

Monday 13<sup>rd</sup> Sept<sup>r</sup> 1819

Present. The Hon. Ch. Justice  
Mr Justice Reid, pursuant to  
Biderd.

The Ch. Justice having charged the Grand  
Jury, the Court adjourned to 3 o'clock in the  
afternoon —

The Court met at 3 o'clock —

The following Bills were found by the  
Grand Jury —

The King  
Germain Talbot } Indictment for privately  
stealing from a Shop.

The King  
Germain Talbot } Indictment for Shoplifting  
privately that is in a Shop —

The King  
Catherine Roberton } Indictment for stealing in  
a Dwelling house — value 2/10

Tuesday 14<sup>th</sup> Sept. 1819.

The King  
Germain Tabern }

On trial of Indictment for  
stealing privately in Shop. of  
Ezekiel Hart to amount of 5/- —  
one piece of bombazet — 5/- lb  
one dr<sup>c</sup> Gingham — 5/- dr<sup>c</sup>

Ezekiel Hart is merchant in Three Rivers  
and has a shop there - had a <sup>remnant</sup> piece of bombazet  
of 2 or 3 yards of the value of 4 or 5/- shillings<sup>cy</sup> - there  
was also a remnant of Gingham in the Shop  
worth 5/- shillings<sup>cy</sup> - Saw these articles about  
1/4 hour before they were found in poss. of P<sup>r</sup>  
they were on the Counter in the Shop - were part of  
the goods exposed to sale in the Shop - That a person  
came into his shop and enq<sup>r</sup>. if he had lost a piece  
of Gingham or bombazet, to w<sup>t</sup> he did not, but on  
looking at Counter perceived they were missing -  
run out & the P<sup>r</sup> was pointed out to him as the person  
found them on P<sup>r</sup>

Charles Aubry - Is clk to last wife says nothing -

Isaac Valentine. Is merc<sup>t</sup> in Three Rivers - saw P<sup>r</sup> in the  
street the 3<sup>d</sup> June last - Mr. was in Hart's shop  
when Mr. Grant came in asked if he had lost a  
piece of bombazet - Mr. Hart had so many  
goods on the Counter that he could not immediately

till, but said if he saw the pieces, he could tell by his mark - that they went in pursuit of the P<sup>r</sup> & found the bombazet & Gunham upon him which Mr Hart claimed as his property - Kn<sup>o</sup>. mark of Mr Hart and believes the articles to belong to him

Jos: Baddeau, Just. Peace: The P<sup>r</sup> was examd. before him on a charge of having stolen some bombazet & Gunham from Mr. Hart - Mr Hart was present & claimed them articles as his property which were found on the P<sup>r</sup> Examination taken before W<sup>r</sup> was read - by which he acknowledged to have taken the above articles in the shop of Mr Hart, as he believes - says he was in liquor, that several other articles were delivered to him by one Farby. - D<sup>r</sup> fence -

Edward Kimbut - The P<sup>r</sup> was a militia man in the same battalion with W<sup>r</sup> last war for about 18 months under the command of W<sup>r</sup> that he intrusted him often with his keys, always found him honest & faithful & he bore that character in the battalion - Knows nothing of him since the war -

The Ch. Just. charged the Jury - that as there was some uncertainty in the case whether the P<sup>r</sup> was the person who took the goods, they must consider well of it - no proof that P<sup>r</sup> was in shop of Hart - Hart knew only that he had been robbed upon finding the articles in the poss. of P<sup>r</sup> and the P<sup>r</sup> says he believes they were out of Mr Hart's store & that he took them there - he rec'd. the other articles from one Farby - & he

may have received them from this Tardy - the P<sup>r</sup> had been in liquor, and had not altogether recovered from it - If the P<sup>r</sup> rec<sup>d</sup>. the articles from Tardy he cannot be convicted on this Indictment.

Verdict. Not Guilty -

The King }  
Germain Talbot }

On trial of Indictment for privately  
stealing in a Shop -  
one piece of Cotton b. f. Str  
one piece of Cloth y - Dr. property of  
David Grant -  
=

Charles Aubry - commis de Mr Grant marchand  
a son magazin en cette ville - le 3 Juin  
passé, il y avoit sur le comptoir, un coupon  
de cotton & de drap bleu, avec d'autres articles,  
a vu le P<sup>r</sup> entre 2 ou 3 fois ce Jour la dans le  
magazin - environ 1/4 heure apr<sup>s</sup> son sorti le  
dernier fois, il s'est apperçue que ces effets manquaient  
et il a vu prendre une piece de cotton & mettre sur  
son estomac, le Dr. l'a ôté - le P<sup>r</sup> est sorti, & on  
l'a suivi d'arrié - il avoit un mouchoir rempli  
d'effet, & y a trouué une piece de cotton & une  
piece de drap bleu - estimé le drap - 2 Verges à  
5/ la verge - le Cotton - 5 a 6 Verges à 1/ -

ces

ces effets appartenant à Mr Grant. — Mr P<sup>r</sup> was carried to Gaol and the effects deposited at the office

<sup>2-</sup>

Le drap n'a aucune marque de magasin dessus connoit cependant le drap pour appartenir à Mr Grant Mr se renst pas d'avoir vendu le cotton en question ou pareil cotton au magasin ce mème jour — qu'il a vu ce même piece de cotton ce mème jour au magasin et sur le comptoir — il n'y en avoit d'autres pieces au magasin mais pas sur le comptoir —

Isaac Valentine — saw P<sup>r</sup> in Street on 3 June & arrested him at instance of Capt W<sup>r</sup> who knew him to be he had stolen a piece of Cotton from him — The blue cloth & Cotton now exhibited I<sup>r</sup> to be same found on the P<sup>r</sup> from marks he put on them, and Mr Aubrey claims them on seeing them

### Defence

Edward Thimbert — was officer in incorporated Melba & P<sup>r</sup> was a soldier in that battalion — he enlisted him with his says, and found him honest & faithful and he always had that character during 18 months he knew him —

I charged the Jury — that the circumstances of the Case were strong, as P<sup>r</sup> had access to the Shop had given cause of suspicion — & goods found upon him —

Verdict Guilty of Petty Larceny

The Slings  
in  
Catherine Robertson } on trial of Indictment for  
Sacrilege.

Fran<sup>s</sup>. Gendron, bedeau de la paroisse de St Maurice dans le district de Trois Rivières, a vu la preuve le 16 Janv der. dans l' Eglise - il s'est apperçus que le tapis de credence manquait dans l'Eglise et comme il n'avait point coutume de voir la P<sup>r</sup> dans l'Eglise il la soupçonne de l'avoir pris - que quelques jours après il manquoit encore une nappe d'autel - il a été en conséquence averti le marguillier qui n'a pas voulu s'en mêler - il fut ensuite chez le P<sup>r</sup> avec l'Eustache Polydore & y a trouvé trouvée une des trois morceaux de la nappe d'autel, & un morceau de la dentelle ayant été porté chez Mr Gaillon - il a trouvé les deux autres morceaux de la nappe chez Mr O'Han. - That Joseph Novall<sup>e</sup> est marguillier en charge <sup>de la</sup> ~~of the~~ parish - mais il y a deux autres marguilliers dans la barre de St Devre qui sont aussi en charge -

Here an objection was taken to the sufficiency of the Indictment whether the Custody of one marguillier could be considered as the legal custody where there were others who were not mentioned in the Indictment - It was stated by the Ch. Just. that he was not prepared to say that even if charged him in the possession of all the marguilliers in charge, it would be supported - but as our

only

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only of several marguilliers was named, the legal  
custody could not be considered to be in him alone -

- su 3. Chitty. 992 - 949 - & 948  
1 Hale 512 - 3<sup>c</sup>. Camp. 264. 5  
2 East. P.C. 651 -  
1 Chitty. 212. to 217 - prosequit 214  
2 Saunders. 47. a. N. 1  
Hawke. B.I. c. 33. p. 45 -

The King  
v  
Catherine Robakow }

On trial of Indictment for  
Stealing in the dwelling  
House

20. May. Three Rivers. 2 Ells Ribbon  
value 2/- the property of Marie Crête  
in her dwelling house -

Marie Crête, demeure chez Michel Boudre, &  
demeuroit là le 20 Mai dernier, comme locataire,  
com. la P<sup>r</sup> qui a dem. environ 3 Semaines chez  
Boudre, mais pas dans l'appartement du Lemire -  
elle a trouvé, qu'on lui avoit pris 2 aunes de ruban  
et a trouvé mis en gage chez Jos. Courchêne, pour 1/-

Elle vend de petites articles - Qu'elle avoit vendu du  
ruban auparavant - lorsqu'elle a perdu son ruban  
elle s'est adressé aux gens de la maison

Josette Courchêne. Que le printemps dernier elle a eue  
un morceau de ruban de la pris<sup>e</sup> qui l'a mis  
en gage - elle l'a vendu pour 1/- l'a vu  
depuis plusieurs fois - et pareille au ruban  
maintenant monté -

Verdict. Not. Guilty. -

The Court adjourned to half past three in  
the afternoon. —

The Court met pursuant to adjournment

The King

vs  
Frank Tremble

John Stay

The Grand Jury brought in a Bill for High Treason. —

The Prisoners were arraigned & pleaded not guilty — It was a question whether on this Indictment which regarded the Coin, the P<sup>r</sup> were entitled to a few days notice with copy of Indictment & also of List of Jury — But it was considered that this did not extend to the terms of Treason touching the Coin. — 1. East. P.C. 161

Wednesday 15<sup>th</sup> Sept. 1819

The King

vs  
Frank Tremble

John Stay —

On trial of Indictment for High Treason, in counterfeiting dollars —

It is treason to counterfeit foreign coin current here by Consent of the Sovereign by St. 1 Mar. St. 2. c. 6 or 12 & 2. P<sup>r</sup>s & M. c. 11 — Queen - q<sup>t</sup> note - an act of the Prov. Legislature is in fact enacted by the King with the advice of the Legislative Council — It is a proclamation of his consent to what the act contains — 17 Geo. 3 ch. 9

The counterfeit must so resemble the coin as ordinarily to impose on the world, but the resemblance need not be perfect — 1. East. P.C. 163.

There need not be any impression. 1 Hale. 364 -  
nor any attempt to utter — da 165 -  
See on this offence generally.

1. Hale. 210. to 230

Hawke. 6. 1. c. 17. f. 54. to 91 -

Bacons Abr. v. Provo. 6. 8 -

Comyns Diz. — Justus. 16. 7

4 Black. Com. 88 to 91 -

1 East. P.C. 158 to 167 -

See also Foster. & Chittys note. Vol. 2. p. 103

Two witnesses not necessary -

1 East. P.C. 187 -

1 Leach. 42. -

35. Peremptory challenges allowed. 1 East. P.C. 137.

The Defendant not entitled to copy of Indictment  
list of witnesses or Jury — 6. Geo. 3. c. 53. s. 3  
4 131. Com. 352 -

Cannot make a full defence by Counsel

7 & 8 Will. 11. c. 3. s. 13

Defendants are in all respects to be tried as Common  
Talors, except 35 challenges. 1 East. 187

Sentence to be drawn & hanged — 1 Hale 351 -

4 Chitty. 10.

No corruption of blood or loss of Dower ensues  
Burns Inst. Coin. —

Joseph

Joseph Claproof, was produced as a witness on behalf  
of the crown, an objection was taken to his competency  
on account of his having been convicted of uttering  
false coin namely two Spanish milled dollars, - this  
was admitted by Mr. Soll. Genl who produced the  
Kings pardon in the said offence & contended that  
by such pardon his competency was restored -

The wit<sup>s</sup>. was admitted - M<sup>r</sup> nally 234

Says, he resides in the town of Three Rivers, and  
was then a part of summer 1818 - R<sup>c</sup> P<sup>r</sup> Tremble  
and lived 15 days with him in his house last sum<sup>r</sup>  
Knew P<sup>r</sup> Hay at same time - Tremble is a Tin Smith  
and Stay a Clock maker - Went to see P<sup>r</sup> several  
times before he went to live with Tremble - who resided  
then in Bolvin's house in Three Rivers - In the month  
of July 1818 the P<sup>r</sup> Tremble shew<sup>d</sup> Mr. a counterfeit  
Spanish dollar also 2 or 3 bank tokens also counterfeit  
the dollar was of tin and bent, P<sup>r</sup> told Mr. that he had  
made them that he had ~~run~~ pressed them between two boxes  
of whulls, - he then asked Mr. if he knew how to mix  
metals so as to resemble Silver - he said he did not -  
In Sept or Oct after, the Mr. ~~also went~~ met with the  
P<sup>r</sup> Tremble in about 15 days - the P<sup>r</sup> Stay then  
boarded at Tremble's - That Tremble proposed to us  
to shew him how to melt brass, wh<sup>e</sup> we agreed to do,  
and we constructed a small furnace in the garret of the  
house, but they found the heat was too great for the  
boards on fire - they then agreed to go to the Chenaux

on the Black River, which they did, went up the River about a league or a leaguer half, when they constructed a furnace Trumble carried chalk & materials with which he made moulds for 3 shilling pieces, and we melted brass using tin as a fuse but not with an intention of making money, as the master was still black - but with this substance so melted Trumble cast 8 or 9 three sh. pieces - that Trumble bore these pieces to town & showed them to the P<sup>r</sup> Hay - the P<sup>r</sup> spoke together but we did not hear what was said - that two or 3 days after the two P<sup>r</sup>s & we went up the Black River to their establishment there - they here took the materials across the River and erected another establishment at a place called Porth a proum about 1½ acre or 2 acres from side of River - here they began to make dollars - Hay made the moulds, in the Chalk & cleaned the edges of the dollars after they were made and Trumble cast them - they both took them out of the moulds - they made dollars to amount of £18 - Hay counted the dollars & put them in pds and said to Trumble, that there was that quantity made, and we saw the pds and believe there might have been dollars to that amount - the dollars were rougher than good dollars, but a person not taking much notice might have been deceived by them, although they were rather darker than good dollars, but the country people

people would have been deceived by them, and  
we received two of these dollars from Tremble which  
he passed, he received <sup>3, 3</sup>~~three~~ <sup>thirty three</sup> but did not pass them -  
he received none from Hay, nor was he present when  
he rec'd them from Tremble - That last fall Tremble  
gave his boy several dollars at different times to go on  
board a gulet at River Side to purchase Oysters and  
fish - the boy returned each time with the Oysters and  
fish, but he did not see the boy give the dollars to the  
master of Gulet - saw Tremble give a 3 L. piece  
to a man in payment of money he owed him -  
That same night that boy brot. fish & oysters from the  
afore Tremble told us that he had passed another  
of his dollars to Cadette Poirier for fish & oysters -  
That the day that search was made for the false money  
he saw Tremble take the remainder of the £18 - and  
throw it into the necessary & push them down with  
a stick - Hay was then eating his dinner in the  
room where the dollars lay, and we do not believe  
that he knew what Tremble was about -

That the night before they went up the blacke River to  
make the dollars, They said he had a better plan for  
making the dollars, and said he had taken it down in  
writing from a book of - he said he had borrowed from  
David Munro, and read to Tremble what was on the  
paper of - he had so copied, which consists of brass, tin  
and antimony - saying it was a better composition  
than what they had formerly used - Tremble then  
wrote

went out saying he would go to D<sup>r</sup> Carter, for  
the antimony, he returned saying he had got it,  
but did not show it till they had got into the  
woods - That when in the woods the P<sup>r</sup> made  
use of a tong & rehearsal such as thou now shew

Daniel Munro, lives at Three Rivers, is a brass founder  
to P<sup>r</sup>. That between May 1 June 1818 the P<sup>r</sup>  
proposed to W<sup>r</sup> to make false money, saying there  
was a man below or about Quebec who made and  
passed <sup>false money to a large amount</sup> ~~dollars~~ without being discovered, asked us  
if the same could not be done here - W<sup>r</sup> R. he did not  
think it could as the risk was too great - That  
a short time after the P<sup>r</sup> Tremble told W<sup>r</sup> if he would  
keep it secret, he would tell him something  
and after W<sup>r</sup> had promised to do so, the P<sup>r</sup> told him  
he had two moulds, <sup>of</sup> a plate of Paris, one for  
casting dollars and another for American half  
dollars - the P<sup>r</sup> showed the moulds - one of them  
was for the Spanish dollar and the other for the  
American half dollar - on showing the moulds Tremble  
said he could cast dollars perfectly, but W<sup>r</sup>  
said he could not, because the W<sup>r</sup> with the nail  
of his finger disfigured the head of the King on  
the dollar, and to convince P<sup>r</sup> that he could not  
the W<sup>r</sup> run some paint into the moulds, and  
took it out and showed the impression to the  
P<sup>r</sup> to convince him that it was not a good  
mould, of P<sup>r</sup> then agreed to, and upon this the  
W<sup>r</sup> threw the mould into the River -

