bundle up on 24th Sept. last at the
back of the parade, for 9th he paid either 20
or 22 dollars, the seller app^r. like an American

Charles Piccard is a butcher own habit of buying
cattle - that Americans frequently bring
over cattle from the other side River - It is
sometimes impossible to speak to the colour
of cattle they are so much alike without
some mark put upon them -

Verdict, Not Guilty. on both
Indictments.

The King. }
James Healey. } On trial of Indictment for
Grand Larceny. -

George Clarke - lives in Montreal,
1st. the P^r who lived wth W^r as a servant
last winter for 3 or 4 months - he went to
Up. Canada last winter he bro^g. down some
beaver skins of^r he told his sew. to put with the
other beaver skins - the sew. wth & s^r. there
were

were no other beaver skins there - upon this
the W^r went to ex. and found they were all
gone - there were upwards of 20 of them and
were worth upwards of £10 - The W. also missed
about 50 doz. Cotton Stock - the Stocking^s
were worth £50 - at least - When the P.^r was
apprehended he discovered also a bag - In
consequence of information he went to Mr
Cottrell's shop and there saw some Skins which
he thought were his from their appe^r - particularly
one Skin - but cannot swear positively to it.
By further information he went to Coteau du
Lac where he found the P.^r at house of one
Coker, and found upon him a bag of sheeting
w^h is sewed up in a particular manner it being
a flax seed bag - This bag he believes to be his
property - W^r heard that P.^r had sold beaver to
one Allan Grant at Coteau du Lac who told
him he had purch^d ¹⁴ beaver ^{skins} from the P.^r for w^h he
had p^d 6/3, & had sent them down to Montreal
The W. ret^d to Montreal went to Mr McKenry's
store where Mr. Allan Grant had sent the
beaver skins, and exam^d them & found one
among

among them wth the letter M. marked upon it, of g^t seems to have been done by the person who caught the beaver when the skin was green - but other skins might be marked in the same manner - That W^r when he heard of the beaver being found ment^d to the person that if the skins were his, they were tied with a piece of green hide deygethen^d - out by a piece of string, and when this string he found round one of the packets of g^t was found, this he ment^d to Supt. Major Castrey - who s^d. it was same beaver - this string he saw at Mr. McKenzie's store - is same now produced - The P^r was arrested & carried before Mr. Wilson the Magistrate at Coban den Lee - by whom he was examined - That on passing the house of Mr. Bourneau the P^r s^d. he had sold 14 & 15 of the W^r's beaver skins at 3/- of g^t - upon inquiry the W^r found that Mr. Bourneau had bot^t. beaver skins from P^r but had sold them to Mr. Cottrell

Luc Castrey, is Supt. Major of Royal Staff Corps
saw

Saw P.ⁿ at Colman du Lac on 15. March last,
where he offered 14 beaver skins for sale - also -
about 1 1/2 doz pⁿ stockings - The P.ⁿ offered the
skins for 5/- each w^t made Mr. observe to him
that he must have stolen them - Thinks
that the price of green hides now shown is same
as tied the beaver skins, is similar - could not
see the whole as beaver was in a bag - The P.ⁿ said
that he had not stolen the articles but had got
them at the Old man near the Old market in
Montreal -

All an Grant lives at Colman du Lac - Saw P.ⁿ
there on 15. March last - The W. before this had
purch.^d of a young man 14 beaver skins for
9/- he paid 6/3 each - after paying for them the
P.ⁿ came in & claimed the furs after W. had paid
for them, put 3. crown 14 doll^r - saying that
he w^d. not allow his property to be sold at that price
& claimed the skins as his property - The W. observed
that he had p^d. 3/2 dollars more for them - The P.ⁿ then
went out, and during absence of W. called again
and took back the 14 dollars - The W. sent the
skins to Mr John McKenzie of Montreal -
Ded.

Did not take particular notice of the skins
nor was he acquainted wth the value of them

John McKenzie, rec^d. a package of furs from Allan
Grant last Winter - the W^m never opened
them - nor exam^d them - showed them to Mr
Geo. Clarke who seemed to recognize them as
his property - the W^m afterwards ~~sent~~ ^{sent} them to
the police office by one John Sargent -

Frans. Brunneau, does not know the P^r. The W^m
is a furrier - W^m Amable Gauthier - bot. 4 beaver
skins in his possession from a man last Winter -

Amable Gauthier - W^m P^r was present when he
sold four beaver skins at Mr Brunneau's
in March last - he sold them just for as 7/6 each
the P^r returned about 3 weeks after & sold eleven
more at 3/6 each - The W^m sold nine of
these skins to Mr Cotterell for 13 dollars

Nicolas Cotterell - W^m last W^m Mr. Clarke came
wth last W^m to house of W^m & upon looking over
the skins he had purchased, Mr Clarke seemed
to recognize one which he s^d. he thot. to be his

That

That some time after Mr Clarke had seen
the furs the W^s sold them - That soon after
the W^s rec^d an order to attend the Police Officer wth
the beaver, - the W^s went there but without the furs
as he had sold them -

x²

Buys furs to sell again - thinks it was
last W^s from whom he bot. some skins - but will
not be positive - there was a few other skins
mixed wth them at time Mr Clarke came to
look at the skins - cannot say what the
skin Mr Clarke fixed upon was bot. by him
from Mr Gauthier or not -

2
Timothy McCarty - on the 15 March last he
was present when Mr Allan Grant purchased
14 beaver skins of a young man at Colman du Lac
they were bot. for 6/3 each - saw some skins
in possessⁿ of P^r before at house of W^s - of
he said he had bot. at Verdrie in town - The
P^r adv^s app^d. to have a doz pair Stock^s - of
socks -

John Sanford - lives at Elk wth John McKenzie
rememb^r to have rec^d a parcel of furs last
Spring

Spring to carry to the Police Office, of ^{Mr Rossetti} he deliv^{ed}
to Mr Mondelot's clerk ^{Mr Rossetti} at that Office -

John Nic. Rossetti - Rec^d. some furs from a person
who bro^{ught} them from Mr John McKenzie
cannot say whether it was the last or not
These skins are some new produced, and
have been under lock and key in the Police
Office since that time. -

X

The furs were deposited in a Cupboard
the key of which is in the poss^{ession} of Mr Mondelot
or of Mr. M^r Ford - the deposit also has access
to Mrs Lupt^{on} -

Ms Marie Mondelot - Justice of Peace
The Confession taken before this Magistrate was offered
to be proved at the P^{ro}sec^{ution} - but it appearing, that
this confession was a second of^{er} had been taken
and that it was made in consequence of a former
one taken before Mr. Wilson the Magistrate before
whom the P^{ro}sec^{ution} had been carried upon the charge
being first made (on the other side +)

Depon

Defense

George Clarke - always found the P^r to be
an honest industrious man. -

Verdict - Guilty of Petty
Larceny -

+ the Court considered these confessions
so far connected as not to allow the 2^d
to be read without proving the first also. -

In the 2^d Examination it was thus stated

" The said James Healey's declaration
" taken before Alex^r. Wilson Esq. being now
" read to this Examinant - he acknowledges
" to have taken the said two packs of Beaver
" on a Monday & - "

Verdict Guilty of stealing
to amount of 15/-

Tuesday 9th Sept. 1817.

The King

J^r Galernau

On trial of Indictment for
Grand Larceny —

Amable Dupras lives at Lachenay
W. P. who was his serv^t last winter — one
day on return^g him he met W. P. at his barn
where he acknowledged to have stolen 4 bushels wheat
from W. The W. was also informed by one Stopper
that he had ~~just~~ sold wheat to him — The P.
afterwards acknowledged he had sold five bushels of
wheat to one Caron — The wheat was worth 10[¢]
per bushel —

x^o

It is no other ten. of the theft but what P. tells him

Marguerite Armaré, wife of last W. — W. P. who
lived w. her last winter as serv^t — acknowledged
to W. having taken 3 bushels wheat in 2 bags out
of barn —

x

That afterwards there was a promise made to the
P. if the W. acknowledged all he sh^d not be prosecuted —
upon this the P. avowed he had taken 14 bushels wheat

Felicite Cadieu - W. P^r In March last she was sent
to the barn to look after P^r on a suspicion of ^{her} last
W. O^r she had of him - W^r went to see P^r & found
2 bags filled with some thing in his train -
Next day Mr. Dupont spoke to P^r and he acknowledged
having taken 4 bushels of wheat from the barn -

The wife of Dupont ⁷ next day told P^r that he had
better confess or she w^d tell her husband - That
about a week after the P^r acknowledged having taken
other things from Dupont upon told by him that he
sh^d. not be prosecuted - P^r was always before this
considered as an honest man & belongs to a good family

Nicolas Caron - lives at Lechenay - In Feb^y. last he
purchased 6 bushels of wheat from P^r did not
enquire of P^r nor did P^r tell him where he got the
wheat -

Isaac Beauchamps - The P^r told W^r that he had
sold 5 bushels wheat to one Cooper -

Cornelius Hoppe - In Feb^y. last purch^d. 3 bushels
of wheat from P^r who told W^r that his master

had

had no money to give him, but had given him
the wheat to sell - pd 27/6 for the 3 bushels

Has ten. the P. for a year - never heard any
things of him -

Deference

Benjamin Gallman, brother of P. the day after
the P. left the service of Dupras, he went to home
of Dupras w. him, when Dupras agreed if
P. w. get a person to be security for pay^t of 18
dollars the value of 9 bushels of wheat w^h P.
had taken, he, Dupras, w^d - make no prosecution
of him - to this the M. agreed as security for
P. to pay the amount in the course of a
month, & Dupras accepted the proposition -

On Christian & J. Amos, 12 P. who lived w.
a son of M. for a year - 12. left of him -

Verdict of Petty Larceny

The King. —
v.
In Frans. Caron }

On trial of Indictment
for horse stealing —

Louis Demers, of parish of St Philip,
is son of Mary Gervais — That his mother had
a ^{sandy coloured} ~~grey~~ horse, saddle bridle & reins, on the 16 May
last at the parish — the horse ^{with saddle bridle & reins} was taken in the
night of 16. May last and with him a saddle &
bridle belonging to Mr out of a hangar — The
P^r ten. where these articles were kept, having worked
about 14 days at house of Mr last fall — that he
put up the horse at night of 16. May & locked the
door by means of a padlock — the next morn^g. found the
Padlock forced — on the 27. May he found the horse
tacked to a Cart at the Church door of Ellarke
in the poss. of P^r and one Couette — when W. laid hold
of bridle, the P^r cried out — Ah! My God, they are going
to take away my horse — upon this Couette observed — You
must have stolen him in that case — The P^r said he had
red^d the horse in exch^t — but knew that W^r — W^r take
him away — The P^r was taken before the Col. of
Militia where he said he had bot the horse of
one Perisornet of the Savanne — The Col. ordered the
horse

horse to be deliver^d up to W. who in consequence
set out with Senecal, the P.^r, & another person in
a Cart in order to go to Bis court's, and on the
roady that the P.^r acknowledg^d to have taken the
horse wth the 2 bridles & saddles & the reins - values
horse £15 - the bridles 5/- each the saddles 15/-
each, the reins 2/6 -

~~2~~

From Senecal lives in the parish of St Philip. His
last W. who is his Neighbour - went wth him to Orkney
last spring in search of his horse - found the horse
with a Cart and three people in it, the P.^r one
Court and another he does not know - Court was
driving the horse, the W. had hold of the horse when
Court ask^d why he did so the W. s^d the horse was his
upon this the P.^r said ah' mon Dieu, le vont en'ote
mon cheval - The P.^r said he had bot^d the horse of one
Bis court, & he was the person who claimed the
horse as his property - They set out wth the horse
and Cart to go to Bis court's - being 4 persons
the last W.; the P.^r, the Babier, & the W. - after
they had come to an inn on the road the W.
took the P.^r aside and told him, if you have taken

The horse you had better ask. It and Demer will
let you go - The P^r s^d no - he had bot. the horse -
on the road the W. said to the P.^r I know very well
how this happ^d - you had a partner w^o. you last spring
and he has advis^d to do this to steal the horse and
bridles - the P.^r s^d yes, it was so - upon this Demer
the last W. ask^d the P.^r was it you who took my
horse saddle & bridles - he s^d yes he had opened
the stable and taken him out -

The P.^r said that his ^{x^d} P.^r Leclere had a part of the
bridles & saddle in his possⁿ -