That

That Mr took the powder he had so care and defaced it - the P<sup>r</sup> then asked Mr if he could do any better the Mr said he could, which he did with a view to get hold the moulds & destroy them - the P<sup>r</sup> proposed to Mr to go into partnership in the business of making false money - he asked Mr what were the best materials to make moulds of the Mr said that chalk, bees wax & glue were necessary - the next day or two days after the P<sup>r</sup> came & told Mr he had brought with him these articles and when he then told Mr I believe you are making a fool of me - told Mr that he had put the materials into a Saucpan, but that the chalk remained at the bottom like a stone & the rest of the materials melted like water. That in July 1818 the P<sup>r</sup> asked Mr to lend him a book which treated <sup>on mixing</sup> of metals, but Mr refused to lend it, saying he wished to learn to make money to pay a debt of £50 he owed to a Print below Dublin, that the Curé was a short-sighted man and would not perceive the money - That on walking together some time before this the P<sup>r</sup> said to Mr so I see you will not join in what I told you, the Mr told P<sup>r</sup> never to mention the matter more to him as he would not join him - That some time after, the P<sup>r</sup> Hay asked Mr for the loan of the book to ascertain how to cleanse some old gold and silver he had, the Mr had then no suspicion of any bad use being intended to be made w<sup>t</sup> it, - still Mr at first refused, when P<sup>r</sup> Hay said he would show w<sup>t</sup> to make an instrument for cutting wheels of a Clock and also to do the ordinary work of a watch - upon this the Mr consented & lent him the book

book - That after Mr. Claproot was arrested  
for passing counterfeit money - the W<sup>r</sup> went to  
Tumble's house, and told him, you must certainly  
have been making money - he said yes I have,  
but you must be secret and not tell any one,  
in them s<sup>t</sup>. Not they had come up the Chenango  
a Black River where they had made to the amount  
of £18 - but did not say in what kind of  
money - W<sup>r</sup> ask<sup>d</sup> him what he would do if he  
was called as a W<sup>r</sup> ag<sup>t</sup> Claproot - he said he  
would swear that he knew nothing ag<sup>t</sup> Claproot  
and upon being asked what he had done with  
the £18 - he had so made - he said he had thrown  
it into the nursery - That Day returned the  
book to W<sup>r</sup> after the arrest of Claproot in the  
presence of P. Tumble - that Tumble then told  
W<sup>r</sup> you would not let me know how to make  
tin resemble Silver, but that he now knew it,  
and that he had learnt it out of the book -  
This rather struck the W<sup>r</sup> as he had particularly  
enjoined Day not to show the book to any  
one -

X<sup>o</sup>

That Claproot & W<sup>r</sup> are brothers by same  
mother - that before prosecution of Claproot  
the W<sup>r</sup> never proposed to Tumble to counterfeit  
money. - That in Spring 1818, the W<sup>r</sup> went to  
Mr Duval's to ask him how to make a composition  
of tin to resemble Silver, which he did in order

to

m

to satisfy P. Tremble that he the W<sup>r</sup> knew nothing about it himself - never asked this question of any other person but Duval - ~~he may have~~ <sup>he may have</sup> asked ~~any~~ <sup>some</sup> body to show him how to make moulds for casting, as he is a worker in brass, but he never asked this question with a view of making moulds for counterfeiting money - That he recollects having asked one Mr' Even how they cast figures upon bills in Europe, he said it was with wax - That Claproot - after sentence pronounced upon asked W<sup>r</sup> how he could escape the punishment, and W<sup>r</sup> told him he knew of no other means but by obtaining a pardon from the Govr<sup>r</sup> - That Claproot at time said it was hard to expose 2 or 3 to be hanged in order to save himself. Being asked if he ~~Claproot~~ did not tell Claproot that if he would swear at any one he w<sup>d</sup> support him with his oath - says no - That the first account he ever had of counterfeiting money was from Tremble in his own room - and W<sup>r</sup> then asked him if Gbay had any thing to do with it, when Tremble said he had not - That this was 2 or 3 days after Claproot's conviction - never recollects having said to any one that Claproot had passed Counterfeit money in Quebec - all he ever knew of this was, that Clap<sup>t</sup> told him he had passed a trinte Sols with a flaw in it, which many people had refused -

Edward Mauricette, lived w<sup>r</sup> Tremble in summer 1818 in Mr Bolivier's house in this town - Rememb<sup>r</sup> having

having been sent to Mr Bureau's, for a bushel  
of Charcoal for Tremblé - which he got & took to  
Tremble's house - that next morn, by orders of  
Tremblé he carried the Coal to a Canoe at the River  
side early in the morning - Tremblé embarked in  
this Canoe with Stay & Claproot - went down the  
River - The P<sup>r</sup> returned home next day - That  
P<sup>r</sup> absented himself at another time two days -

Adalinde Blanquette, was present when the Search was  
made at house of Tremblé - but saw nothing

Etienne Derouin - that he was employed by Mr Bureau  
to cart dung out of his yard, which he carried  
into the field - this about end of June last  
that he carted dung also from Bolvin's  
yard into Mr Niverville's field - is the only  
person who carted dung into that field

Jos: Bureau - saw Derouin cart out the dung from  
Bolvin's yard where P<sup>r</sup> Tremblé lived  
That the dung was taken out of Bolvin's yard with  
a Shovel & carried six or seven steps into Bureau's  
yard where the cart stood into q<sup>t</sup> it was put

Pierre Bureau - that Derouin carted dung in June last  
through the yard of us from the yard of house  
where P<sup>r</sup> Tremblé lived - That from the suspicious  
which were afloat in respect of the P<sup>r</sup> he looked  
particularly to see if he could observe any money  
or other thing of a suspicious nature among the  
dung - Thought it scarcely possible that there  
could

could be any pieces of money among this dung, at least to any great number without his having perceived them, from the particular notice he took -

Augustin Gaznon. 100 P<sup>t</sup>. Tromble & Bolvin's house where he lived - That in Spring of the year he saw P<sup>t</sup> in the necessary, and going up to look what he was about the P<sup>t</sup> gave him a slap in the face -

Auguste Gauthier - That about a month ago he found a pair of long and chaffing dish about a league & a half above the Chenaus - near the ruins of a Cubanne, about an acre back from the River -

Charlotte Delisle - In the course of last Spring, she found a quantity of dollars & half dollars in Mr. Niverville's field, that some boys having found some pieces in the field she went then purposely to look for the same thing, she found a parcel which she gave to Mr. Lambert - She perceived that the money was counterfeit - The dung where the money was found was spread about and the dollars also -

In P<sup>t</sup> Delaney - says nothing -

Elisabethe M<sup>t</sup> Leod. In the course of last Spring she found a parcel of money consisting of dollars, three shilling pieces & half dollars in Mr. Niverville's field which she deliv<sup>r</sup>d to Mr. Lambert - That she saw several pieces of tin in the field -

Rene Lambert, J. J. remembers in May last December, to have received from Isaac Belanger 23 piastres - of Elisabethe M<sup>t</sup> Leod 12 doll.<sup>44 doll. 23 shillings</sup> & 3 pieces of lead - of Isaac

Isaac Belanger 23 pieces of same kind - after  
wife of Jean Belanger 12 pieces of same kind  
from the wife of one Dubois 20 pieces and a linen  
bag - from one Alexander Lannier 7 pieces -  
from Magdelaine L'Enseigne 3 pieces - from  
Francois Belgeau 3 pieces - On the 14<sup>th</sup> May  
he recd from Mr Procuror 2 pieces - all of false  
Counterfeit money, making in all 72 pieces  
which he now produces -

Joseph Claproot - That he never went to Pointe du Lac  
with Tremble - That the pieces now exhibited  
are exactly like the dollars & pieces he spoke of  
before only they are not so clear - That the  
bag now produced resembles the bag in which  
he had seen the money at Tremble's -

X -

That it was by a dead fire on a colic when  
the fire was lighted & the money made - That  
he was in Tremble's house when the Constable  
came to make the search - That he never  
accused any other persons than P<sup>r</sup> of having  
made the money, never saw money made by  
any other than them - Does not recollect to  
have seen Parabis, nor any other person he knew  
except Mr. Fane and Portugais -

Here the evidence for the Crown was closed  
Defence -

Jean Gabouri - As Mr Claproot, & has known him for

9 or 10 years - he came to Three Rivers from Quebec -  
that he has never heard any thing of his character till  
of late - that he would not break his word and he would  
doubt his oath - Knows R. Trumble for 3 years past - that  
he follows his profession closely and he always bore a good  
character till late accusation of him -

William Anderson, merchant, 102 Daniel Munro, Esq<sup>r</sup> - In fall  
1817 or Spring 1818 he applied to Mr. to import a quantity of  
black tin - he told it was for the purpose of mixing with  
brass - That there had been a counterfeit dollar in  
circulation in town and Mr. asked Munro if he had seen  
it, he said he had, and that it was very bad - and  
said that it would be a difficult task to ~~make~~ <sup>on another</sup> dollars  
well by casting them <sup>in asking Mr. if they were cast. & he said</sup> - the U.S. it would <sup>as</sup> they were  
generally made w<sup>t</sup> a dye - He asked Mr. if it would  
be possible to ~~make~~ a dollar counterfeit silver coin  
Mr. said it might - Mr. then said to Mr. as you  
have been a long time about the forges, how is plaster  
of Paris used about moulds - Mr. said, that none  
had been used there, but that he had a book which  
treated of metals and the manner of casting them,  
Munro asked the loan of it - q<sup>r</sup> Mr. promised him,  
but did not give it - remembers that Munro  
said he meant to make white bills with the tin  
Rs. John Hay for a year & half, never heard anything  
aft. his honesty -

2

That what passed between Mr. & Munro, gave no ground  
of

Frank Rochelan 110. P<sup>r</sup> Hay for a year past - has had dealings with him - and always found him an honest man & never obtained any bad money in the money he recd from him - he has never heard any thing of his character.

Philip Burns - the P<sup>r</sup> Hay who keeps a shop near H<sup>r</sup> has had dealings w<sup>t</sup> him never recd any counterfeit money from him - always found him to be an honest man

P<sup>r</sup> Bureau - has known P<sup>r</sup> Trimble for 2 or 3 years and carried on business as a Tin-Smith - he always bore the character of an honest man until the present accusation ag<sup>t</sup> him - has had several dealings w<sup>t</sup> him always found him correct, never saw any counterfeit money in his possession -

Charles Dunal - Is a Silversmith - That W<sup>r</sup> Munro asked w<sup>r</sup> if he knew how to <sup>mix metals so as to</sup> resemble silver and he answered that he did not - That W<sup>r</sup> was alone with Munro at the time -

Isabelle Piché wife of Los. Page says nothing -

Joseph Stinson - K<sup>r</sup> P<sup>r</sup> Hay since his infancy - has had dealings with him at will at Quebec, as at Three Rivers - Since he grew up he has always enjoyed an honest sober and industrious man until the present accusation - That W<sup>r</sup> had such confidence in his innocence and good character that he was bail for his appearance at this Court on the present accusation -

Purse

Pierre Paradis - was constable in 1818 - made a search in Tremblay's house - does not recollect having seen Joseph Clapwood there, did not find any counterfeited money in the house -

Verdeckt stolz Guiltz

The King  
v.  
Richd Everett Thomas } on trial of indictment for  
Grand Larceny

26 May - a Silver Watch - £5 - th  
Will<sup>m</sup> Munson -

David Bean - Rs. Wm Munson, a lumber man  
was with him on a raft the latter end of May. -  
Munson had a silver watch, q<sup>t</sup> W<sup>r</sup> knew. - Saw  
P<sup>r</sup> about 29 May - he came on the raft about 10. or  
11 o'clock - lay down went to sleep - lay till dinner  
when they woke him up to dine - the watch was in  
the cabin on the raft so that any person could see it -  
The P<sup>r</sup> went away about 2 o'clock - soon after it  
was missed, when Munson asked W<sup>r</sup> if he had the  
watch, q<sup>t</sup> W<sup>r</sup> denied, the suspicion then fell on  
P<sup>r</sup> & Munson desired W<sup>r</sup> to go after him - he did  
& came up w<sup>r</sup> him in Three Rivers, saw something  
like a watch in his pocket - he stoped P<sup>r</sup> & found  
the watch in his pocket - & taking it out he asked  
P<sup>r</sup> why he had taken the watch - he said he only  
took it to see what time it kept - he carried the  
P<sup>r</sup> to the Police office - the watch was delivered at  
the Police office where Munson claimed it as his  
and it was delivered to him - values watch at  
40/- That on Sackett was present -

Lives in Vermont, Munson lives there also - was  
told that P<sup>r</sup> had been gone only a few minutes when  
the watch was gone - Munson told W<sup>r</sup> so - and  
that he suspected P<sup>r</sup> Watch had a yellow

metal chain - when he came up to P<sup>r</sup> he told him he was suspected of having stolen the watch and took it out of his pocket - it looked like Mr Munson's watch - & he took it to be same, as he had seen it a hundred times before - thinks he would have known the watch in the hands of any other man ~~does not~~ - When he last saw Munson was at duck on board the Steam boat on his way home - has since heard from him -

Thomas Coffin. Test. Peale - The P<sup>r</sup> was not before him on charge of having stolen a watch the property of Mr Munson - It was claimed by Munson and might be worth 3 or 4 pounds - The P<sup>r</sup> refused to sign his examination - The exam was ordered to be read -

Conancour for P<sup>r</sup> objected to the sufficiency of the examination as it ~~was not signed~~, and that no mention was made on the examination of the Prisoner's <sup>refusal</sup> to sign, and it ought not to be proved by any other evidence -

The Court overruled the objection and admitted the examination - see Lamb's Case - Leach, C. 625 -

Verdict - Guilty -

The King  
Catherine Robertson } On trial of Indictment for Petty  
Larceny  
Bridget Ch. Just.

Frank Guidron, bédéau de la paroisse de Trois  
Rivières - <sup>en</sup> un rapport d'autre a été volé et  
trouvé en partie chez le P<sup>r</sup>

Marie Martin, femme de Jos. Guilloux  
Jane O'hair, n<sup>e</sup>: some articles from P<sup>r</sup> 2 pieces lame  
Isaac O'hair - Deliv<sup>r</sup> up lame to Portugais -  
P<sup>r</sup> Portugais - execut<sup>r</sup>. Frank want -  
Defence

Marie Verdict. Not guilty

The King  
Henry M'Donald } On trial of Indictment  
for stealing in a dwelling  
house -

7 Sept - 1 Shawl - 5/-  
1 Cap - 2/-  
1 Shirt - 2/-  
Gro. Carter. proper -

Mary Payne, servant to Mr Carter - said Dr at house of her master & he asked for charity  
no person at home - told him to come in the morning  
he next morning did not see him till she  
obsrvd him in the passage - he was coming out  
of Mr Carter's bed room - asked him what he  
had got in his hat - s<sup>t</sup> he had only that - took  
off his hat & saw a Shirt q<sup>t</sup> belonged to Mr Carter  
saw cap in his pocket - it belonged to Mr Carter  
rec'd. a Shawl from Servant man - it belongs  
to Mrs Carter -

Hughell Laughlan - servant to Mr Carter - saw Dr  
in a room in Mr Carter's house - took a Shawl  
from his trucker - belongs to Mr Carter

Eleanore Renvoyze, I.P rec'd. the articles from  
Mary Payne and Dr Carter - same -

Verdict - Guilty. -

The King. } On trial of Indictment - for  
Charles Livermois } Petty Larceny - steals an ax -

Daniel Fraser - pris de la hache - trouv<sup>e</sup> entre les  
mains du P<sup>r</sup>

Marie Lse Belladeau fem. de Langlois - le P<sup>r</sup>  
a offut la hache à vendre - l'a acheté 4<sup>th</sup>

Bonj<sup>e</sup> Langlois

Verdict Guilty -

Thursday 16<sup>th</sup> Septr

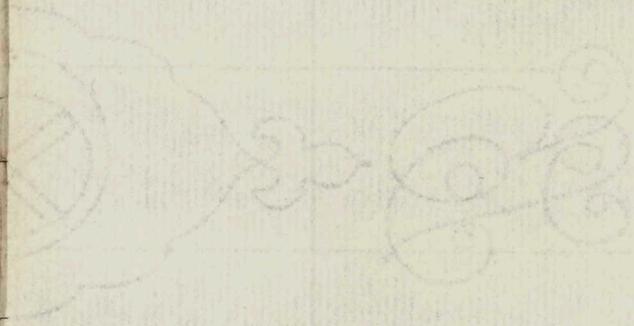
The Stings . a  
Richd. Everett Thomas } On Conviction for Grand Larceny  
Indict.

Nov 2 - took first cut at 90 - had lot to do but  
about all is reported by 10 AM - a man was sent up  
at 11 AM with a cap pistol to - distract and we spent more  
spreading the - word - however most men of Swatt & Ratt  
- stayed with us.

the other reward - that of which - which gives us  
it is given  
to us - instead of unfeeling coldness - which gives us  
the other reward - that of which - which gives us









Three Rivers Sept Term 1819.

Present  
Justices Reid, Perrault & Bedard.

Monday 13<sup>th</sup> Sept.

No 94

Jos. Badeau Sab }  
On Bureau Sab }  
to

on mo. of Mr Vozina to be allowed to  
with draw his appear for one of Defendants

Agden for Plaintiff - This is cause of delay  
as both Defendants join in this obligation & ought not to  
be admitted to separate in their plea without an affidavit  
of a necessity for this separation -

Vozina for Defendant There can be inconvenience no doubt  
to Plaintiff by this proceeding -

No granted. -

Tuesday 14<sup>th</sup> Sept

No 14

Thos. Holt }  
Mr Wm Lemire } on rule to show cause why cause should  
not be tried by Special Jury -

Lafreniere for Plaintiff objects - That Defd. is too late in  
his application, as the cause was at issue since January  
last, and the cause fixed for inquiry by rule of Court  
refers to Sec. 2. no. Rules of practice -

Ogden for Defendant - says, he is not foreclosed,  
as nothing has been done by Plaintiff to forward his  
cause or to foreclose Defendant - the same day that the  
Cause was put on the table of Enquiry the same day the  
Defendant moved for trial by Jury - That according to  
the equitable construction of the Rules of practice

Thursday 16<sup>th</sup> Septr

No. 1A.