Pascal Couette lives at Little Maske - he P.^r some
last year - The P.^r told the W. this spring that
he had purch^d a very fine horse from Biscornit - he
came to the house when W. was show^d him a horse of
the s^d. he had exch^d for the one he had exch^d for the one
he had purch^d of Biscornit - was at the Church door
when this horse was claim^d. The P.^r the other s^d. it was
very hard to lose a horse for he had paid so dear

The P.^r had a horse last fall when he came
from Quebec -

Kidd
Lawrence Heaton - Mast. of Penn - The P^r was
bro^t before him of having stolen a horse belonging
to one Dimes - In the Confession of the
said P^r was read taken before the Magistrate -

Defence -

J^r. Trans. Caron - is uncle of P^r - K^d. him since five
years - he lived wth W^r when not employed else
when - he is of weak mind, and speaks & acts
like a child - his mind appears to be influenced
by the moon - & at times he does not know what
he does - and at these occasions he may be advised
to do any thing - when he was a child - he was
called the "fool in Caron". -

J^r. B^t. Caron per uncle of P^r same evidence -

J^r. B^t. Caron fits - Cousin of W^r The P^r is a man
of weak intellect - he was the laughing stock
of people & he could be made to believe any
thing -

Augustin Poireau - same evidence -

Simon

Simon Gendron - 140 P. for 5 or 6 years - he
has always been considered a man of weak intellect -
and he thinks lunatic -

Susanne Bellan same evidence -

Verdict - Not Guilty -

The King

or

Pierre Baudouin
Pierre Briere

On trial of Indictment
for horse stealing -

In N^o 3rd Roi, keeps tavern at Berthier - saw
P^{rs} at his house on the first of this month - w. each
of them a mare - they put the mares into pasture &
staid the night - they offered the two mares for
forty dollars - after they were in bed two men came to
the house que Bourgeois & ~~deposits~~, & as P^{rs} suspected
the P^{rs} of laws stole the mares he told them men to
claim them as their property, which they did & called
up the P^{rs} went to the pasture & paid the mares -
after some conversation the P^{rs} confessed having
stolen them at Lacadie, and that they took
bridles

beds from stable from Roi - where they
staid at time -

Louis Bourgeau 10th P^m saw them at house of Be
Roi at Berthier on the 1st int. about 11 o'clk at night
the W. on going in found the 2 P^m in bed, but was
told by Roi that he suspected them of having stolen
the two mares they had w^t them, & requested the W.
would come in & question them - the W. called up
the P^m & told them he was in search of two mares,
describing them & that he suspected they were the
same of - were in the pasture - the P^m got up and
said they would go to the field & show the horses
of - the did, & upon the W. remarking that one of the
mares had a sun on the back, the P^m fell on their
knees & begged to be forgiven, saying that they had
stolen the horses at Lacadie -

x

Thinks that it was from fear that the
P^m acknowledged they had stolen the horses

In Marie Desrosiers - 10th P^m two last W^s - went to the
house

house of J^r M^r Roi at Berthia wth Bouyau on first
Sept. inst. Roi told them that he suspected he
had two thieves in his house, that he suspected they
had stolen two horses they had wth them - they then
went in waked up the P^r who were in bed &
began to question them, - the M^r claimed the horses
as his property, when the P^r acknowledged to have
taken the mares they had wth them at Lacadie. &
begged they might be forgiven -

x^o

The M^r used a stratagem to induce P^r to confess
by claiming the horses as his property - That
the M^r was not in liquor at time - The P^r
seemed frightened when the horses were claimed
by M^r as his property, and acknowledged their
fault -

Charles Marotte de Labonté, lives at Plainville
he had a dark coloured mare of - was taken out
of his pasture about the first of this month - That
a man of the name of Roi, the first M^r afterwards
showed him his mare - was worth 20 to 25 dollars -

Joseph Sine'saque, lives at Plainville, he lost his
mare on the 30th of last month from his field
at

at Blainville - found her again at Montreal
in the possession of the first W. B^h Roi of Berthia
values his mare at 20 to 25 doll^s -

Joseph Bonoy, Justice of Peace - produces
examination of Prisoners taken before
him containing the voluntary confession
of their crime -

Verdict - Guilty -
Recommended on acct. of their
youth -

The King -

Frans. Gendron }
^m

On motion in arrest of Judgment

1^m. That the goods taken will not constitute
larceny according to St. R. 2d. c. 12. - it
extends to goods - not to money -

Sawb law Du. v^e larceny -

2 - The St. does not embrace money
only goods of the church - - 1 Chilly 182

Earl. 643 - 642 - the goods usually used & kept
in

in the place - not any other valuable things put
there -

The Att³ Gen^l in answer - the St. mentions any
goods -

Viz^t in reply - It is laid in the indentment that
the things stated were the property of the parishioners
in the hands of the Wardens - and not the goods
of the Church for the use of the Church, that therefore
there cannot be sacielop^y if it -



Wednesday 10th Sept. 1814.

The King }
vs }
Jos. Vredon }

On Conviction for Petty Larceny
Judg^t. Imprist. in Gaol for nine months

The King }
vs }
J^m Galernau }

On Conviction for Petty Larceny
Judg^t - Nine months confinement in
House of Correction & hard labour

The King }
vs }
Daniel Burns }

On Conviction for Petty Larceny
Judg^t - Six months & Hard Labor, in
House of Correction —

The King }
vs }
James Healey }

On Conviction for Petty Larceny
Judg^t. Nine months & hard labor
in House of Correction —

The

The King. —
Dom: Minicouche }
ⁿ

On Conviction for Steals from the
Dwell's House to the amount of 18/-
The Pr^r prayed his clergy — which
was granted to him —

Judz^t — One Year & hard labor in the house of
Correction —

The King }
Edw^d. Sidney }
^r

On Conviction for Grand Larceny
Judz^t — nine months & hard labor
in the house of Correction —