Holt } Mo. overruled -  
Clemow }

Friday 17<sup>th</sup> Septr 1819. in

No. 14

Thos. Holt. } on rule to show Cause - over till  
Mr. W<sup>m</sup> Clemow } to morrow. -

Saturday 18<sup>th</sup> Septr

No. 18.

Pelagie Grenier } action for damages for seduction of  
Pierre Lachance } Defendant her Master -

Turner for Plaintiff - contends that he has made  
ample proof of the good character of Plaintiff - when stand before  
she entered the Defendant service - that she became with  
child during her service w<sup>r</sup> Defendant - Plaintiff has proved  
acts of familiarity between Master & the Plaintiff his servant -

This

this is sufficient presumption ag<sup>t</sup> Defendant as the law does not in this case regard such Story &c as the Master as against a Stranger -

cites. Due. Droit. vis grossesse - Schwanger. -

Verina for Defendant - Six years have elapsed since the seduction complained of which is a presumption ag<sup>t</sup> the Plaintiff - There is no sufficient proof of the birth of the Child - nor that the child which was baptised had any connexion w<sup>t</sup> Plaintiff - might have belonged to any other person -

129

Dubuc &  
Beaudry

Action on Oblige

No 222

Gouin  
&  
Tafféche

action to compel Plaintiff to quit and abandon certain parts of a building occupied by Plaintiff and which Plaintiff was desirous of occupying himself

Verina for Plaintiff - action founded on the Lex Aude The Plaintiff purchases from one Rivard, Servolet who at time possessed the low part of the house and by the deed of sale reserved that possession for 3 years, but assigned & conveyed to Plaintiff the possession of the other parts namely the upper Story which the Defendant possessed as Tenant - this was a sufficient delivery to Plaintiff, who became thereby proprietor and founded in his present action -

Jonancour

Tenant comes for Defendant - 25 months went on claim  
whereas only 13 months are due - Plaintiff has no  
right of action - no sufficient consent given to  
Defendant - Lanouette received the faculty de remise  
for 3 years - Plaintiff gave no sufficient notice that  
he was proprietor - did not signify his title to Dfndt.  
That the new Proprietor is not entitled to drive out  
the Tenant. Both homage. No 329 - - 2 Books -  
Bans à Loyen - p. 57. sec. 7. art. 3A & 38 -.

Vernon in reply. The Plaintiff represents the Prop'r  
not by a title singulier, such as conveys a bare  
right of Proprietor, by consent or otherwise - The  
Plaintiff's title is that of full proprietor - That  
altho' notice to quit was for 48 hours, yet the  
notice being given ought to avail for ever after  
The Defendant has not availed himself of the want  
of notice, but merely that Plaintiff has no right  
to obtain possession -

N. 224

Hart.  
Gibson }

On Defendant mo. for calling in  
his Garant - Granted -

Monday.

Monday 20<sup>th</sup> Sept 1819

M 18

Pellegri Grunier }  
Pierre Lachance } action deboutee. —

The Court were of opinion that the proof of the birth of the child was not made out, as no witness could speak to the fact but by hear say. —

M 222.

Gouin  
Lafleche }

The Court were of opinion that as the plaintiff had purchased the property from the person from whom the defendant had leased, that the plaintiff ought to have served a copy of his deed of purchase to the defendant with the notice he gave him to quit — 2. Birg. p. 57. — The Court inclined also to think that the notice given by the plaintiff to the defendant was too short, allowing even from the day of the notice 25 July to the day of service of the process 4<sup>th</sup> Sept — considering that the defendant ought to have had three months' notice by law — see — Poth.

The court dismissed that part of the action touching the defendant's abandonment of possession & gave judgment for rent.

M 62

Semonine.  
Savead

on Plff. ms. to ap. Defied. on facts & article +  
Visine for Dft. objected, rules to this effect have been  
already obtained, nothing done on them by Plff.

Ogden for Plff. + rules could not be served owing to  
change of domicile of Dft.

M 107

Pothier.  
Hibbard.

On rule to show cause why writ of poss<sup>n</sup>  
should not be granted to Plff on Judt

Rule absolute

M 132

Drolet  
Bureau

On rule to show cause why cause should  
not be tried by Jury -

For. for cause, - that improper Jury is demanded  
there is no Jury list returned according to  
law. - That no sufficient deposit has been  
made as required by the rules of practice - 40/-  
only having been deposited -

M 150.

Anderson  
to  
Bureau

Same motion -

Mulholland  
to  
Bureau -

Same motion -

No. 193.

Stone  
Stone {

Action of account for certain notes due & to defd.  
to collect

Ton. for Plff - the receipt filed by Defd. does not  
exonerate him from the action -

Ogden for Defd. - It appears by the receipt filed by  
Defend. that Plff held in his poss. only one receipt, &  
he promised to destroy - this only receipt was that ought  
the action is brought -

No. 246

Houde  
Reward {

Action of account of a Succession -

Viz. for Plff - the Plff has proved the parente of  
Plff & the other facts upon which action is founded

Tonancour for Defd. - The Plff as child in his own  
right as holder of rights of others demands an account of  
the succession of his mother - By last will & testament  
the deceased bequeathed her estate to certain of her children  
and of to certain others in lieu of all right, when succession  
after her second marriage she gave certain property to  
a child of this marriage -

2 Bouy. 212. shows injurie of the Custom -

The Plff is not entitled to claim any thing by this  
transpart - it being illegal to take a transpart of up to  
of a Succession not open at the time

Poth. Obi. 132. is position Dent. v<sup>o</sup> Succession -

1. Bouy. 802.

That

That Defendant, is only usurpation - But & Houl  
is the Proprietor <sup>in his own name</sup> who ought to be called upon to render  
account -

Vezina for Plaintiff - The Defendants claim the estate & her  
of their deceased mother more in virtue of a Donation  
than by virtue of the Testament, as Donation is  
posterior - That the words of Stat. authorizing alienation  
by will of the property cannot be construed to extend  
to the legitimate of the children

No. 124.

Gouin &  
Dr. Louis } action to recover half of sum of money pd  
} by Plaintiff as Co-caution for Defd

Vezina for Defendant - The Plaintiff has no <sup>immediate</sup> action at  
his co-juror's - but must proceed <sup>first</sup> against the  
principal Debtor - 2 Bouv. 436

Tonancour for Plaintiff - where the Caution is  
solidaire, the principle is different - & each co-obligé  
is bound for the whole, & to each other for their respective  
shares - Poth. Obl. 445. - Remond. Sub. p. 61.  
no - There was a ~~lire~~ a st. Plaintiff as Caution -

Vezina in reply - The nature of the obligation  
in favor of the Creditor, does not alter the nature of  
right between Co-obligés - & the direct action of a  
co-obligé, unless in case of insolvency -

N<sup>o</sup>. 12

Davidson  
Bureau  
Bureau Opp<sup>n</sup>

On opposition afin d'annuler  
Dismissed

N<sup>o</sup>. 108.

Hart  
Guillet

Hearing on Law

Lafresnaye su Defd<sup>t</sup> pleads, that Defd<sup>t</sup> is not of parish of St. Germain de Batiscan, notary, but of St. Fr<sup>s</sup> Xavier de Batiscan, notary and merchant & therefore irregular, sued —

Ogden for Plff — The Sheriff states that he has served the process at the parish of Batiscan, speaks to Defd<sup>t</sup> personally — which is sufficient — up to care of Hart v. Salt. —

Lafresnaye in reply — presents in exception —

N<sup>o</sup> 63

In P<sup>t</sup> S<sup>r</sup> Pierre  
Louis Lupien

Hearing on Law

Lafresnaye su Defende<sup>t</sup> The Plff does not alledge enough to entitle him to his action which is in its nature of an action possession

Vesina su Plff — This is an action d'injure, not possession for damage in dis lumb<sup>s</sup> Plff in his chamb<sup>e</sup> in cutting wood. —

Deshantels  
&  
Tonnancour

Final hearing -

Verdict for Plaintiff - action to rescind a Titre  
nouvel granted by Defendant to Plaintiff, by reason of  
new charges inserted in the Titre Nouvel which were  
not included in the first - There is no more land  
granted by the new deed than was contained in the  
old - That the new deed was signed by Maurice  
Pelissier the brother in law of the Signer as a witness  
it is illegal, -

Tonancour for Defd<sup>t</sup> - The new concession  
contains a grant of more land than in the old deed  
namely, the land lying at the extremity of the land  
There are also, droits de Commune granted to Plaintiff  
which he was not entitled to before - That by Order  
of 9 June 1818, between the same parties in the  
Inferior Court the Titre Nouvel has been maintained

Verdict for Plaintiff - The Order of 9 June 1818 cannot  
be considered as touches the question before the Court  
The Prov. Court had no jurisdiction in this matter -  
the limits of the Plaintiff's land are the same by the  
new deed as they were by the old - That  
the Commune belongs to all the tenants of  
a Seigniorij, & it was not necessary to take a  
grant from the Seignior to entitle the tenant  
to a right of enjoyment of a Common -

Tuesday 21<sup>st</sup> Sept. 1819.

N<sup>o</sup> 108.

Hart  
Guillet }

On Defendant's mo. for trial by Jury.

Ogden for Plaintiff - objects to mo. as D<sup>efend</sup>. is a notary public, & not a merchant or trader, as required by law -

Safesnayre for Defendant - the note is on the face of it payable to order, and for value received in merchandise - and Defendant has alleged himself to be a merchant -

Wednesday 22<sup>nd</sup> Sept.

Hart  
Guillet }

Defendant's mo. rejected -

N<sup>o</sup> 186

P<sup>r</sup> Mlotek  
Josué Giffard }

On hearing on the merits, & on report of Rappart of P. V. of Notary -

Parties consent to Judge - except as to Cork -

Thursday 23<sup>rd</sup> Sept. 1819

Houde  
&  
Rivard

action dismissed costs directed —

N<sup>o</sup>. 103

Momery  
&  
Larue

on mo. to strike cause from rôle d'Enquête  
as Defend<sup>t</sup> has a right to have a right to a trial  
by Jury — overruled —

N<sup>o</sup>. 144

Gadioux  
&  
Belant  
per son  
fils

on defend<sup>t</sup> mo. to strike cause from rôle  
d'Enquête, as having been irregularly inscribed  
Rule dis. charged.

N<sup>o</sup>. 95

Pothier.—  
Hibbard

action ag<sup>t</sup>. Defend<sup>t</sup> for having disturbed  
Pleff in the enjoyment of his fishery in the  
Lake Massawinong & Tuf Campil

Vezinie for Pleff — states that Pleff is in poss<sup>n</sup>—  
of Tuf Campil by good titles, & complains that  
Defend<sup>t</sup> has been seen fishing at different times

Torancour for Defend<sup>t</sup> — nature of action is  
uncertain — whether pléition, possession, or emmoyage  
merely — It is not alleged that Pleff is in possession  
as to pléition, does not state that Defend<sup>t</sup> claims  
right

right as a proprietor — As to action of damages —  
The act on g<sup>t</sup> Puff forms his action, gives him the  
right to fish, but it gives similar right to all the  
tenants — Puff is bound to leave the beach  
free for the fishing of all the tenants — The  
Puff has purchased the superiority with all its rights  
honoraies & lucratifs, but under them the right  
of exclusive fishing will not pass — Aigou. liv. 2  
Ch. 4. p. 167. Du. Droits Droits Ligneuriaux  
Poth. Prop. N<sup>o</sup> 52. 53 — Denry. i<sup>r</sup> Peche. Id. v.  
Riviere — That there is no proof that the  
Defende<sup>r</sup> ever caught fish on this Lake. —

Verdict for Puff — There is no action for right of  
fishing by mere possession, it must be under title  
from the Crown — the obligation of leaving the  
beach free for those who fish, must be unbroken  
for those who have a right to fish — That the  
right of fishing is a droit lucratif, which passed  
to Puff under his purchase from Mr. Landaine  
The defense au fond en droit pleaded by Defende<sup>r</sup>  
has been dismissed, & therefore Puff's right of action  
is regular before the Court — 2 Vol. Instl. Fr.  
p. 30. 31 — no prescription of this right — Defende<sup>r</sup>  
does not show that he is even a tenant of Puff, to  
entitle him to the right reserved in the Puff's deed —

No 179

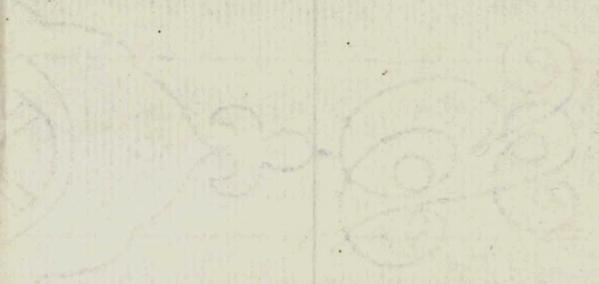
Pratte. - }  
Badeaux. }  
action for work & labor. -

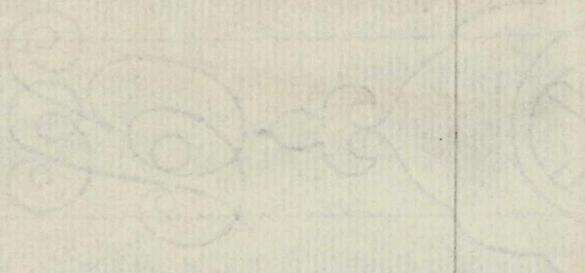
Verdict for Plaintiff - Proof not sufficient

No 89

Prince. } over for work  
Dercam. } -

Friday 24: Sept. 1819.





March Term 1819.

Monday 1<sup>st</sup> March.

Present

The Chief Justice, and  
Justices Reid & Pyke.

The King,  
By <sup>the</sup> Ganeuf

On trial of Indictment for horse Stealing.

Henry Lawrence, sworn, says, that he resides at the township of Stuckley - to P<sup>r</sup>. that about 18. June last he purch<sup>d</sup> a horse from P<sup>r</sup>, he was a gelding, and of a dark brown color, the W<sup>r</sup> paid to amount of 54 dollars to P<sup>r</sup> for the horse that one Scovell Goodrich was present at bargain, - that P<sup>r</sup> owed W<sup>r</sup> a debt of 18 dol<sup>s</sup> & he gave up a note he owed to one Knowlton for the balance - he put the horse into his pasture - and about 10 days after he was informed that the horse had been stolen - the W<sup>r</sup> pursued on to Lacadie, where the horse was bro<sup>t</sup> to him by one Simon Choquet - the P<sup>r</sup> was then also & had been arrested - he acknowledged having stolen the horse.

<sup>x<sup>2</sup></sup>  
The confession of the P<sup>r</sup> was free and voluntary - he was in tears and appears much affected, & W<sup>r</sup> remarked to him that he was sorry to see him in that situation - Does not recollect whether P<sup>r</sup> exam<sup>d</sup> the acc<sup>t</sup> wh<sup>t</sup> W<sup>r</sup> had agt. him when the bargain was made, but P<sup>r</sup> acknow<sup>d</sup>. to owe the amount -

the

The other 35 dollars consisted partly in 2 notes of P<sup>r</sup> owed  
to one Norton, or bearer - Norton was not there at time, but  
Goodrich, who was his agent, was present - That W<sup>r</sup> had  
other horses in the pasture besides this horse - when the horse  
was missing out of the pasture, a young horse also got out  
of the pasture at same time & was missing, but was found  
next day - That W<sup>r</sup> & Goodrich did not take the horse forcibly  
from P<sup>r</sup> at time Mr purchased him - saw P<sup>r</sup> take off the  
bridle after sale - That there was some proposition by  
Mr P<sup>r</sup> that he would pay what he owed to P<sup>r</sup> & to  
Goodrich in the course of sum<sup>r</sup> in sugar, if they would  
leave him his horse - the W<sup>r</sup> would not agree to this,  
as the P<sup>r</sup> was then at 20 miles distance from his house on  
the way to leave the Province - and the W<sup>r</sup> wished to secure  
his pay<sup>t</sup> by getting the horse - the P<sup>r</sup> gave up the horse  
with reluctance, but he was not forced from him - and  
the W<sup>r</sup> told P<sup>r</sup> if he would pay back the 53 d<sup>l</sup> in course  
of 12 a 14 days, he w<sup>d</sup> return him the horse - the W<sup>r</sup> looked  
on the horse as his property wished to retain him - The  
P<sup>r</sup> prior to this lived about 3 miles from house of W<sup>r</sup>, and  
the horse had been in the poss. of P<sup>r</sup> for about a year  
before this - the horse was well known on the road to  
Lacadie - that Lacadie is distant about 18 or 19 miles,  
from his house - P<sup>r</sup> might have more easily passed into  
the States with the horse than go to Lacadie w<sup>t</sup> him -

Sewell Goodrich, lives in Stockley - W<sup>r</sup> P<sup>r</sup> was  
present at ~~Granby~~ house of one Herrick in the  
Township of Granby when P<sup>r</sup> sold to H. J. Lawrence for  
a debt he owed, partly in a book account, & partly in  
two notes - the acct was discharged & one of the notes  
was

was given up to P<sup>r</sup> the horse was valued at 54 dollars  
and value to that amt was given to P<sup>r</sup> he was at first  
loth to give up the horse, - he however acknowledged the  
debt to be due by him, and at last consented to the sale -  
took off the saddle and bridle from the horse & deliv<sup>r</sup> him to  
Lawrence.

x

That place where P<sup>r</sup> was at time of this transaction  
was as Grancy distant about 22 miles from residence of  
W<sup>r</sup> the general opinion was that the P<sup>r</sup> was about to leave  
the Country, and as he had lent P<sup>r</sup> a saddle some weeks before  
he was anxious to get it back again - That Lawrence  
arrived there sometime after W<sup>r</sup> - That Lawrence proposed  
to P<sup>r</sup> to take the horse as surety for the money he owed -  
The P<sup>r</sup> did not wish to part with horse, & told Lawrence he  
w<sup>r</sup> give him Green & Sugar in pay<sup>t</sup> in course of the season  
this d<sup>r</sup> refused & insisted upon immediate security - upon  
this the P<sup>r</sup> consented to give the horse - and L. told him  
if he paid back 53 dollars in course of 12 or 14 days - he  
would give up the horse again to him - That W<sup>r</sup> had  
Mr Knoulton's notes in his possession aft. P<sup>r</sup> and at time of  
the bargain for the horse the W<sup>r</sup> gave them up to the P<sup>r</sup> the  
amt. was about 36 d<sup>r</sup> - That one Chas Collins was present  
at the bargain - Mr & Mrs Herrick were also present a part  
of the time -

Simon Charlier com. le P<sup>r</sup> & le nomme Lawrence - en  
Juin dernier il a été avec L. à la recherche de son cheval  
le Tem. dem. à St L'oyacintre - a trouvé le cheval le 29  
au Soir à Sacadie en la poss. du P<sup>r</sup> - il s'en revenait le  
chez son oncle qui dem. à Sacadie - le T. l'a arrêté, dans

le chemin - le P<sup>r</sup> a dit qu'il avoit de regret de ne s'etre  
pas sauvé rien qu'avec sa Chemise, et d'avoir quitté le  
cheval -

x<sup>3</sup>-

Le tem. ne s'est servi d'aucune menace ou promesse  
pour l'engager d'avouer qu'il avoit pris le Cheval. —

Frank Olivier Doucet. Juge a Paris - dem. a L'Acadie  
Com. le P<sup>r</sup> qui a été amener devant lui sur une  
accusation pour avoir volé un Cheval - le Tem.  
a pris la Confession du P<sup>r</sup> sur cette accusation sans  
aucune menace ou promesse quelconque -

x

Que le P<sup>r</sup> n'a rien ajouté qu'il n'avoit point été  
payé de son cheval, & que c'étoit la, sa raison pour  
avoir pris le cheval. —

Verdict. Not Guilty.

The King  
v.  
Russel Meyrick

On trial of Indictment for uttering a forged  
promissory note of the Bank of Plattsburg in  
the United States for the sum of three dollars.  
knowing same to have been forged. —  
Stat. 51 Geo. 3. ch. 10. n.

Thomas Bent lives with Mr Louis Watch-maker in  
Montreal - saw Dr at Mr L's shop in July last with one  
Dexter - they cheapened a number of articles & at last bought  
two or three articles - a pocket book & two combs, amounting  
to about 6/3 or 7/6 - and Dr offered a three dollar bill in  
pay<sup>t</sup> now shown, q<sup>t</sup> is a bill of Plattsburg <sup>Dexter</sup> Bank - the W<sup>r</sup>  
objected to take any of states Paper, the Dr s<sup>t</sup> it was a new Bank  
and there was no apprehension of ~~counterfeits~~ - the Dr Dexter  
seemed desirous of purchasing, and not to care what the article  
was, provided to get quit of his money - the W<sup>r</sup> took the bill  
and gave the change to Dexter, the P<sup>r</sup> observed that the bill was  
good - that Dr took change from his pocket and gave to Dexter  
to make out the change - the P<sup>r</sup>

\*  
The Dr had a pocket comb wh. he rec'd from Dexter, being  
one of the articles purchased. —

Oliver R. Dexter. No. P<sup>r</sup>. The W<sup>r</sup> lives at St. Johns - the  
P<sup>r</sup> came into his house, asked W<sup>r</sup> to drink w<sup>t</sup> him - he did  
<sup>5 months</sup> ~~went there~~ asked W<sup>r</sup> to go to the Shop of a Watchmaker in Montreal, where  
he saw last W<sup>r</sup> saying he wanted to purchase something -  
the W<sup>r</sup> purchased some things for q<sup>t</sup> he paid by a bank bill  
he rec'd from the Dr at St. Johns - the W<sup>r</sup> had rec'd several notes  
of same kind from Dr who said they were good, and said  
he had rec'd them from a man at Mississ. Bay for a painting  
Job and that he had come to Montreal to buy paints. - The

Note

Note now shewn was similar to what he had rec'd from  
the P<sup>r</sup>

F-

He rec'd the notes from P<sup>r</sup> having <sup>won</sup> them at play  
from him - That in case the note be declared false, he  
shall expect to have his money back again from the  
P<sup>r</sup>.

The Counsel for the P<sup>r</sup> objected to the W<sup>r</sup> as incompetent  
from interest, - as the verdict in this Case would be  
evidence on the prosecution of his action ag<sup>t</sup> Defendant  
to recover back the money from him -

The Court did not consider the objection as affects  
the competency of the W<sup>r</sup> as <sup>his</sup> ~~it~~ did not go to establish  
any forgery -

The W<sup>r</sup> says, that he rec'd several bills of same kind  
w<sup>t</sup>. that now shewn from P<sup>r</sup> and cannot say, that  
the one now shewn was deliv<sup>r</sup> by him to last W<sup>r</sup>.

Valentine W. R. Satterly - Cashier of the Plattsburg  
Bank - being asked if the Plattsburg Bank is incorporated  
by law - the W<sup>r</sup> said it was -

Objected - that Law does not extend to Bank notes  
of the United States, but to promissory Notes, & must be  
considered as a different kind of security - Kyp. ch. 3 shows  
difference - Chitty 171. 172 - Lowless 247 - 3. Chitty 1041.  
Crim. Law. Further objected that the accusation is  
laid as with an intention to defraud a certain  
company of persons, whereas the Bank in question  
appears to be a corporate Body - and a distinction is  
taken between a company of persons and a corporate  
body

body. —

The Court overruled the objection. —

3 Ch. 947.  
That the note now shewn to him is a forgery. That  
the name of Mr. subscribed thereto is a forgery. —

3 Ch. 1077 - 1079. —

That the Bank of Plattsburg is an incorporated  
Bank of the State of New York. —

John C. Bush. — The evening preceding the commitment  
of the P<sup>r</sup>. the young men at office of Mr. had taken  
a three dollar bill of the Bank of Plattsburg, which he  
~~had~~ suspected strongly to be a forgery, and finding  
it had come from the P<sup>r</sup> he went to the Gaol and  
presented the Bill as coming from him & told P<sup>r</sup>. he  
had some suspicions of it — the P<sup>r</sup> took the bill  
and gave the witness three dollars for it. —

The Court charged the Jury, that the case was  
sufficiently charged in the bill of Indictment to meet  
the evidence adduced, and that their verdict must be  
grounded on the question of fact only as to the guilt of  
the P<sup>r</sup>. —

Verdict. Not Guilty. —

The King  
vs.  
Jos. Dufauet

An trial of Indictment for stealing to  
the value of 40£ in a dwelling house.

Louise Chartrand, fem. de Le Dusablon, dem.  
à St. Vincent de Paul - elle est sortie de chez elle le  
soir du 30 Aout dernier, & a fermé la maison, n'ayant  
laisssé personne dedans. qu'elle est revenue le lendemain  
et a trouvé la porte défoncée, les pitons de la porte arraché  
que le nommé P<sup>r</sup> Lacasse étoit avec elle - qu'elle a  
trouvé qu'il manquoit de ses effets - (mentions articulé  
stated in the Bill of Indictment & their value) — que  
tous ces effets étoient dans la maison lors de son départ  
la veille - qu'ayant fait la recherche les effets ont  
été trouvés cachés sous un tas de branches dans  
la Côte près de la maison..

Fran<sup>s</sup>. Lacasse - Qu'il étoit présent lorsque le P<sup>r</sup>  
a dit qu'il alloit rendre le butin, et a descendu la côte  
et sous quelques branches il a trouvé des effets parmi  
lesquels le tem. a reconnu la redingotte de Le Dusablon  
en conséquence les effets ont été portés chez Dusablon -  
Que le P<sup>r</sup> a dit que tous les effets devaient y étre à  
l'exception d'un peloton de fil. du Savon & quelques  
morceaux de coton qui devaient étre sur la Cage  
& il est parti pour les chercher la - Que le témoin  
n'est point entré chez Dusablon lorsque les effets y  
ont été rendus -

Pierre La casse. Que vers la fin d' Aout dernier il  
a vu le P<sup>r</sup> lorsqu'il fut arrêté. et a laissé tomber un  
serviette, que la fem. de Dusablon reclamoit comme a  
elle

elle appartenante - on a aussi trouvé la ridingotte  
de M<sup>e</sup> Durablon -

Que Mad<sup>e</sup> Desjardins a appellé le P<sup>r</sup> apart, & après  
il est venu dire qu'il alloit rendre le butin - n'a pas  
connaissance d'aucun promesse faite au P<sup>r</sup> pour l'engager  
à avouer l'offense -

P<sup>r</sup> Hoque - a été exécuter un warrant de recherche  
pour les effets volés de M<sup>e</sup> Durablon. ~~les mattoches, cœches~~  
Le butin a été trouvé lorsqu'il est arrivé à la maison de  
Durablon - le P<sup>r</sup> y étant, a reconnu d'avoir pris les  
effets -

### Defense -

Louise Chartrand, dit que Marie Duboisablon  
étoit present lorsque les effets ont été trouvés - que c'étoit  
Marie Durablon qui engagé le P<sup>r</sup> d'avouer ou  
étoient les effets en lui disant qu'il ne seroit point  
peuni s'il rendoit les effets, & que c'étoit en conséquence  
que le P<sup>r</sup> a déclaré ou étoient les effets - & a dit qu'il  
n'eroit pas montrer -

See 1 McNull 47.  
Deach Ca. 301.

The Court charged the Jury not consider the  
Confession of the P<sup>r</sup> alone as sufficient to establish his guilt  
but to consider the fact of the goods having been found  
in a place pointed out by the P<sup>r</sup> as evidence of him.

Verdict. Not Guilty -

Tuesday 2. March 1819.

The King  
Jos: Sternes }

On trial of Indictment for robbery  
from the person. a

Antoine Rochon, dem. à St Therese - en Oct 1817  
son fils Frans & sa f. dem. avec lui - se rappelle d'avoir  
vu le P<sup>r</sup> vers la fin de ce mois chez lui le Tem. vers le  
brunant - qu'en entrant il a arrêté comme pris<sup>r</sup> led<sup>e</sup>  
Frans Rochon qui étoit à la porte - qu' alors le P<sup>r</sup>  
est entré disant qu'il alloit lui lire son warrant  
que la personne qui le menoit ayant demandé à faire  
manger son cheval le Tem. a voulu sortir pour cela  
quant il l'a pris & arrêté disant que personne ne  
sorte de la maison, ou je leur flambe la cervelle  
alors il s'est mis à lire son warrant, premièrement  
en Anglois à ce qu'il disoit, ensuite il a expliqué  
en Frs qu'il dem. 13<sup>fr</sup> piastres & douze sols - la somme  
moins du Tem. - ou le Corps du Frans Rochon, comme  
son prisonnier - le Tem. a voulu encore sortir lorsque  
le P<sup>r</sup> lui a répondu, ne sortez point, ou je vous flambe  
la tête avec mon pistolet - le Tem. lui dit - si vous  
voulez je vous trouve de l'argent laissez moi sortir  
enfin le tem. est sorti, mais n'en a point trouvé - alors  
le P<sup>r</sup> a fait embaucher led<sup>e</sup> Fr Rochon à côté de lui  
en disant, si vous gromillez, je vous flambe la  
cervelle, & disant qu'il alloit le mener en ville - Que  
la fem. du Fr. Rochon s'étoit trouvée malade à l'instant  
led<sup>e</sup> Rochon a débarqué de la voiture pour aller l'aider  
et le P<sup>r</sup> a rentré en même temps dans la maison, et

jettant

jettant sa pipe par terre, il dit au Tem. Donnez moi Six piastres et je perd le reste - quin conséquence du trouble & de l'alarme que le P<sup>r</sup> a causé dans la maison le Tem. a été emprunter de l'argent & a donné au Dr P<sup>r</sup> les 6 piastres qu'il a donné au P<sup>r</sup> qui les a mis dans sa poche et est parti - Que le Tem. avait peur de quelque coup de traître du Dr. P<sup>r</sup> & comme les femmes paraissaient le craindre beaucoup, il lui a donné cet argent pour s'en débarasser.

x<sup>o</sup>

Que le garçon du Tem. a renié d'avoir jamais eu aucun affaire avec le P<sup>r</sup> auparavant - que le Tem. n'avait point trop d'assurance pour sa vie - le P<sup>r</sup> a beaucoup parlé de pistolet, mais n'en a point montré -

Franc Rockox, fils du dr<sup>e</sup> Tem. en Oct. 1817, il demeurait avec son père à St. Thérèse - n'a jamais vu le P<sup>r</sup> avant qu'il soit venu à la maison vers la fin d'Oct 1817 - c'estoit vers le brenaut le Tem. entroit du bois à la porte lorsqu'il est venu & a arrêté le Tem. disant, vous êtes mon pris<sup>o</sup>. De la part du Roi" - il est entré dans la maison - et n'a pas voulu laisser personne d'en sortir, leur menaçant de flamber la cervelle S'ils osaient sortir - il a demandé 13 p. & demie & douze sols ou une écumant noir - ou qu'il allait prendre le Tem. son pris & l'amener en ville - Que le P<sup>r</sup> a montré un papier, disant que c'étoit son warrant, - Que lors que le Tem. embarguoit dans la voiture avec le P<sup>r</sup> la femme du Tem. a écrasé, lors qu'il est débarqué pour lui porter secours, alors le P<sup>r</sup> a rentré dans la maison, jettant sa pipe par terre, a dit, donne moi six piastres, et je perds le reste - en conséquence

on lui a donné six piastres. Que le tems. & les autres  
gens de la maison avoient peur du P<sup>r</sup>

Que deux ou trois jours avant ce tems le tems. avait  
été à Terrebonne, où il a rencontré un nommé Vaillant,  
qui a fait vendre son cheval à un nommé Jos. - il en  
avoit de regret mais Vaillant l'a fait vendre, pour  
ainsi dire malgré lui - n' a jamais vu le P<sup>r</sup> à  
Terrebonne -

Frans Forget et. Despaty - dem. à Terrebonne  
Que vers le 25 Oct. 1817 il étoit chez le nom. Rockon  
à St. Theres lors que le P<sup>r</sup> y est entré - Frs Rockon fils  
étoit alors à la porte, et le P<sup>r</sup> lui a mis la main sur  
le corps, lui disant, vous êtes mon pris<sup>t</sup> de la part du  
Roi - ils ont tous entrés alors dans la maison, et le  
tem. aussi - le P<sup>r</sup> a dem. une chandelle pour lire son  
warrant - Du Rockon voulant sortir pour donner  
à manger au cheval du tem. le P<sup>r</sup> lui a défendu de  
sortir, ou bien il lui brûloit la cervelle - alors il  
s'est mis à lui quelque chose sur son papier, comme  
s'il avoit autant - il a demandé 13 piastres à Denie  
et douze Solz - ou une lument noire - ou un bœuf  
ou un veau - Que le bonhom. Rockon est sorti pour  
chercher de l'argent, & est rentré sans en avoir trouvé  
alors le P<sup>r</sup> a dit à Rockon fils, embarquez dans la  
voiture, je veux te mener dans les prisons - Que Rockon  
fils a embarqué dans la voiture lors qu'en fermant s'est  
trouvé mal - & il a laissé, rentré dans la maison pour  
lui porter secours - le P<sup>r</sup> & le tem. ont encor rentré,

et le P<sup>r</sup> prenant sa pipe, comme un homme en  
colere l'a jette sur terre disant, donnez moi  
l'argent que vous avez, et je respond du reste —  
Qu'ils ont en consequence donne 5 piastres au P<sup>r</sup>  
Dès le monde de la maison par. bien troubles, et  
d'avoir peur du P<sup>r</sup> x

Que c'estoit le tems. qui avoit mené le P<sup>r</sup> chez  
Rochon — Qu'en chemin le P<sup>r</sup> lui dit qu'il étoit  
bailli, et qu'il alloit prendre Rochon, pour un  
lument qu'il avoit vendu à Terrebonne

Jacques Proulx, dem. à St Therese. — Qu'il a aidé  
à prendre le P<sup>r</sup> en Octv. 1817 — que dans le tems le P<sup>r</sup>  
a laisser tomber un papier que le tems a ramassé —  
et a remis au magistrat. —

### Defense —

François Rochon. Que quoriqu'on lui a fait vendre  
sa lument, il n'y a jamais consenti de le livrer — et il  
a repris le lument chez Jo. à Terrebonne — c'étoit Jo.  
lui-même qui lui l'a livré — Que pour ravoir sa lument  
il a consenti un billet pour neuf piastres — Que le tems.  
a été tenu P<sup>r</sup> toute la nuit sous un table, & le lendemain  
il s'est sauvé, et a rebourné chez son pere qui est revenu  
avec lui à Terrebonne, & on lui a remis le lument. —  
moyennant l'argent que son pere a donné à Jo. —

The Court charged the Jury, that if they found

the

the facts of a demand of money, by putting the party in fear, the colourable protest could not avail the pris<sup>r</sup>.