The King }
Josette Lebrun }
ⁿ

On Conviction for horse Steals
Judz^t. Death — ex. 10^o. Oct. next

The King }
pre Beaudouin }
pre Briere }
^r

On Conviction for horse Steals
Judz^t. Death — ex. 10^o. Oct. next

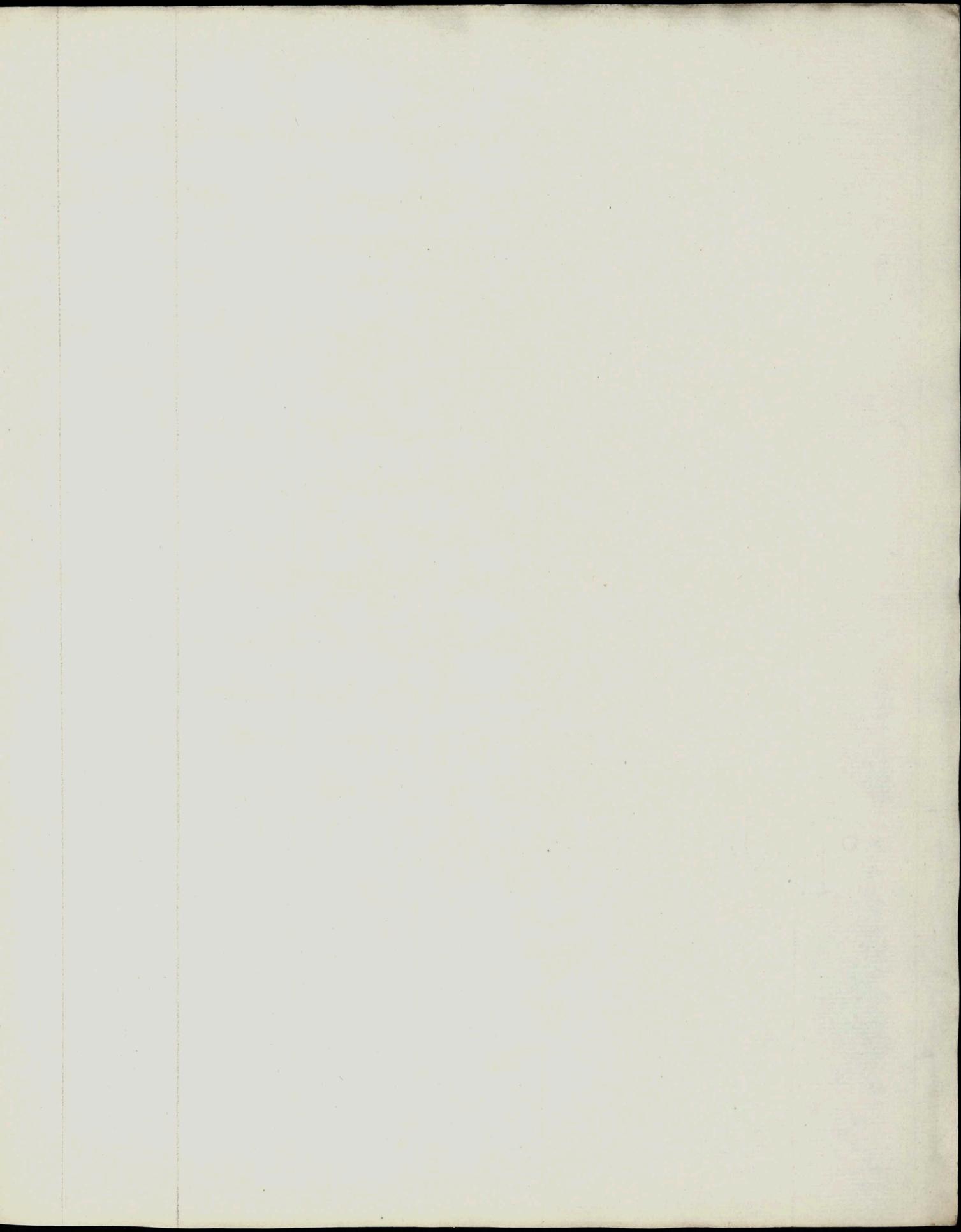
The

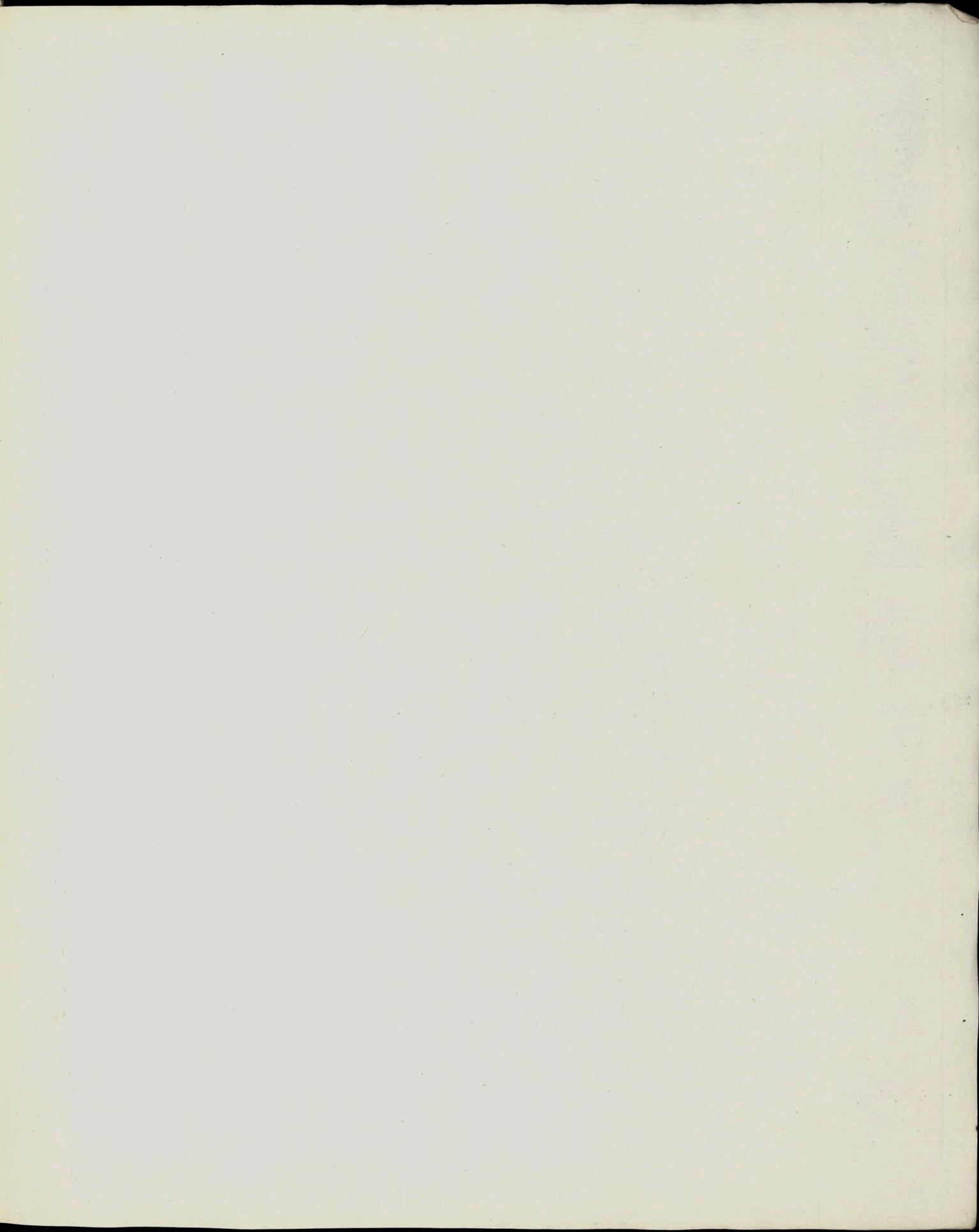
The King.
Fran. Gendron }
2

Old conviction for Sacrilege -

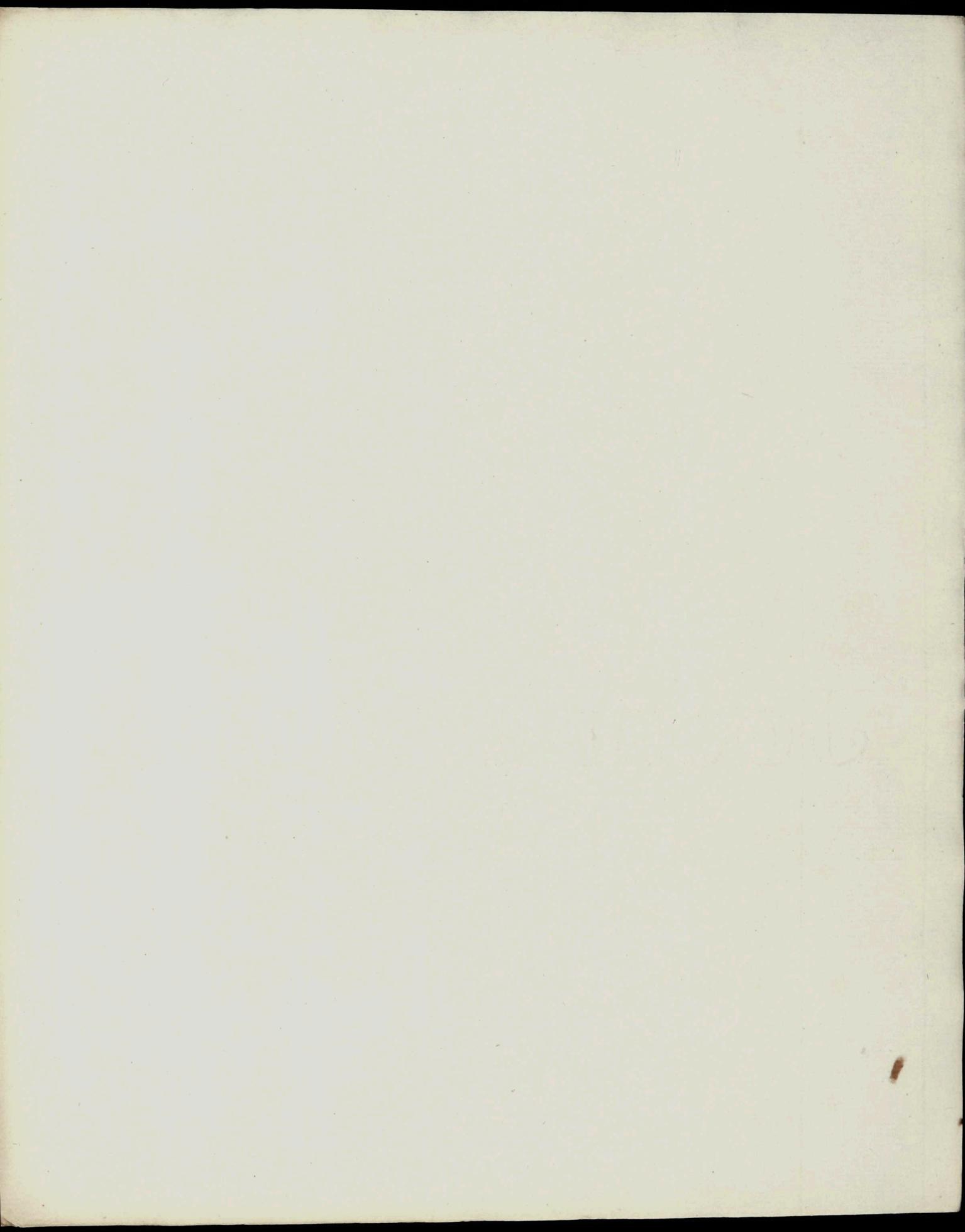
The P^r having been asked what he had to say why Judg^t. of death shd not be pronounced against him - begged that he might be transported out of the Province or beyond seas as the Court should see fit - Upon this the Counsel for the P^r contended no sentence ought to be passed upon him, but that the P^r should be remanded to the Goal for the purpose of being transported, accord^g. to Prov. Ord^r. 2A Geo. 3. ch.