R. Moore. Leach. 325. n.

Lapier's Case -

3. Chitty. C. L. 805. —

Verdict. Guilty. —

The King,  
Rob<sup>m</sup> Bernon  
3. Chitty. 990  
St. 39. Eliz. ch. 15.

On trial of Indictment for ~~Breakage~~ breaking  
into a dwelling house in the day time, non  
person being therein, and stealing to the  
value of 5/. eur.

2 East. 638. — Marie Marc Nadeau, veuve, de son. au faub. St. L.  
Que vers le 12 Decembre dernier le Soir elle a quitté sa maison  
situee au St. faub. pour aller en Ville soigner une personne  
malade & qu'elle a laissé personne dans la maison - qu'elle  
avoit dit à son fils Jor. Penault de venir tous les Jours à la  
maison pour y faire du feu - qu'elle avoit laissé dans sa maison  
& l'argent, la Boum & cassette mentionné en l' Indictment. —  
En sortant de chez elle, elle a fermé la porte à claf, & a remis  
la clef à son fils - les fenêtres étoient fermées - qu'elle étoit  
absent depuis ~~quelques~~ quelques jours & le Vendredi elle a  
été de retour chez elle - elle est encore partie le Vendredi, & le  
dimanche apres son fils est venu la chercher disant qu'elle  
avoit été volée - Qu'elle a été à la maison, a trouvé la  
Cassette deforcee, tous ses effets jetés par terre, & l'argent  
partie - les corps qu'elle avoit laissé en l'armoire étoient  
prise aussi - elle a trouvé 2 paireaux de vitres cassées  
Que le P<sup>r</sup> avoit resté chez le tenu comme locataire depuis  
quelques jours apres la S<sup>r</sup> abîché dans cette même maison  
& y avoit resté environ 6 Semaines - mais il avoit quitté  
la

la maison environ un mois auparcourent. —

x

Que durant tout le temps que le P<sup>r</sup> a resté à la maison il s'est bien comporté —

Jos. Perronnet — fil du der. Tern. dem. au f. S<sup>e</sup> L. pendant l'absence de sa mère de chez elle en Decr dernier, il avoit coutume d'aller chez elle pour y faire du feu — que le 13 Decr der. vers les 7 h. du mat. il y fut, & avec la clef de la maison; en ouvrant la porte il entendu du bruit dans la maison, comme si on décollait le papier qui étoit autour de la charrue — il est entré dans la maison & en approchant la place où il a entendu le bruit, il a vu la charrue & quatre quarreaux de vitres cassés, de maniere qu'un homme pourroit bien y passer — qu'il a vu un hom. se sauver par cette fenêtre, il n'a pas vu son visage dans le temps comme il avoit le dos versé de son côté — mais a reconnu le P<sup>r</sup> par sa figure, son habillement & sa maniere — lorsqu le P<sup>r</sup> est sorti, le Tern l'a poursuivi environ un centaine de pieds, en l'appelant, mais il n'a pas répondu — Est bien assuré, que c'est le P<sup>r</sup> qui il a vu se sauver de cette maniere — Qu'il a trouvé tous les effets épargnés dans la maison

x-

Qu'il n'a pas fait d'effort pour arrêter le P<sup>r</sup> comme il le connoissait — il l'a poursuivit pour l'en assurer davantage il ne courroit pas fort — Qu'il a reconnu le P<sup>r</sup> tant par son habil<sup>t</sup> que par ses pieds — il étoit habillé en gris — sa poche n'a rien de particulier — le P<sup>r</sup> ne courroit pas comme un hom. qui se sauvoit, le Tern. avoit pas le ratrapper, s'il n'eut pas été un peu surpris d'avoir vu un hom. dans la maison — Il a été chez bon hom<sup>e</sup> Laberge ou reste le P<sup>r</sup> et

l'a

a accusé du fait, mais le P<sup>e</sup> l'a renié.

### Defence -

Marie Decoteau - le P<sup>e</sup> dem. chez elle le 13 Dec. dernier  
Que le matin son mari avoit réveillé le P<sup>e</sup> vers les 6 heures,  
et demi - pour allumer le poêl - qu'on avoit pu prendre  
1/4 h. pour allumer le poêl - que le Tem. l'a pris après d'aller  
chez le boucher chercher du bœuf pour son mari - & elle lui  
a donné de l'argent - il est revenu avec le bœuf & a rendu  
le change - que le temps qu'il a pris pour aller chercher  
le bœuf, étoit le temps ordinaire qu'il falloit pour cela -  
Que ce matin Perrault est venu chez elle pour l'accuser  
du vol en question. le P<sup>e</sup> étoit alors sorti pour aller chercher  
le bœuf - Que Perrault est parti, & lorsqu'il a rentré  
on lui a dit au P<sup>e</sup> ce que Perrault venoit de déclarer contre  
lui, le P<sup>e</sup> sortit pour aller trouver Perrault - Que -  
pendant tout le temps que le P<sup>e</sup> a resté chez elle il s'est  
bien comporté -

x<sup>3</sup>.

Que la maison du Tem. est voisine de celle de madame  
Nadeau - Que le P<sup>e</sup> avoit pris près d'une demi-heure  
pour aller chercher le bœuf, mais il avoit un peu loin  
à aller -

Charles Manuel - il étoit officier au Régiment  
des Meuniers - a con. le P<sup>e</sup> soldat en ce Rég<sup>t</sup> - il s'est  
toujours comporté comme un honnête homme - l'a  
connu pendant cinq ans dans ce Rég<sup>t</sup> -

John Dillon - con. le P<sup>e</sup> dep. le printemps passé,  
il l'a employé comme Journallier, l'a toujours trouvé  
exacts et fidèles, et il avoit confiance en lui -

Verdict. Not Guilty. —

The King  
v  
Jno. Gallaghers

On trial of Indictment for Grand Larceny.

Jos. Cajetan, lives in Montreal, keeps a Shop  
the 11<sup>th</sup> Nov. last he had a buffalo rob hung up at his  
door, he saw it about 4 o'clock P.M. it was worth 30/-  
he was told same day, that the rob had been taken away.  
he run after the man, but could not come up w<sup>t</sup> him.  
but he was stopped by one St Germain & some others - the  
Rob was deliv<sup>d</sup> to him afterwards by St Germain - he  
had no mark on the rob, but believes it to be the same.

Charles St Germain, 1s. Dr - on the 11 Nov. last,  
being near Mr Cajetan's house, he saw a buffalo rob  
hung at the door, and saw the Dr lay hold of the rob  
put it on his arm and run away with it, the Dr  
run after him, when the Dr dropt the rob, and the W<sup>m</sup>  
picked it up - the skin the Dr dropt was the same the  
W<sup>m</sup> picked up and which he returned to Mr Cajetan,  
who claimed it as his property. — That one Renaud  
arrested the Dr

Pierre Renaud, is a Carter - 1s. Mr Cajetan's house  
was there on 11 Nov. last - saw a buff. rob hung at his  
door - saw a person take it from the door - it was the  
Dr, it was beginning to get dark - he pursued the Dr  
and stoppt him - when he was arrested they took away  
the rob from him, & the W<sup>m</sup> went back to his Cart - the  
Dr dropt the skin, just as W<sup>m</sup> was about seizing  
him - the skin was deliv<sup>d</sup> back the skin to Mr Cajetan.

the owner - he never lost sight of the O. from the time he ran off with the skin till he seized him -

Verdict. a Guilty of Petty Larceny. m

The King.  
Eman<sup>r</sup> Antonio }

St. 24. Geo. 2

C. A5.

On trial of Indictment for stealing  
on a navigable river to the amount of  
\$40. m

Arthur Benj<sup>r</sup> Wigsted, - is a manufacturer  
of hats at Terrebonne in Sept<sup>r</sup>. last he delivered three  
bags of hats <sup>to Mr Labelle</sup> ~~express~~ to be sent to Montreal, one of  
these bags contained 40 castor hats - These hats were  
worth at least 10<sup>s</sup> each, tenous hats now shown  
to be same & he recd. the other 36 from the police office  
which he knows from private marks to be same as  
those put in the bag or was deliv<sup>r</sup> to Labelle -

John McMullen, is employed by last Mr at  
Terrebonne as a hat manufacturer - He then uses private  
marks used in their manufactory of their hats - the  
36 hats now shown are marked with these marks  
of their manufactory -

Pierre Bérier - chartier, a Terrebonne - en Sept<sup>r</sup>  
dernier il a reçu une quantité de Chapeaux pour donner  
à Mr Labelle pour porter à Montreal - qu'il y avoit  
une poche remplie de ces chapeaux, laquelle le tenu.  
a mis à bord du bateau de Labelle - Due le

termon

lemon est venu avec Mr Labeille à Montréal dans le batteau - qu'ils ont arrivé le même Jour mais tard, il a couché dans le batteau - & avoit laissé son chapeau sur la poche de chapeau - Que le lendemain son chapeau manquoit avec la poche, & en le demandant on lui dit que le Capt. du Watch l'avoit, & il l'a vu par après à l'Office de Police, où il a aussi vu la poche avec les autres chapeaux -

x

Que il n'y avoit qu'une poche de chapeau dans le batteau - qu'il y estoient trois hom. dans le batteau. Que vers les neuf heures du Soir ils avoient portés de chapeaux chez Mr Bass - Que il a reconnue la poche aux Recollets, par la fisselle - la croit le même -

Jean B<sup>t</sup> Labeille, battellier - Qu'en Septembre il a reçu deux paquets de chapeaux de Mr Wigstead à Terrebonne - il y avoit une balle & une poche - ils ont arrivé à Montréal vers les 5<sup>me</sup> du Soir - à son arrivée à Montréal il fut dire à Mr Logan d'envoyer chercher des effets qu'il avoit pour lui - et il dit à ses hom., de décharger le batteau - le bag de chapeaux fut envoyé chez Mr Bass - apres avoir déchargé la farine de Mr Logan, il a trouvé que la poche de chap. y étoit encore et comme il étoit tard il a dit à ses hom. de garder la poche & qu'il la livreroit le lendemain, & en conséquence a serré la poche pris du mat pour la mettre en sûreté. Comme il venoit, il y avoit toujours un des hom. qui veilloit pour la sûreté du batteau - Que le lendemain

il

il a trouvé que la poche de chapeaux manquait -  
Que le batteau étoit alors dans la fleuve St. Laurent à terre  
vis-à-vis l'Eglise du Bonsecours - Que son informe  
qu'il a reçu le lendemain il a été au Watch  
house, où il a vu la poche avec le chapeau de  
Brière, & la petite poche, & le tem. les a reconnus  
que le tem. a compté les autres chapeaux qu'il y  
avoit dans la poche & y a trouvée 40 - qui étoit la  
quantité qu'on disoit lui avoir remis à Terrebonne.

x.

Qu'il n'y avoit point de marque particulière  
sur la poche - mais l'a reconnu comme la même  
& aussi comme le chapeau de Briere s'est trouvé  
avec -

William Heydorn - That on the 11<sup>th</sup> Sept. last  
he rec'd. the letter now shewn addressed to Abner Bass &c  
by Bass & Labille, stating that they rec'd.  
40 hats sent to them from Terrebonne by Mr. Thigstad  
by S<sup>r</sup> Labille & they did not receive the hats from  
Labille, but next day saw them at the Police  
office -

Henry Francis - was one of the watchmen on  
11<sup>th</sup> Sept. last, on that night he stopped the P<sup>r</sup> in the  
streets of Montreal, with a bag on his shoulder,  
it was between Mr. Gunnuman & the Barracks  
Mr. W. asked him where he was going he said

2

he was going to the Suburbs near the Cross & that it was his own cloaths he had in the bag - that he had come from on board of a Sloop, & had been on board a man of war which had been cast away. That W<sup>r</sup> then told him he w<sup>t</sup> like to see what he had in his bag, the P<sup>c</sup> opened the bag and the first thing he saw was a hat, the same now shewn - then saw another bag w<sup>t</sup> bread - the W<sup>r</sup> conveyed the P<sup>c</sup> to the watch house - where they examined the bag and found forty hats besides the old hat now shewn the P<sup>c</sup> first said he had found the hats along side of a Canal, he afterwards said that he had found them in a batteau where there were three men lying. -

X

That he was induced to stop the P<sup>c</sup> from seeing him with the bag - Does not recollect that P<sup>c</sup> spoke partly in English to W<sup>r</sup> -

Jos. McCrae - is a watchman, was on the watch the night the P<sup>c</sup> was arrested - he was in company w<sup>t</sup> last W<sup>r</sup> met P<sup>c</sup> near Mr Gunnerman's - & he had been on board man of war q<sup>t</sup> had been cast away & had his cloaths in the bag q<sup>t</sup> he carried - on examining it they found it contained hats - they carried the bag and P<sup>c</sup> to the watch house - they counted the hats & found 40 new hats besides an old hat & a small bag - Does not recollect what account the P<sup>c</sup> gave about the hats -

Louis Marteau, officer at police office - the hats now produced were found by him at the Police office the W<sup>r</sup> locked them up and they have been kept there ever since. -

Emanuel Dauberville - is Captain of the watch - In the night between 11 & 12 Sept. he saw P. at watch house & a bag of hats - he asked P. - when he had got those hats - he s<sup>t</sup> he had found them - this conversation was in Spanish, as the P. did not speak Fr. or English - the hats were 40 new & 1 old one - where he deliv<sup>r</sup>? into the Police Office, when Marteau took charge of them -

x<sup>2</sup>

That the W<sup>r</sup> could not understand what the P. said either in English or French, and finding that he was from the Spanish Main he was on that acc<sup>t</sup>. obliged to speak Spanish to him -

Jean Marie Mondelet, Police Magistrate the hats now produced were brou to the police Office and were locked up in a Cupboard of gr<sup>t</sup> the W<sup>r</sup> keeps one key and Mr M<sup>r</sup> Cerd another - Mr M<sup>r</sup> Cerd is gone to Quebec, and the W<sup>r</sup> delivered the hats to Marteau this morning to bring into Court. —

## Defence.

Gwyn Owen Radford, Gaoler, the P<sup>r</sup> has been in his charge in Gaol since the middle of last Sept<sup>r</sup>. since of time he has shewed an honest way of thinking - that there have been several attempts to break th<sup>t</sup> Gaol since the P<sup>r</sup> has been there, and in several instances the P<sup>r</sup> has given notice of it to the Wit<sup>r</sup>.

The Court charged the Jury that the situation of the bateau, although aground on the River, was yet within the description of the Statute as being on this navigable River and not removed therefrom within the distinction taken in Piter's case - 1 Leach 357. car 147. - That if the Jury were not satisfied that the P<sup>r</sup> had stolen the hats from this bateau on a navigable river, they might still find him guilty of a Simple grand Larceny.

Verdict of Grand Larceny - but from the circumstance of his good behaviour in Gaol recommended him to the consideration of the Court.

Wednesday 3.<sup>d</sup> March 1819.

The King  
vs  
John Marion

On trial of Indictment for Burglary.

Dominique Rousseau, march. à Montréal  
que dans la nuit du 5 au 6 - on a découvert que la porte  
de la Cour et une porte de maison où se trouvent été défoncées  
que la maison en question est un hangard où on loge  
des pelletteries & marchandises, et où couchaient deux chi-  
ens dom. jusqu'à deux nuits précédentes - ce hangard  
fait partie de l'enclos avec la maison de demeure du  
témoin - que la porte de la maison paroît avoir été  
forcée & la serrure cassée - Qu'il avait un compte  
exact des pelletteries dans ce hangard - qu'il mançait  
109 peaux de Castor valant £150 - (soit au total 2000  
Indictment & pris. statut.) Que le 12 au Soir, Mr Robertson  
lui a envoyé chercher disant qu'il y avoit un Américain  
chez lui qui avoit des peaux de Castor & pelletteries à vendre  
le tem. y fut, et a reconnu 13 peaux de Castor, ~~200~~<sup>cinq</sup> pecans  
& bison, lors ces peaux avoient été mouillées en descendant  
du Païs d'en haut où tem. les avoit fait sécher, ce qui lui  
a fait connaître ces peaux - Qu'en conséquence des informations  
reçues d'un des watchmen - le Pris. a été amené chez le tem.  
le 12 au Soir avec 2 robes de bœuf, et deux poches vides - le  
tem. a reconnu les peaux de bœuf pour lui appartenir  
comme c'étoient des peaux bien petites, et faissoient partie  
du paquet qui lui avoit été volé -

x

Qu'il n'avoit pas fermé les portes lui même la veille  
du vol, mais il avoit coutume de les faire fermer tous

les

les soirs par ces domestiques ou Commis - Il n'et faisoit  
jou une heure & demie avant qu'il ait ete informe du  
vol le lendemain - Ne peut donner aucune marque  
particuliere sur les peaux de bœuf, selement qu'elles estoient  
petites, & qu'il en avoit vendu de pareilles le jour avant.

John M. Smith, lives in Q. Sub. has seen the P<sup>r</sup> thinks  
he saw him first time on 1 Oct. last - about the 9<sup>th</sup> Oct.  
last he purch<sup>d</sup> some skins from some men, six in number,  
of whom the P<sup>r</sup>. was one - cannot say, that P<sup>r</sup> had any skin  
in his poss - the man from q<sup>r</sup> the W<sup>r</sup> purch<sup>d</sup> the skins  
called himself Jones - saw them men near the Cross - when  
he made the bargain he did not kn. to q<sup>r</sup> the skins belonged  
at first - The W<sup>r</sup> bot. 13 beaver Skins & 6 Small Skins - he  
paid 18/- for the beaver Skins, p<sup>t</sup> partly in money & by a  
watch he gave - considered the price a very fair one - the  
P<sup>r</sup> rec<sup>d</sup> no money from W<sup>r</sup> but saw Jones give part of the  
money to P<sup>r</sup> That the money was p<sup>t</sup> at house of W<sup>r</sup> when  
the s<sup>r</sup> Jones & P<sup>r</sup> came to deliver the skins & receive the pay<sup>t</sup>-  
But all the skins he saw in poss. said Jones - when P<sup>r</sup> and  
Jones came to house of W<sup>r</sup>, each of them carried a part of the  
skins th W<sup>r</sup> so purchased - Sold part of the skins, the  
smaller ones, to a Mr Davis - offered the beaver skins to  
Mr Robertson - that Mr sent for Mr Rousseau the  
first W<sup>r</sup>, who came exame<sup>n</sup> the skins and said he that  
they were his - and in consequence the skins remained  
in hands of Mr Robertson -

X.

That the W<sup>r</sup> was himself arrested on suspicion of  
being concerned in the robbery in question - That he  
was not sent by any person to go to Gaol to see if he  
could recognize Marion the P<sup>r</sup> as being one of the

six men he had met with at the Cross - Does not know  
for what cause Jones gave the money to the P<sup>r</sup> whether  
as being part of the price of the furs or not -

Donald Robertson, merch. S<sup>t</sup>. L. Sub. rem. that in  
Oct. last, a man <sup>the last 10<sup>th</sup></sup> offered him a quantity of beaver Skins  
for sale - suspects them to belong to M<sup>r</sup> Rousseau, the ex-  
sent for him, - M<sup>r</sup> Rousseau came, exam<sup>d</sup> the skins, &  
recognised them as part of what had been stolen from  
him some time before - the Skins in consequence  
rem<sup>d</sup> w<sup>t</sup> M<sup>r</sup> the next day when he deliv<sup>d</sup> them to W<sup>t</sup> Hartson.  
the Constable -

x<sup>d</sup>

That when H<sup>t</sup> asked Smitt where the skins came  
from, he said they were from N<sup>o</sup>. Canada - but upon  
seeing them, the W<sup>r</sup> knew they were not from Upper  
Canada - and upon further enquiry, the S<sup>r</sup> Smitt said  
he had purchased them from Raftsmen - That  
he saw no particular marks on the skins, and  
thinks that there may be many such sold in the stores  
in Montreal - That had he lost skins without any  
particular mark upon them, he could not take upon  
himself to swear to the identity of them.

Jean Br<sup>r</sup> Gereyrol, chartier - que vers la S<sup>t</sup>. Michel  
dernier le P<sup>r</sup> a loué un cheval <sup>a chevette</sup> du témoin <sup>vers les huit</sup>  
ou neuf heures du matin <sup>vers 8 ou 9</sup>, & il l'a ramené le <sup>vers dix</sup>  
~~matin~~ <sup>vers 10 ou 11</sup> vers les 9 ou 10 heures, il a payé un loisir, le  
prix convenu - et lui a donné une robe de bœuf  
disant qu'il voulloit le recompenser de quelque chose  
pour le retard de son cheval au delà du temps qu'il  
devroit le faire -

x<sup>d</sup>

Duile

Qu'il connoit le P<sup>e</sup> il n'etoit point en habitude de louer des voitures du témoin - disoit qu'il alloit à la Pointe aux Trembles avec la voiture . au

William D. Thomson - is a watchman - on the night of 12 Oct<sup>r</sup> last<sup>1/2 past nine</sup> he slept the P<sup>e</sup> w<sup>t</sup> a large bundle under his arm - ask<sup>d</sup> P<sup>e</sup> what he had there, s<sup>d</sup> it was his things (son butin) he carried P<sup>e</sup> to watch house where the bundle was examd & found to contain two buffaloe Skins - the P<sup>e</sup> said one of them was his brother's and the other was his own - the Skins were afterwards sent to the Police Office -

Emanuel D'Aubreville, est Cap<sup>t</sup> du Quet. se rappelle que le P<sup>e</sup> fut amné au Watchhouse le soir du 12 Oct<sup>r</sup> il avoit une poche dans laquelle il y avoit deux robes de bœuf , il disoit qu'une de ces robes appart<sup>o</sup> à son frere, et l'autre à lui-même - le P<sup>e</sup> fut envoyé en prison & le tem<sup>r</sup> a gardé les robes de bœuf jus<sup>t</sup> au lendemain, lorsqu'ils ont été envoyés à l'Office du Police - croit que les robes ont été envoyées chez Mr Rousseau le même soin , & qu'il<sup>l</sup> a mis sa marque . au Que le tem<sup>r</sup> les a mangé en même tems - Mr Rousseau, called dit, que ces peaux ont été marquées par lui - ne peut dire qui les lui a porté, mais c'étoit un homme qui s'appelloit, un watchman - Mr D'Aubreville étoit present . au

Vincent Rousseau Léon, est un des Watch, et étoit avec Thomson le soir qu'il a arrêté le P<sup>e</sup>, il avoit 2 peaux de bœuf avec lui -

Defence. —

John Delisle - &c. the house where M<sup>r</sup> Rousseau lives in Notre Dame street, and the vault, behind which faces St Jacques street - that there might a distance of 100 or 120 feet between them - The whole premises are comprehended within the same inclosure - there is a gateway under the vault that communicates with the yard -

see Garlands Case  
Leach. 171.

Jean Marie Mondelet - proves nothing -

Joseph Beaudouin, un des prisonniers - connait le P<sup>r</sup> depuis qu'il est en prison -

Thomas Owen Radford on the 12 last Nov. he accompanied a person with a search warrant to search the house of one Malliot in the County at P<sup>r</sup> Olivier in the stolen property in question - they did not go to Malliot's, having rec<sup>d</sup> inform<sup>t</sup>. that the furs had been removed & carried off, and they then went on to Farnham, where they found a punchion of furs in the possession of Hoggins a Capt of militia, 49 racoon 60 beaver 6 pecans 13 minkes -

Louis Marteau, qu'il est souvent envoyé à la prison par les magistrats avec des personnes pour voir s'ils peuvent reconnoître des prisonniers - Croit avoir été envoyé avec le nommé Smith pour reconnoître le P<sup>r</sup> mais n'en est pas sur -

The Court charged the Jury that the building in question formed part of the same messuage with that on wh<sup>t</sup> the dwelling house was built, in which

a burglary might have been committed  
Verdict. Not Guilty.

The King }  
vs  
Dan<sup>t</sup>. McDonald

Two  
On trial of Indictments for horse-steals  
one for stealing a horse the property of one  
Amable Laurain - the other for stealing a  
horse the property of Janvier Brunet

Amable Laurain, dem. à St. Michel, par. Saint  
aux Recollets - vers le com. d' Oct. dern. il a perdu un  
cheval coupé, couleur rouge, crinière noire - avant  
d'avoir perdu le cheval il avoit une belle crinière, mais  
on lui a coupé la queue - le cheval étoit dans son pâtre  
croit que c'étoit vers le 24 ou 25 Sep. dern. qu'il l'a perdu  
a trouvé les enfergés dans le pâtre & la clôture défaite - Qu'il  
a été à la Riv. du Chêne en recherche de son cheval environ  
trois semaines apres en conséquence des informations qu'il  
a reçues. il y a trouvé son cheval entre les mains du  
Pr<sup>r</sup> Il a reconnu son cheval, & l'a reclamé - le Pr<sup>r</sup> lui  
dit avoii acheté le cheval au Caffé, ensuite qu'il l'avoit  
acheté d'un nommé Dufresne, et montrroit un billet  
qu'il disoit avoii reçus à cet effet - il disoit aussi avoii  
acheté le cheval d'un nommé Beaudry - et ensuite il  
dit que c'étoit le témoin lui-même qui lui avoit vendu  
le cheval - que le cheval n'aloit vingt cinq Louis - Qu'en  
le cheval lui a été rendu en conséquence d'une plainte portée  
au Juge à Paix. -

Il n'entend pas anglois, le P<sup>r</sup> parle françois - Que son cheval avoit des marques particulières - deux taches blanches sur le dos - Qu'ici l'auberge à la Riv. D'uchem le nommé Mc Intosh le P<sup>r</sup> - d'autres ont fait venir de la boisson au compte du témoin, et ont dit qu'ils l'avoient fait déjà boire le cheval rouge il falloit - maintenant le faire boire son cheval noir -

Jean Lourain - sait que son pere, le prem<sup>r</sup> tem. a perdu un cheval le 25 Sept. dern. C'étoit un cheval rouge anglois - crinier noir, queue noire - avoit des grands clous sur le nez & des taches blanches sur le dos - Que son pere avoit ce cheval depuis l'age de 18 mois et il avoit 16 ans lorsqu'il a perdu - A trouvé le cheval à la Riv. du Chêne entre les mains du P<sup>r</sup> il lui a dem. de montrer le cheval, le P<sup>r</sup> lui dit que le cheval étoit dans le clos. & qu'il l'avoit acheté, que le P<sup>r</sup> lui-même ne parlait point François, et ce que le P<sup>r</sup> lui disoit étoit par le voix d'un Interprète - Que le tem. a pris deux témoins avec lui et a été dans le champs le prendre que le P<sup>r</sup> a vu amener le cheval et ne s'y est point opposé -

X  
Qu'il ne s'est point ennuie à la Riv. du Chêne  
Que lorsqu'il a amené le cheval, le tem. n'a pas vu le P<sup>r</sup> mais le nommé Forbes lui a fait défense d'amener le cheval -

John Forbes - lives at Riv. du Chêne, - le P<sup>r</sup> who came to his house last fall and asked permission to put a bay horse in W<sup>r</sup>'s pasture for a day - to which we agreed -

Evidence closed on first Indictment

Janvier

Janvier Brunet, dem. à la riv. du chêne - a perdu un cheval entre le 11 & 12 Octobre dernier, c'étoit un cheval roux, coupé, crinière & queue noire, quatre jambes noires - avoit quelques taches blanchies sous la sellette - a cherché son cheval - l'estime à 47 piastres en a eu des nouvelles chez Morigeau, & en conséquence a été à St. Martin, et de là a été trouver son cheval chez un nommé ~~Rochon~~<sup>Bugland</sup> à St. Martin. ~~Dordiac~~ Que quand il a trouvé son cheval il avoit la crinière coupée

François Morigeau, garde la traverse entre l'Isle de Montréal et l'Isle des Sœurs, dem. sur l'Isle de Montréal - Que vers le 10 ou 15 Oct. dernier il a vu le P<sup>r</sup> ~~poenir~~ chez lui au petit matin avec un cheval sans selle ni bride, seulement une corde au col du cheval - c'étoit un cheval coupé - Qu'il connaît Janvier Brunet, et l'a vu auparavant avec ce cheval. Qu'il a demandé au P<sup>r</sup> où il allait si matin, il répondit, qu'il allait à la riv. du Chêne - Que le P<sup>r</sup> est parti et a été à quelque distance et l'a laisse<sup>l'cheval</sup> dans un pâtre ou dans le chemin, et que cinq ou six jours après il a vu Janvier Brunet qui étoit à la recherche de son cheval, et lui a enseigné où ce que le cheval avoit été laissé - qu'il a depuis vu le cheval entre les mains de Brunet - Que le P<sup>r</sup> parloit pas François mais le nom a compris qu'il disoit qu'il voulloit aller à la Riv. du Chêne -

x

Qu'il n'a pas remarqué particulièrement le cheval qu'avoit le P<sup>r</sup> lorsqu'il a traversé, comme il croyoit le connaître comme appartenant à Brunet

et

il est certain que c'est le même cheval que Brunet avoit lorsqu'il est revenu -

William Thompson, lives at Riv. du Chem, 120. P<sup>r</sup> who came to his house about 10 O'Clock at night on the 11<sup>th</sup> Oct. last, he had a horse w<sup>t</sup> him, q<sup>t</sup>. W<sup>r</sup>. shot. at time he had seen before, he stopt some time & we had some conversation w<sup>t</sup> him - he looked at horse, observed he was very small one for a farmer - assisted P<sup>r</sup> to put a saddle on him - he s<sup>d</sup>? he had got him from one M<sup>r</sup> able at the little River, and was going to Montreal with him - He saw the same horse the following Sunday in the poss. of Daniel Brunet who bro<sup>t</sup>. him to show him to the wife to see if he could recognize him again -

x<sup>o</sup>

The P<sup>r</sup> said he was coming to town to make some enquiry about a horse q<sup>t</sup> one Laurain had lost - It is his belief that it was the same horse he saw w<sup>t</sup> P<sup>r</sup> q<sup>t</sup> he afterwards saw w<sup>t</sup> Brunet - but will not swear positively -

Jos: Renaud, en Oct. der. a vu le P<sup>r</sup> chez le der. hem. le 11 du mois une dimanche au Soir - con. dant. Brunet - a vu le cheval q<sup>t</sup> le P<sup>r</sup> avoit lorsqu'il a arrêté chez Thompson, et croit au meilleur de ses connaissances que c'étoit le cheval de Brunet q<sup>t</sup> le P<sup>r</sup> avoit - il a aidé au P<sup>r</sup> de mettre la Selle sur le Cheveu - a vu le cheval plusieurs fois depuis .-

a vu plusieurs chevaux pareils - ne dit pas pourtant que c'est le même cheval, mais au meilleur de ses croyances il est le même -

Defence

## Defence

Duncan Cameron, lives at Riv. du Chene - was present when old Laramie & Mr. McIntosh claimed a horse. They appeared to be a liquor - Has known the P: for eight months, has never heard any thing of his character has had dealings w<sup>t</sup> him - heard he had leased a farm from Mrs. McGillis at Riv. du Chene, and that he was purchasing horses for it - Saw P: at the ploughing match the day before, he held a plough & had a bay horse & got another horse from a Canadian

Duncan Mc Martin, lives at Riv. du Chene, says that P: had leased a farm from Mrs. McGillis - saw P: at the ploughing match, he had a bay horse & borrowed another to plough with - Saw Old Laramie & one Mr. McIntosh at Riv. du Chene who had come to claim a horse both much in liquor - Is P: some time past - has never heard any thing said agt. him - never heard him speak French.

Robert McNabb, lives at Riv. du Ch. is a Tavern keeper. having seen old Laramie & one Mr. McIntosh come to his house in Sept. last to claim a horse, they were very drunk at the time, they also continued to drink at the house of Mr. they remained at house of Mr. for two or three days and had liquor to the amt. of eleven dollars, and from the state they were in does not think that either of them could recollect what passed - Saw the P: there, but did not see him drinking or singing with the rest of the party - That Mr. understood that a warrant was about to issue agt. P: for stealing the horse

and

and gave him intimation of it several hours before it arrived, but he refused to make his escape or to avoid meeting the warrant, as he said he was not guilty - never heard any thing ag<sup>t</sup> the P<sup>r</sup> before -

Alex. Ogilvie - has kn. P<sup>r</sup> for 18. months - he has been in the service of us for 2 months - he behaved himself like an honest man -

Amable Gaudri - con. le P<sup>r</sup> qui dem. chez lui l'eté dernier, con. le P<sup>r</sup> pour un hon. hom. qui travaillait bien - il travaillait pour lui-même sait qu'il a acheté un cheval d'un nommé Lapierre - Qu'il est quelque fois difficile de trouver les personnes de qui on achete des chevaux

Duncan Cameron - tht Capt. Menable has been subpoenaed to attend here to day as a wits, but that he is unable to attend from sickness -

Duncan Cameron, lives at Cross - tht P<sup>r</sup> who was six months in service of us always behaved himself well

Verdict. Not Guilty - on both Indictments.

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Thursday 4<sup>th</sup> March 1819. a.m.

The King. a.m.  
v  
Albert Rummion }

On trial of Indictment for stealing  
in a dwelling house to the amount  
of 40/- a.m.

Jean B<sup>r</sup>. Rapideau, dem. à St. Laurent - le 17 Oct<sup>r</sup>  
dern. il est sorti de chez lui pour aller chez son voisin  
à la distance d'environ deux perches à la largeur du chemin,  
sa femme l'a suivi peu de temps après, de sorte que personne  
n'a été laissé en la maison - qu'il y avoit alors neuf  
piastres d'argent à la maison consistant en pièces d'un  
sous et une piastre d'Espagne - que cette argent étoit  
dans un petit boîte dans son armoire - Que sa femme est  
retournée à la maison après avoir resté chez le voisin 5 à  
6 minutes - elle est revenue appeler le témoin, il a été ce  
elle lorsqu'elle lui a demandé combien il y avoit d'argent  
dans la Cassette, il répondit, neuf piastres - elle dit, qu'il  
n'y avoit que trois - il dem. alors si quelque un avoit été  
à la maison, sa femme dit qu'elle avoit vu un personne  
se sauver hors de la maison avec un paquet sur le dos -  
que les neuf piastres y étoient le matin, & cela dans  
cinq heures du Soir - Que le tem. est allé chez un autre  
voisin qui lui dit de courir après la personne - en courant  
il a vu trois hom. qui courroient - étant pris d'un greve  
il leur a crié d'arrêter, ils ont arrêté, - le P<sup>r</sup> en étoit un -  
il lui dit qu'il le soupçonnait de lui avoir pris trois  
piastres, il l'a renié - le Tem. l'a mené chez le Cap<sup>t</sup> Roi,

ou le P<sup>r</sup> a dit premierement qu'il n'avoit point d'argent  
et ayant été requis de produire l'argent qu'il avoit, il  
a produit, et celle consistoit en dix écus, et une piastre  
qui étoit justement l'argent que le témoin avoit prudé.  
Que le P<sup>r</sup> a été en conséquence envoyé en Ville, & le Capt.  
Roi a rendu au P<sup>r</sup> l'argent - en chemin le P<sup>r</sup> avoit  
changé la piastre, et les dix écus ont été livrées à  
l'Office de Police. -

2.