But the Court held that sentence must necessarily be pronounced, as without it the conviction of the P^r was not complete - and thereupon Judg^t. of Death was passed upon him - ex. 7 Nov. next









JOSEPH H. COLEMAN

1845

The King
vs
Joseph Vredon
&
Jⁿ B^t Galerman

vous avez été traduit devant cette Cour sur
une accusation contre vous pour avoir pris &
volé plusieurs articles, effets appartenants au
nommé Jos. Larcheveque, habitant du Tault

au Recollet - & sur cette accusation vous avez été trouvé
coupable d'un petit Larcin - Quoique la preuve n'ait pas
été si ample qu'elle auroit pû être, cependant il n'y a pas
lieu de douter de la vérité du fait, que vous avez pris les
articles - Il paroit que vous étiez l'homme qu'on a vu
à la laiterie - Corbeil vous y a reconnu avec une traine,
et peut-être, étoit il de votre compagnie - vous avez été
ensuite reconnu chez Poirrier avec une traine - dans
laquelle l'archeveque se pose avoir trouvé ses effets -
Le lendemain matin à 4 heures, enoore avec ce même
Corbeil, & avec lui vous avez été caché, ou comme il dit,
serer des effets dans une maison près de la Montagne
de l'eglise - l'usage de l'écriture

Il est malheureux de voir un jeune homme de
votre apparence conduit devant cette Cour pour une
telle offence, vous êtes capable de gagner votre vie honnêtement
par votre travail, ce qui vous auroit rendu respectable
et independant, - mais telle est l'immoralité, &
la debauché que nous voyons dans nos Campagnes,
que l'on ne voit presque que de jeunes gens qui
sont

soient amenés à la barre de cette Cour pour toute
espece de crime — Que vous commenciez mal votre
carrière dans le monde — Déjà avez vous fait
assez de progrès dans le crime, que le nom de Kredou
sera considéré comme le nom d'un voleur — Déjà
~~vous~~ vous méprisé de tous les honnêtes gens, comme
un homme sans principe & sans honneur — Le caractère
Distinct. of Law —

En sortant des mains de la Justice pour l'offense
dont vous venez d'être trouvé coupable — veillez
bien à votre Conduite future — ne recommencez
pas vos depredations sur les propriétés des autres —
Que votre punition pour cette offence vous serve
de leçon, & vous engage ^à à changer de conduite
avant de vous précipiter dans un abyme par des
crimes plus énormes, d'où vous ne pourrez jamais
vous retirer — ^X Tâchez de retourner à votre
devoir — de rentrer dans la bonne opinion de vos
Compatriotes — & par un comportement sage et
reglé — de mériter ce que vous perdu dans ce moment
— le caractère d'un honnête homme —

X
votre conduite
sera vultée plus
prés qu'aujourd'hui
ou sera facile
à croire & à écouter
à des simples
doux vous vint
vous —

The King -
Daniel Burns }

On Conviction for Petty Larceny -

You have been brought before this Court charged with stealing a Coat the property of one Noah Shaw - On this charge you have been convicted of Petty Larceny, and now stand before the Court for a Judgment on your offence -

The daring & open manner in which you stole this Coat seems strongly to mark you as man wholly regardless of the opinions or of the rights of your neighbours - or so far lost by ~~the~~ habitual state of inebriety, as not to be aware of the impropriety of your own conduct - How could you expect that the taking in such a public & open manner an article of dress of another workman could escape notice & detection and that for the sake of a thing of small value you should run the risk of being exposed to shame and disgrace - Yours, I apprehend, is one of the many instances which point out the unfortunate & miserable consequences of habitual drunkenness - Lost to every ^{proper} ~~sense~~ of feeling & propriety, and you seem ^{alive to} ~~gratified~~ in nothing but the gratification of a

vile appetite for liquor - and instead of applying
those ^{yr} means in providing the necessaries and
comforts of life, by which you might be saved
from the necessity of committing depredations on the
property of your neighbour, you squander every
thing in a ~~disip~~ sottish dissipation, which leads
you to misery & want, and to the commission of
every crime -

The King }
Edw.ⁿ Sidney }

On Conviction for Grand Larceny.

You have been indicted for stealing the monies and property of Benj^r Street - and of this Offence you have been convicted on the most satisfactory evidence, ~~and~~ ~~you~~ It appears that you went into the Shop of Street in order to obtain employment - that you had been several times in his Shop before - and thereby probably - acquired a knowledge where Street kept his money - You seized the opportunity of Street's going to dinner to steal this money - You imposed upon the boy, Johnson, who was left in the Shop with you, by sending him out of the way under pretence of getting rum, and took this opportunity, when alone in the Shop, to steal the money out of the desk - You then went off, but you had not gone far wth the money, nor could you escape it, before a knowledge of the theft led to your arrest -

The Court regret to see ^{that} a young man, possessing the means of gaining a comfortable livelihood, should so far forget his character and situation, as to pilfer and purloin the property of another - A good tradesman in any Country, but more especially in this, can seldom want employment or the means of a comfortable subsistence, if he conduct himself wth sobriety & honesty.

but

but the man who abandons himself to idleness and dissipation, soon forgets all habits of industry and attention to business, and feels himself more disposed to prey upon the property of his neighbour, than to acquire it by honest means -

You seem at one time to have enjoyed a good character and to have been considered a good workⁿ - these were valuable recommendations to a young man - they could not fail to procure him employ^t in any place - to lose them, was to lose what was most valuable to you - and this loss you have now to regret - who can recommend - who can trust or employ the convicted felon? - what honest man can associate with him or recognize him?

You must now, P^r, remove to some distant quarter where your crime is not known, and let the present check to the career of your crimes prove a salutary lesson to you in your future conduct - Endeavour by every means in your power to retrieve that character which you have lost and to acquire the esteem & good opinion of honest men & whatever is valuable in society, as without this, ^{no} man, in whatever situation he may be, can live comfortable or happy -

The string
2
J. P. Healey }

accused of stealing 20 beaver skins, and
50 dozen pr cotton stockings the property of
Geo. Clarke - Upon this charge you
have been convicted of Petty Larceny -

The Jury in consider^s your case have united
the different circumstances in proof ag^t you so as
to found their verdict -

1. Being in possⁿ of similar quantity of beaver
skins as those lost by Mr Clarke without
being able to account for them -
2. The identity of them, as far as the marks would
go to that effect -
3. The string which tied them - to the bag
in wh^{ch} they were cont^d -

There is no doubt had that piece of evidence touching
your confession before the magistrate been admitted
your guilt would have been more apparent -

What makes your fault the greater is - that you
were the servant of Mr Clarke, his property was in
some measure committed to your care, & you owed
a protection to everything which belong^d to him -
So the felony therefore wh^{ch} you committed you
have added the breach of trust -

Such want of good faith & the principles of
common honesty, ~~is~~ highly blameable, and

and it is difficult to be accounted for how a man
possess'd. a good character as you did, should have
ventured, for the sake of a few ^{trifling} articles, to put the
loss of character in competition wth. them -

Consider the sacrifice you have made - that
good character so valuable to every man, you have by
your folly & extravagance lost - and you can
no longer expect to be employed ^{nor recommended} by anyone
who has known or heard of your crime -