Que la personne à qui il s'est adressée avoit un paquet.

Susanne Allard, fém. du cler. tem. demeurant seule  
avec son mari, ils n'ont point de domestiques - que  
vers les quatre ou 5 heures de l'apres-midi du 17 Oct. der.  
elle a quitté la maison pour aller joinedre son mari  
chez le voisin - elle a laissé personne dans la maison.  
croit avoir resté chez le voisin environ 7 à 8 min.  
lorsqu'elle est revenue à sa maison, en sortant  
de chez le voisin elle a vu un hom. près de la porte  
de sa maison comme si ~~elle~~ sortait de chez elle,  
et comme il avanoit vers le tems. elle peut dire que  
c'étoit le pris<sup>1</sup>, il avoit un poquette attaché sur lui  
Que quandois elle est sortie de chez elle, il y avoit de  
l'argent, et en rentrant chez elle, elle a été tout de  
suite à l'armoir regarder son Argent, et sur neuf  
piastres qu'elle y avoit laissé, elle n'a trouvée que  
trois - voyant que son argent manquoit elle a été  
appeler son mari qui étoit chez Grouard le voisin.  
et lui a donné connoissance du Vol & des circonstances

de l'homme qu'elle avait vu - Que son oncle en conséquence a poursuivi l'homme & il a été arrêté. Que le P<sup>r</sup> est l'homme qu'elle avait vu près de sa maison comme si sortait de chez elle - Qu'elle n'avait pas été absent de chez elle de la journée -

x<sup>3</sup>

Peut affirmer que le P<sup>r</sup> est la même personne qu'elle avait vu à la porte de sa maison -

Pierre Clackrood, lives at St. Laurent les Rapides who lives there, went w<sup>t</sup> him to assist in arresting a man who had robbed him - There were three men who were running - the P<sup>r</sup> was one of them - Rapideau, charged the P<sup>r</sup> w<sup>t</sup> having robbed him - the Mr served as interpreter between R. & P<sup>r</sup> - That the P<sup>r</sup> said he did not take the money, that he had money of his own - The P<sup>r</sup> was carried before Capt<sup>t</sup> Roi, and he therefore produced 10 half dollars & a dollars w<sup>t</sup> a trente Sols & some Coppers -

### Defence

Leos Marinville, son pere tient auberge à St Laurent se souvient d'avoir vu le P<sup>r</sup> environ 1/2 heure avant qu'il fut arrêté, il a vu qu'il avoit une piastre un sept Sols & quelques coppers - qu'il l'a vu sortir de l'argent pour payer du menu, pour traiter les personnes qui étoient avec lui. -

Gabriel Roi, se rappelle d'avoir vu le P<sup>r</sup> chez lui en Oct. dernier - Qu'avant ce temps, le P<sup>r</sup> a arrêté chez le témoin pour acheter des souliers, le tém. lui dit qu'il n'en avoit point, et lui a enseigné où ce qu'il pourroit

en trouver - Du environ trois heures apres le P<sup>r</sup>  
a été arrêté devant lui pour avoir volé chez Rapideau  
qui disoit avoir perdu dix ecus & une piastre - que  
le P<sup>r</sup>. dit avoir entré dans cette maison pour chercher  
des souliers comme on lui avoit enseigné d'aller les  
mais qu'il avoit sorti immédiatement - qui en sortant  
de la, il avoit couru pour rattraper deux jeunes  
gens avec qui il faisait chemin -

Verdict. Not Guilty. —

The King. {  
Rich<sup>rd</sup> J. Everett }

Indictment for Stealing  
from the dwelling house to the amount  
of 40f. ca

Austin Warner, merchant in Montreal,  
about the 9<sup>th</sup> dec<sup>r</sup>, last he missed, a piece of tartan  
plaid of about 10 yards, worth 30/- a piece of  
Casimire, conte eleven Yards, was worth 3/6 per yard,  
part of a piece of bombazette, worth 20/- and a  
pair of Cotton overalls, worth 20/- which articles  
were in his shop, forming part of his dwelling  
house - That the P<sup>r</sup> was in the habit of going to  
the house of W<sup>r</sup> and talked w<sup>t</sup> W<sup>r</sup> & the people  
in the shop - That W<sup>r</sup> recd. information that the  
effects he missed were at Mr Yon's, and afterwards  
found them there - The piece of tartan plaid wa-

just

first shewn him, which from the pattern and appearance of the article he considers to be the same he lost, and verily believes it is the same. - When at the Police Office he found a piece of solinette which he had not missed before, which was then produced to him - the piece of Casimire he found to have been partly made up

X

That he has a lease of the house in qt. he lives, for three years - he sublets it into different apartments for stores - there are three front doors to the house - and in one end of the house the shop was in qt. the effects in question were - The Mr. sleeps in a backroom off the shop - That You live in the neighbourhood of Mr. for about a year, and Mr. has been in his house perhaps three or four times - You keep a tavern - had occasion to go there with his friends - has been there w<sup>t</sup> the P<sup>r</sup> in the course of last winter two or three times - remembers having seen one P<sup>r</sup> Decousse there - also one Louis Provender - has been there where Mr. You himself was in the house - The last time he saw the piece of tartan & Casimire was at Mr. You's - when he lost his goods, it was between the 7<sup>th</sup> & the 10<sup>th</sup> Oct. last - The 7<sup>th</sup> was on a Monday - thinks he was at You's the Saturday before next, having seen the P<sup>r</sup> there, also Mr. Decousse & several other persons - does not recollect any thing that passed them in particular - did not see those goods in poss. of P<sup>r</sup> at that time - He one David Jones - saw P. & this Jones at <sup>one Reddington's a tavernekeeper</sup> Reddington's ~~some~~ <sup>some</sup> time previous to this Saturday That at time he was at Reddington's w<sup>t</sup> O<sup>r</sup> & Jones, the Mr. had not discovered that he had lost his goods - That Mr. had occasion to mention to this Reddington the loss of the goods, and his suspicion of the P<sup>r</sup>

Charles Bernard You, aubergiste, demeure à la Rive Capitale  
com. le P<sup>r</sup>, il est venu chez le Tem. Vers le com. du mois  
de Decembre dernier & lui a offert à vendre la peau de  
plaie, une pièce de Casimire gris - que dans le principe  
le témoin a avancé 10 piastres, & a reçu les effets en gage, ch.  
ensuite il les a acheté - deux ou trois jours après Mr  
Warner est venu demander les effets disant qu'ils lui  
auraient été volés - le Tem. a dit que c'étoit bien  
extraordinaire qu'il accusoit la personne d'un vol  
lorsqu'il l'avoit accompagné & avoit vu les effets entre  
les mains chez le Tem -

x<sup>3</sup>

Que Mr Warner est venu quelques fois chez le  
témoin avec le P<sup>r</sup>, les a vu là le 5 de Decembre.  
Que le Samedi pendant que le P<sup>r</sup> offroit les effets  
à vendre au Tem. Mr Warner y est entré, & pouvoit  
voir les effets entre les mains du P<sup>r</sup> - Que Warner  
a touché le P<sup>r</sup> sur l'épaule, lorsque le P<sup>r</sup> a déposé les  
effets sur un table, il est sorti avec Warner, où ils ont  
parlé pour quelque tems ensemble, lorsque le P<sup>r</sup> est  
rentré à Warner s'en est allé - cela donnaient lieu au  
P<sup>r</sup> à croire que le P<sup>r</sup> vendoit ces choses pour Warner -

Defense.

Mr Bernard Decousse, se rappelle d'avoir vu le  
P<sup>r</sup> chez Mr You un samedi vers le commencement du mois  
de Decembre - le P<sup>r</sup> avoit des marchandises, pareilles  
à celles montées, exposées pour emprunter de l'argent  
dessus - pendant ce temps là Mr Warner est entré  
et a tappé le P<sup>r</sup> sur l'épaule, ils ont sortis ensemble  
et sont partis dehors deux ou trois minutes, et  
après le P<sup>r</sup> a rentré, Mr Warner est parti -

Que

Que lorsque Warner est entré, le P<sup>r</sup> ne paroissait point surpris, et me cherchoit pour ce cacher les marchandises, au contraire le P<sup>r</sup> les a posées tranquillement sur la table et est sorti avec Warner - Que le P<sup>r</sup> est rentré & a demandé à Yon s'il voulloit lui prêter les dix piastres - et le Tém. croyant que l'argent étoit pour M<sup>r</sup>. Warner et que le P<sup>r</sup> agissoit pour lui, a conseillé à Yon de prêter l'argent pour lui rendre service - ce qu'il fit - Que le Lundi apres le 7 Decr le P<sup>r</sup> est revenu dire, que comme il n'avoit point l'argent pour lui rendre, il voudroit lui vendre les effets, mais M<sup>r</sup> Yon ne paroissait disposé de les acheter, comme il avoit besoin de son argent, mais enfin ils ont tombé d'accord sur le prix des marchandises, ils étoient apres les mesurer lorsque M<sup>r</sup> Warner est encore entré et a pris le P<sup>r</sup> à part dans la Salle et lui a encore parlé, et apres son départ le P<sup>r</sup> a reçu son argent et l'a suivi - Que le Témoin a dressé un compte des marchandises avec un reçu au bas, et le P<sup>r</sup> l'a signé - Que deux jours apres la vente des effets le Tém. a encore vu le P<sup>r</sup> & M<sup>r</sup>. Warner en compagnie ensemble, et a vu M<sup>r</sup> Warner lui prêter trente sols -

Louis Provostier - gives same evidence as last witness. em

Joseph Chadwick, remembers that on the evening of the 7<sup>th</sup> Dec. last Warner called on P<sup>r</sup> to go and spend the evening with him & to take a walk with him. —

Pierre Desprance, tient auberge - se rappelle d'avoir vu le P<sup>r</sup> & M<sup>r</sup> Warner chez lui. —

David.

David Jones - he M Warner - les P<sup>r</sup> also - Some time about the 1<sup>st</sup> or 2<sup>d</sup> of December last, cannot be very sure had been before that some things had been missing out of Warner's shop - The P<sup>r</sup> came up w<sup>t</sup> W<sup>r</sup> in the street - the W<sup>r</sup> then had occasion to tell P<sup>r</sup> that he had better not go to Heydens, as there was a suspicion against him for stealing some things out of his shop - they went to Heydens together - while there Mr Warner came in, the P<sup>r</sup> and he had some conversation together cannot say what it was, but they appeared to be good friends together and eat and drank together before they parted

Verdict. Not Guilty. m

The King.  
vs  
John Martin.

On trial of Indictment for Murder. m

Casimir Foretier, con. le P<sup>r</sup> depuis 6 a 7 ans que depuis une couple d'annies cethom. a perdu la raison au point de ne point distinguer entre le bien et le mal par occasion. -

x<sup>2</sup>

Que le P<sup>r</sup> a été renfermé aux lozes comme furieux il y quelques mois - il a été interdit, & le témoin a été nommé son Curateur. m

Frank Hebert, con. le P<sup>r</sup> depuis plusieurs années, que depuis deux ans le P<sup>r</sup> est devenu fou, excepté par moment qu'il parlait raisonnablement qu'il a été furieux et même dangereux pour le voisinage.

Que

Que l'on a été obligé de l'enfermer aux loges  
et depuis environ quatre cinq semaines il  
paroissait encore beaucoup dérangé. —

Marguerite Sesage, écon. de P<sup>r</sup> il est marié à  
sa Sœur a vu le P<sup>r</sup> le jour qu'il a tué son enfant,  
il paroissait bien fou, et même furieux

Verdict - Not guilty - from Cause of  
insanity of the P<sup>r</sup>.

The King.  
Charles Lawson}

On trial of Indictment for stealing  
privately in a Shop to the amount  
of 5/. em.

Alex<sup>r</sup>. McKay, is the clerk who keeps Mr Rush's  
Shop. That on 1<sup>st</sup> fibs last there was some <sup>blue</sup> cloth hung  
up at the door of the Shop, it was nailed to the inside  
of the door, and fasted to a piece of carpeting at the  
door so that it hung between the iron door & inner  
door - That Mr Coyons came to tell Mr that he saw  
a man making up a bundle at the door, and the Mr  
missing the piece of cloth run after the person -  
immediately with Mr Coyons, and came up with  
the P<sup>r</sup> and saw the cloth in his coat, he beat back the  
P<sup>r</sup> to the Shop and there took the cloth from him - the  
cloth is worth 20/- The P<sup>r</sup> app'd to be in liges

and when asked to account how he came by the cloth he said he had picked up the Cloth in the Street.

That it is usual for them to hang up articles out the door of the Shops - the same goods are not exposed above two days running at the doors or windows - That the wind may blow down light articles hung at the door, but not such articles as those hung up in the manner it was - that the wind could not have torn the cloth in the way it was torn - nor does he think that any Carts or Carriages going past might have torn it down - There may be similar kinds of cloth hung up at other Shops as it is a common color that he generally is the person who puts the shop marks on the goods - that Mr Russell put the mark on the piece of cloth in question, and the writing is in his hand - It was about 3 O'Clock P.M. when he missed the cloth - The cloth was nailed up with a long nail -

Joseph Doyons, se rappelle d'avoir vu le P<sup>r</sup> vas le 1<sup>er</sup> fev. dern<sup>re</sup> à la porte de Mr Russell, qui doit apres plier un morceau de drap & la mettre en son capucin & apres l'arracher de la porte - le tenir fut dans la magazin dire au commis ce qu'il avoit vu, & le commis l'a tenu, l'ont poursuivi et arrêté - et dans son Capucin ils ont trouvé le drap, que le ten. l'a vu prendre à la porte - Que le P<sup>r</sup> est un gargon qui roule dans les rues & d'un mauvais caractère -

The

x<sup>o</sup>

The Court charged the Jury, that when goods were exposed on the outside of the Shop, they were not within the Statute, as it was meant to apply only to what is in the Shop and cannot be extended beyond this — But here the Stealing was not privately done as the witness Doyons saw the P.<sup>r</sup> take it the Jury therefore could find a verdict only in a simple larceny —

The Jury found a Verdict of  
Guilty of Petty Larceny

—

Friday 5<sup>th</sup> March. 1819. —

—

The King. —  
or  
Basile Demers. }

On trial of Indictment for  
horse-stealing. —

Fran<sup>s</sup>. Bouquette, dem. a Boucherville, que le six Oct. dernier, il avoit une jument brune <sup>chez</sup> le nommé Carignan. il l'estime a douze louis. Que le 7 Oct. ou lui a averti que sa jument manquoit — il a la recherche de la Jument, et la trouv<sup>e</sup> vers le 22 d'Octobre chez un nommé Dominique Delaurier à St Laurent

Que le P<sup>r</sup> a été engagé <sup>x<sup>o</sup></sup> chez le tem. l'été dernier,  
et

et a resté chez lui pendant 2 mois - avoit beaucoup confiance en lui, comme il faisoit voir une bonne conduite.

x<sup>o</sup>

Que sa Tument n'avoit point de marque partielle et la couleur est bien commune, et on euroit pu se tromper si on l'euroit pas bien connu - Que le P<sup>r</sup> connoissoit bien la Tument -

Jos. Carignan - dem. à Boucherville, qu'il avoit en possession un lument appartenant au der. tem. l'automne dernier. Que le Soir du 5 Oct. il a vu la Tument dans son pare, et le lendemain queut son hom. B<sup>e</sup> Cantin est venu pour la chercher, elle ne s'est point trouvée - a vu la Tument ce matin . -

x<sup>o</sup>

Que la Tument a été en possession depuis trois mois chez lui - que le P<sup>r</sup> est venu souvent la chercher du temps qu'il restoit chez Bouquette - et cela sans rien dire au Temoin

Imp<sup>r</sup> Quintal, il est l'engagé de Frans Bouquette - Con. la Tument - a été pour chercher la Tument chez Carignan le 7 Octobre vers midi, c'est pour aller se promener avec chez son pere - Que le pare de Carignan n'eoit bien clôturée - Que on a fait de recherches pour la Tument -

Bleyne, &c

Louis Tarry, dem. à St Laurent - a vu le P<sup>r</sup> en Octobre dernier, l'ayant rencontré en chemin à cheval - le tem. lui a demandé s'il voulloit vendre sa Tument - c'étoit le 8 d'octobre vers les huit heures du matin - le P<sup>r</sup> dem. 20 piastres pour la Tument - qu'il est convenu avec le P<sup>r</sup> pour la vente de la Tument ~~pour~~<sup>a</sup> 15 piastres, et a amené le P<sup>r</sup> chez le Père du Temoin - pour la payer - le P<sup>r</sup> a dit premierement qu'il avoit acheté la Tument, et ensuite il a dit de l'avoir eu en échange - que l'argent a été déposé chez elle Cadieu, N<sup>e</sup> en conséquence des soupçons que le pere du Temoin avoit, jusqu'à ce que le P<sup>r</sup> prouvoit amener des gens pour certifier que la Tument lui appartenent -

Dix

Que le témoin a gardé la Juiment pendant 10 jours & l'a vendu alors à l'engagé de son voisin Latom - Que depuis ce temps il a vu la Juiment chez Mr Bouzette à Boucherville et la reconnu pour être la même qu'il avait acheté du P<sup>r</sup>