Let me then request of you both to consider
your folly & your fault - and to hope that
the punishment you are now to undergo may
be a lesson to you in future - you will
have time to reflect upon ~~your present conduct~~ ^{the past delinquency of the}
past and I hope it may be an inducement to an
amendment in your future conduct,

The King. }
vs }
Dom. Minicouche }

On Conviction for Compound Larceny

Vous avez été accusé d'avoir volé dans
une maison habitée au montant de 40/-
une offense par nos loix qui touchoit votre vie - mais
en examinant cette accusation les Jurés ne vous ont point
trouvé coupable au degré qui affecte votre vie, mais
seulement d'une somme de 18/-

Il a paru que vous étiez dans l'habitude d'aller
au magasin de Mr Rivers pour ~~vous~~ de tems à autre, pour
y acheter différents articles - et que sur quelque raison,
bien ou mal fondée, Mr R. - avoit soupçon contre vous
d'avoir pris ~~de~~ quelque chose dans son magasin - Cette
soupçon a été cause qu'il vous a veillé de plus près, et
le resultat étoit, qu'il vous a vu prendre l'article pour
lequel vous avez été trouvé coupable -

A peine aviez vous commis ce vol, que vous ^{avez} senti
toute ^{la force de} votre imprudence et ^{de} votre ^{crime} culpabilité - vous
avez cherché de réparer ^{cette imprudence} votre ~~faute~~ par tout moyen possible
afin d'apaiser le bruit ~~et~~ les conséquences que cela pourroit
vous attirer - Si les memes réflexions ^{qui se sont} ~~vous seraient~~
présentées à votre esprit ^{sans ce moment} ~~après l'offense commise~~, auroient
pû se présenter avant, j'oserais dire, jamais cette offense
auroit été commise, - Cependant celui qui tend sa
main

main pour piller le bien d'un autre doit toujours
s'attendre aux consequences les plus funestes —

Comme vous n'etiez connu dans ce Pais que depuis
peu, & que vous avez voulu vous y etabli, il etoit
naturel a supposer que vous chercherez a meriter la
bonne opinion de tous ceux qui vous connoissoient,
ou avec qui vous ferez affaire, pour mieux assurer le
petit Commerce que vous aviez commence —

Mais dans un instant vous avez detruit toutes
vos esperances — votre bon caractere n'existe plus —

Le soupçon s'eleve sur toute votre Conduite, et on
est porte a croire, d'apres votre propre aveu même
que ce n'est pas la premiere fois que vous avez commis
de tels offences —

Pour cette fois vous echapperez avec la vie — mais que
cela vous serve de leçon de ne jamais vous exposer d'une
telle maniere a l'avenir[†] Retirez vous dans quelque
endroit ou votre crime est inconnu, et tachez par
une conduite honnête exemplaire de meriter ~~la bonne opinion~~
cette confiance que vous avez perdue
~~des honnêtes gens~~, & de rentrer encore une fois dans
la bonne opinion des honnêtes gens —

†
celui qui vole chez
les uns & chez les
autres pour supporter
son Commerce, fait
un triste metier,
† s'agira sa Vie
avec la corde au
Col //

celui qui
marche de vole
de vole

The King
n
Josette Lebrun }

Ou Conviction for horse Stealing —

accusée de voler un Jument appartenant à Mr
Jn B^d Gatin, Curé de St Eustache, sur cette accusation vous
avez été trouvée coupable sur la preuve la plus convaincante.
C'est la première fois que je vois amener devant cette
Cour une femme accusée pour vol de chevaux, et l'on
auroit pu espérer, que si vous étiez compliquée dans
un pareil crime, que vous n'avez été ~~persuadée~~ ^{forcée} obligée par
quelque force ou crainte, ou persuadée, afin de favoriser
les vices de quelque autre — Mais votre cas est bien
différent — Il paroit ici, que le nommé Jean B^d
Brousseau étoit avec vous — qu'il étoit présent
lorsque la Jument étoit prise, et qu'il vous a
accompagné dans votre fuite — Cependant ce même
Brousseau qui a été accusé du même crime et amené
ici pour subir son procès avec vous, en a été acquitté
par les Jurés, qui ont considéré, qu'au lieu d'être complice
avec lui, que vous seule étiez coupable — fondé sans
doute sur cette opinion que vous auriez débauché ce
Jeune homme, et l'avez induit ~~à participer~~ ^{à la perte} dans
votre offense, et qu'au lieu de suivre, c'étoit vous qui vouliez
lui tracer le chemin à ~~sa perte~~ — Quel horrible caractère
pour une femme — La mauvaise réputation dont
vous

vous jouissez, et la Conduite dereglée que vous avez
tenue, causent votre ruine aujourd'hui — Vous êtes
la femme d'un homme Lentric, cependant il a
paru devant la Cour, ~~vous même avez voulu prouver~~
que vous ^{cohabitez} ~~avez vécu~~ avec ce Jeune homme Brousseau
et vous avez même essayé de prouver que vous étiez
sa femme — On ne voit rien pour ^{expliquer ou démentir} ~~justifier~~ votre
crime, ~~ni pour vous sauver de cette punition que~~
~~la Loi prononce contre vous~~ — Le Jug^t. de mort
votre Conduite — que je dois maintenant prononcer contre vous
ni dans votre
Caractere qui
puisse vous
recommander
pour bien être mis en execution — il n'y a que
la grace du Souverain qui pourroit l'arrêter, mais
cette grace pourroit bien vous être refusée, vous
devez par conséquent vous préparer à la mort, —
Considérez bien votre Conduite passée — réfléchissez
bien sur toutes les offenses que vous avez commises
considérez qu'il faut maintenant en rendre
compte pas ^{aux} hommes mais à Dieu, et il faut ^{tacher} par
un repentir sincere de vos pêchés mériter sa misericorde

Jug^t

ni
~~on ne voit rien~~
dans les circonstances
du cas — dans
votre Conduite —
ni dans votre
Caractere qui
puisse vous
recommander

The King
Beaudouin }
Briere - }

Il est malheureux de voir des jeunes gens
qui ayent déjà fait tant de progrès dans
le ~~crime~~ ^{vice} que nous les voyons convaincus d'un
Crime Capital qui leur ouvre le chemin à la Potence -

Comment seroit-il possible que vous ayez fait
si peu de cas de la propriété de votre voisin &
de votre maître - quel triste exemple de la
debauche de la jeunesse, que de voir commettre
de si grands crimes sans reflection ou sans
consideration - Cela demontre que trop
clairement la necessité qu'il ya de faire
quelque exemple pour arreter tant de
brigandage - et il est peut être ~~leur~~ ^{à dessein}
pour la sureté publique, que des gens si
abandonnés, & pour ainsi dire perdus dans le
Crime ^{vice}, soient ~~exécutes~~ retranchés de la Société
avant qu'ils deviennent plus dangereux par
leur plus grand progrès dans le Crime -

~~C'est pour cette raison que je dois vous~~
~~prevenir tous~~ H

Il est vrai les Jurés vous ont recommandés
par rapport a votre Jeunesse - ~~Cette recommandation~~
~~sera~~ mais qu'elle sûreté avez vous que cette
recommandation sera écoutée - le crime du
vol des chevaux est devenu si fréquent, qu'un
exemple sera considéré comme nécessaire, &
l'on ne sait ou le sort pourra tomber -

C'est pour cette raison que je
dois vous prévenir vous —

The King. —
Fran. Genou —

Qu Comichou fa Sacilege. —

Vous avez été accusé d'avoir volé dans l'Eglise
de Contrecoeur des argents qui elle appartenantes
sur une preuve bien satisfaisante, les Jurés vous ont trouvé
Coupable. —

L'hasard a conduit à la découverte de votre crime —
ayant été arrêté dans l'Eglise du Cap Santé sous quelque
suspçon de vol — vous avez été mené à Quebec, et en
examinant votre Cassette on a été surpris d'y trouver
une quantité d'argent très considérable d'environ 8000⁺ —
ce paroissoit bien extraordinaire pour un homme de votre
condition & de votre apparence — Mais comme les
Crimis se decouvrent bien souvent par des indices bien
simples, il s'est trouvé ici, parmi l'argent dans
votre Cassette, un petit bordereau, écrit sur un vilain
morceau de papier, ^{qui a} ~~qui~~ produit votre condamnation
aujourd'hui — Cela joint aux autres circonstances —
Que le 23 ou 24 Mars quand vous aviez logé à Contrecoeur
vous avez paru comme un pauvre homme, à qui on
donnoit ^{un} logement gratuit, — la demande que vous
avez faite aux personnes de la maison si on gardoit
le coffre fort dans l'Eglise — preuve que vous aviez
dans ce moment quelque projet en idée touchant

ce même Coffre fort - Que deux Jours après, savoir le 25 Mars vous serez entré chez le nommé Rivard a Soiel, ou vous aviez resté quelques Jours & ou vous aviez fait voir une grande quantité d'argent, tant en or qu'en d'autres espèces - et pour apaiser toute suspicion, vous avez dit que cette argent provenoit de la succession de votre frere, & vous vous êtes donné le nom de Fran^s Turgeon - Enfin le témoignage de Marion pour le bordereau ne laisse aucune doute quant à votre Crime -

La defense que vous aviez faite que vous étiez un homme faible d'esprit, paroît aucunement fondé votre Conduite dans toute cette affaire prouve le contraire, et vos parens mêmes, n'ont pu dire que vous étiez faible d'esprit, dans le témoignage qu'ils ont rendu en votre faveur -

Le Crime de Sacrilege est capitale, et il est rare, que celui qui en est coupable, en échappe la punition - parceque ce crime fait voir un homme dépourvu de ces sentimens de respect pour la Religion & tout ce qui regarde son culte - et celui qui vole dans une Eglise est d'autant plus criminel, qu'il outrage ces sentimens que l'on considère comme
sacés

+ Canadien
Pere - clerc
Religion
chapre
vou -

sacres parmi les hommes ^{qui} et les unissent le plus
etroitement ⁺ et il est à supposer qu'un tel homme
~~qui est capable de voler dans une Eglise.~~
respecterait très peu la propriété d'un individu
qui ~~se~~ ^{ne} se trouve pas protégé par des sentiments
si imposans — Au contraire ~~est~~ ^{on} est porté à
croire, ~~que celui qui peut voler dans une Eglise~~
~~celui qui peut voler les effets dans une~~
~~Eglise~~ a déjà ^{fait} du progres dans le crime, et il
est par consequent necessaire pour le bien de la Société
que l'on mette un frein à pareilles offenses par
la punition du Criminels —

Il est de mon devoir, ^{Pr.}, de vous prevenir qu'en
toute probabilité la sentence de la Loi seroit mise
en force contre vous, et vous devez en consequence
vous preparer à la mort — Considérez que vos jours
sont à présent nombrés et qu'ils approchent à leur
fin — une fin trop prochain peut être pour vous donner
tout le tems qui vous seroit necessaire pour un tel
evenement — Reflectissez bien donc sur votre
conduite passée, et sollicitez d'un Dieu misericordieux
ce pardon qu'il ne refuse jamais au pêcheur qui
s'approche de lui avec un repentir sincere de ses
péchés

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D. Rex
r
Jⁿ B^{te} Galenau

accusé d'avoir volé du bled, la propriété
d'Amable Duprat -

vous avez été trouvé coupable sur votre
propre aveu d'avoir volé ce bled - même une plus
grande quantité - Il est vrai les Jurés qui ont
toujours de la Considération pour les accusés, ont
considérés, que vous avez été engagé à confesser
le surplus de votre faute, dans l'esperance de ne
point être poursuivi, & pour cela ils ne vous ont
point trouvé coupable de cette partie -

Vous étiez l'Engagé de Duprat - le soin de ses
batimens & tout ce qu'il y avoit dedans vous étoit
confié - & dans ce cas, l'Engagé qui vole son bourgeois
est double^t coupable, parce qu'il trompe son maître
doublement - tant par la manque de confiance
que par le vol qu'il commet -

La facilité avec laquelle vous avez seu tromper
votre bourgeois, vous a engagé d'étendre votre
pillage bien au delà de ce que vous avez été -
trouvé coupable, parce qu'il paroît que vous
avez rendu ^{de} bled à plusieurs personnes -

Votre Crime ne peut être excusé - nourri
et protégé dans la maison de votre bourgeois, vous
deviez défendre & protéger tout ce qui lui appartenoit
au lieu de le piller.

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