The Court having sent the Witness to look at the mare now in the Court-Yard together with the owner, Mr Bouzette - returned into Court, and having been examined touching the identity of the mare - says, that the mare he saw, and of which was shown him by Bouzette is the same he purchased from the P<sup>r</sup>

And Bouzette being also called up again, says, that the mare he showed to the said Jarry, is the property of him the said Bouzette, and is the same he lost

### Defence

Raphael Demers - says nothing. —

Jacques Viger - Que le P<sup>r</sup> a été domestique chez lui pour environ trois ans et demi en différents tems - il en a été bien satisfait, ~~et~~ a fort beaucoup de confiance en lui, se comportoit honnêtement -

Verdict - Guilty - recommended on acc<sup>t</sup>. of his prior good character

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The King. — }      On trial of Indictment for Grand Larceny.  
Aug<sup>st</sup>in Patrie }

Mathieu Pelagisio, dem. au faub. St Laurent, que le P<sup>r</sup> est venu chez lui le Soir du 1<sup>er</sup> Janvier dernier et a demandé à se coucher chez lui - qu'il y a trois chambres dans la maison - il a permis au P<sup>r</sup> de coucher

à

à la maison - Le tem. sa fem. et le P<sup>r</sup> ont souper ensemble  
et le P<sup>r</sup> s'est couché vers les onze heures - Vers les quatorze  
heures une fem. est entrée pour demander à changer un chelin  
le tem. a été en conseil à son coffre où il gardoit son argent  
et lui a donné la change - il avoit dans ce coffre environ  
5 à 6 piastres en différentes espèces de monnaie - le tem.  
avoit fermé le coffre à clef et mis la clef à côté sur une  
table - quand le tem. a changé le chelin le P<sup>r</sup> étoit présent  
et a bien vu tout ce qui s'est passé - Que dans la nuit  
le témoin s'est levé pour sortir chercher du bois - il a  
été dehors environ dix minutes, en entrant le P<sup>r</sup> étoit  
parti sans avoir rien dit à personne, ce qui a donné du  
soupçon contre le P<sup>r</sup> et il a été tout de suite à son coffre  
pour voir son argent, et elle étoit partie, il ne restait  
qu'environ un chelin - Qu'il a poursuivi le P<sup>r</sup>  
immédiatement mais qu'il l'a pas trouvé - il a été arrêté  
le lendemain au soir - Que le tem. croit avoir pu détruire  
environ cinq à six piastres, un peu d'un chelin,  
quatre ecus, & trente sols de cuipres -

x

Que il dem. 3 familles dans la même maison  
deux familles dans une chambre, et le témoin & sa  
femme dans une autre - Que ces personnes entroient  
bien souvent chez le Témoin - Que c'étoit vers les  
neuf heures que le P<sup>r</sup> est entré chez le T. con. le P<sup>r</sup>  
comme ayant demeuré dans la même maison avec lui  
pour deux mois auparavant - Son argent étoit dans  
un Sac -

Jacob Ellarston. Grand Con. le P<sup>r</sup> a été mis en  
charge le 2 Janvier dernier - le P<sup>r</sup> par un peu pris  
de boisson, il m'a disoit point grande chose - Mathieu  
est

est venu, & a demandé à parler au P<sup>r</sup>, et ils ont été dans une chambre et ont parlé ensemble, en sortant, Mathieu lui dit, que le P<sup>r</sup> avouoit d'avoir pris neuf francs, et la-dessus le témoin se tournant vers le D<sup>r</sup> lui a demandé si cela étoit vrai, le P<sup>r</sup> a dit oui -

Here Mathieu was called back to give an account of what passed between him and the P<sup>r</sup> in the same room together -

Mathieu dit, qu'il a dit au P<sup>r</sup> s'il vouloit payer le Comptable Marston, et lui donner, trois piastres, il le laisseroit aller -

Upon this the Court refused to admit the confession of the P<sup>r</sup> -

### Defence

Pascal Girard - Que lorsque le P<sup>r</sup> fut arrêté, Marston a envoyé chercher le tem. - et lui dit d'aller chercher Mathieu - il a été à Mathieu et venu - Que le témoin a fouillé le P<sup>r</sup> et n'a rien trouvé sur lui d'argent pas un sol - Con. le P<sup>r</sup> depuis 12 à 13 ans, il s'est toujours bien comporté comme un honnête homme - il est un peu faible d'esprit, et on peut lui faire croire ce que l'on voudra - Qu'il con. Mathieu depuis peu de tems, ne peut rien dire quant à son caractere.

Verdict - Not Guilty. u

The

The King. v.  
Antoine Riquette }  
& Marie Sulliere. v.

An Indictment for an assault  
on a bailiff in the execution of  
his duty. v.

Janvier Paquier, est un des Hussiers de la Cour  
du Banc du Roi - Que le 16 d'Avril dernier, il  
fut executer un warrant contre Basile Corbeille  
pour infraction de la Paix - il a trouvé ce Corbeille  
à l'Isle Jesus dans une prairie, et le tem. a executé  
le warrant en le faisant - pris - il y avoit un  
nommé Richardson avec le tem. - il a prévenu le  
Corbeille de la raison pour laquelle il étoit arrêté -  
Que Marie Sulliere la femme du Corbeille est venue  
disant que le témoin n'avoit point de warrant  
pour prendre son mari - le tem. a lui le warrant  
à la dame Marie Sulliere - elle a toujours persisté à  
dire que le tem. n'avoit point de warrant - et  
qu'il falloit lâcher son mari; le tem. & le nommé  
Richardson conduissoit le P<sup>r</sup> lorsque la femme a  
crié, venez donc m'aider, ils veulent enlever mon  
mari contre moi - la dessus plusieurs personnes  
sont venues, parmi lesquelles le tem. a reconnu  
le nommé Riquette le Dje - la fem. a pris un  
bâton & a donné un coup avu au tem. & a cassé  
son bâton - que le tem. a ordonné au dr. Riquette  
et aux autres personnes assemblées, de lui donner  
du secours pour amener le P<sup>r</sup> mais le Riquette  
a été à la Cloture chercher un perche disant qu'il  
voulloit casser le col au témoin, disant en même  
tems qu'il n'avoit point de warrant - n'ayant  
pas

pas pu arracher une perche, led. Riquette est venu avec une pierre et a frappé le tem. - Le témoin a vu Marie Sullivane qui avec une pierre entre ses deux mains frappoit Richardson sur les os, le témoin a pris la pierre d'entre ses mains, et la jetté aussi loin que possible - Que le tem. a lui son warrant a tout le monde qui étoit assemblée pour leur montrer son autorité - Que voyant la résistance le tem. a tiré un pistolet qu'il avoit en sa poche, et leur a menacé avec, mais ayant reçu un coup de baton sur le bras le pistolet lui a tombé des mains - Que le cri général étoit qu'on n'avoit point d'autorité pour amener le P<sup>r</sup> et qu'il falloit <sup>les</sup> ~~les~~ laisser plutôt que de le laisser amener le P<sup>r</sup> - Qu'apres beaucoup de résistance ils ont réussi de conduire le P<sup>r</sup> chez le Juge à Paris. -

x<sup>o</sup>

Que le tem. avoit été chez le P<sup>r</sup> deux fois auparavant pour le chercher, mais n'a pas pu le trouver - Que les raisons que la fem. don. étoient, que le tem. n'ameneroit pas son mari parce qu'il avoit bu, et qu'elle ne le laisseroit point amener - Que la fem. a aussi dit qu'il n'étoit point décentment habillé pour paroître devant le Juge à Paris - le tem. a trouvé qu'il étoit suffis<sup>t</sup> bien habillé, mais cepend<sup>t</sup> a dit à la fem. qu'elle pouvoit appeler les autres habits si elle vouloit - mais la jem. disoit qu'on ameneroit pas son mari ce jour là - Que Riquette a poussé & frappé le tem. avec sa main -

Pearson Richardson, recollects having been called upon the 15<sup>th</sup> or 16<sup>th</sup> Augt. by the last Mr. to go and assist him to arrest a P<sup>r</sup> did not kn. his name - found

th P<sup>r</sup>: lying in a meadow, when Payfer told him that he was his P<sup>r</sup>: that he had a warrant against him - th P<sup>r</sup> appd not disposed to get up & they took him up, gently - that th P<sup>r</sup> made resistance - when he was first arrested he appd much in liquor, but got sober very soon - th P<sup>r</sup> appd to be a stout man - That after they had got on a small way w<sup>t</sup> th P<sup>r</sup>: Marie Sullivan came up, took hold of th P<sup>r</sup> in order to pull him back - then took hold of W<sup>r</sup> left earliff and told them to let the man alone, he is drunk - as th Barliff presented, the woman struck Payfer on the back <sup>camus say</sup> wt a stick once - That W<sup>r</sup> was employed with Corbeille, & did not see particularly what woman did to Payfer - That Payfer said his warrant to the woman, & also showed it to the people assembled - Cannot speak as to the person of Rigette - There was a man who came up & used considerable violence, struck at him several times, and W<sup>r</sup> warded off one of the blows - That th W<sup>r</sup> advised th S<sup>r</sup> Payfer to take out his pistol, & he did, but it was struck out of his hand twice - th W<sup>r</sup> took it up once - Saw woman take Payfer's hat & throw it over a fence - this woman & man used great violence and called upon the others to assist them in preventing Payfer to carry the man away - Does not think often what he saw that it w<sup>r</sup> have been prudent for Payfer to have taken P<sup>r</sup> home to change his cloaths - They at last got th P<sup>r</sup> into a Cart and carried him off - The woman had a stone of 6 or 7 pounds wt with which she struck th W<sup>r</sup> two or three times -

Charles Moret - corr. Iam. Payfer, et les Dftrs  
Il étoit à environ un arpent & demi de distance de  
Corbeille lorsque Payfer & l'autre tem. sont venus pour  
l'arrêter

l'arrestez a vu la femme y faire de resistance, et  
a jeté une pierre qui a frappé l'huissier - elle a appellé  
du monde à son secours pour l'aider à empêcher les  
huissiers d'amener son mari - que Payfer a montré  
son wanton, ~~mais~~ ne pouvoit pas le tenir, il étoit trop  
tourmenté - il y avoit beaucoup de monde réunis  
Qu'il paroisoit que Riquette étoit disposé à donner du  
secours à la femme, disant qu'il falloit lâcher le pris<sup>2</sup>

Que Riquette menacoit les baillifs en paroles, mais  
n'a pas vu frapper -

Joseph Semieux, dem. à l'Isle Irous. con. Payfer  
l'huissier - sait que Payfer avoit arrêté Corbelle en  
Aout dernier - le 2em. a été requis d'aider à mener le  
Corbelle prisonnier à Luchonne - a vu la fem. ramasser  
une petite roche & frapper Payfer avec -

Verdict. Guilty.

Saturday 6<sup>th</sup> March 1819 a.m.

The King.  
Benj<sup>n</sup> Barry }

On trial of Indictment for Grand  
Larceny. a.m.

George Reid, farmer in Caldwell's Manor was employed as a carriage driver for the King at Isle aux Noix - worked under the command of P: in the years 1813. & 14 at Isle aux Noix & Caldwell's manor the P: was Master Carpenter - Saw Kings Stores in the poss. of the P: such as spades, Shovels, Iron Chains, axes and several other things of that description - these articles were given out by the P: as they were wanted and were kept by him - has seen the P: deface the Kings mark on an ax by means of a hammer, so that it could scarcely be perceived - thinks this ax was taken from the store where the Kings goods were kept - Has seen the P: use several axes, spades to his own private use - has seen the P: give away such articles to Capt. Brown - he saw P: take three or four one Shovel to Capt. Brown - it had the Kings mark on it, saw Capt. Brown afterwards make use of it - has seen cross-cut saws - hand saws, and cross-cut saws in the poss. of the P: and using them to his own private use - 3 cross-cut saws - 2 whip saws - and 2 hand-saws, - by sawing his own timber w<sup>t</sup> them - these saws had the broad arrow on them - saw 4 or 5 axes and by the P: in the same way, these axes had the Kings mark on them also - Has seen

seen the P<sup>r</sup> put up three window sashes in his own house which came out of the barracks, and served as windows there - Has heard the P<sup>r</sup> say at different times that he had got enough to make up his losses, by which we understand, that he meant to use the Kings Stores in his use to make up for the loss of some articles the Americans had taken from him. —

x<sup>c</sup>-

That W<sup>r</sup> left service of P<sup>r</sup> in 1815, when P<sup>r</sup> was at Burtonville - the W<sup>r</sup> was dismissed by the P<sup>r</sup>, as he understood there was no further occasion for his services - was not dismissed for having stolen any thing - has no spite agt. P<sup>r</sup> nor ever expressed any resentment agt. him. — That at Ash-Island the P<sup>r</sup> had the key of the Store when the tools were kept - at Isle aux Noix, the P<sup>r</sup> drew tools from the Store there as master Carpenter from the Store-Keeper - that the tools which the P<sup>r</sup> rec'd at Isle aux Noix he carried with him to Ash-Island - and to Burtonville as he was directed - That when he saw P<sup>r</sup> take the broad arrow mark out of the ax it was in his own house in the presence of his son Patrick, and gave as a reason, that he meant to keep it to his own use - has heard P<sup>r</sup> say something in regard of a Shovel. has said same thing in regard of other articles - his sons Andrew Barry, & Pat<sup>t</sup> Barry were sometimes present - the W<sup>r</sup> understood that the P<sup>r</sup> meant to say, he was taking these things from the King - That the window sashes of the barracks at ~~Ash Island~~ <sup>as</sup> were taken down by P<sup>r</sup> and carried to his own house near Ash-Island - the soldiers were then gone from Ash-Island -

Andrew Brown, farmer at Caldwell's manor - was a master Carpenter employed by the King during late war

and

to the time of the Peace - was employed by P. as a labourer  
for one year during even deeper at Govt. works - That  
P. had a number of workmen's tools in his charge w<sup>t</sup>. the  
Kings mark on them. Has seen the P<sup>r</sup> take the Kings  
mark off more than on Cross-cut saws - axes & spades  
but cannot say how many - the Kings mark was  
on the Iron - he sent the axes to a blacksmith and  
got them done over - saw P<sup>r</sup> hammer the mark out  
of some saws & axes - Saw P<sup>r</sup> take some other spades  
w<sup>t.</sup> broad arrow on them in the domestic use of the P<sup>r</sup>  
to the amount of 4 or 5 - That W<sup>r</sup> saw P<sup>r</sup> <sup>take</sup> ~~carry~~ the  
axes, ~~and~~ <sup>take</sup> window sashes from the Store, to his own  
house, and carried them up stairs to the garret, the W<sup>r</sup>  
assisted him by his directions, and the P<sup>r</sup> told W<sup>r</sup> not  
to say anything about the master and it would never  
be found out - The P<sup>r</sup> gave some of the articles so stiled  
in his garret to a Mr Holden and Capt Brown -  
These things were in the store at Ash Island, the P<sup>r</sup> had  
the key of that store - There were more than four  
window-sashes taken out by P<sup>r</sup> and carried to his  
own house - the sashes had been taken out of some  
buildings and put in the Kings stores at Ash  
Island - The cross-cut saws & whip saws are worth 15/-  
a piece, the handsaws 10/- the axes 5/- the shovels 5/-  
each - the handsaws had the mark on the wood - has  
seen the P<sup>r</sup> paint over the handles, <sup>w<sup>t.</sup> yellow & white.</sup> This filled up the  
mark so that it could not be seen -

X<sup>o</sup>

The W<sup>r</sup> was discharged from the service of P<sup>r</sup> as  
there was no further occasion for him - The P<sup>r</sup> had  
the poss. of the articles in question as master Carpenter,  
both

work at Burtonville and at Isle Island - there was no person present when the Kings marks were taken out by Dr but Mr, it was at his own door - he gave no reason for it to Mr saw marks effaced thus by P. from one up done saw in April 1815 - it was done w<sup>t</sup>. a hammer -

### Defence.-

Andrew Simpson, is acquainted with 2 last Mr know that they were employed in service of P<sup>r</sup> and had been dismissed by him - has heard <sup>Reid</sup> ~~them both~~ say, that they would hang the P<sup>r</sup> or <sup>Reid</sup> ~~would hang him~~ make him quit his Country - these witness have got a bad name among their neighbours, & the Mr would not believe them in a Court of Justice -

John Lee, lives at Caldwell's manor, has lived there thirty years, as a Farmer - has known 2 last Mr from their infancy - that latterly Reid has borne a bad character, has heard Reid say, that he would have revenge of the Dr ~~should~~ have him tried at Court and have him hanged - and this on account of his having been dismissed from the employ of the P<sup>r</sup> He has worked under P<sup>r</sup> as master Carpenter - he had tools under his posse. at Burtonville and at Isle aux Noix - that P<sup>r</sup> was accountable to <sup>Capt</sup> Worsley, Engineer, for the tools under his possession - that Worsley was at the Island Burtonville till the Peace in 1815 - when the tools were removed to the store at Burtonville under the charge of P<sup>r</sup> which was at the Dr's house - there were nails, pickaxes - such like articles - these articles were afterwards carried to the beach to be carried in boats to Isle aux Noix - saw the boats going further, was at Dr's house afterwards, but saw no tools of

any

any kind there that looked like Kings property -  
the P<sup>r</sup> was considered as a confidential man by his  
superior Officers - has been P<sup>r</sup> for 25 or 26 years and  
never heard any thing said to his character -

Has a son. that R<sup>d</sup> built a house for himself, and  
that the Tasks were made by a Carpenter - the  
P<sup>r</sup> never gave any Kings property to the W<sup>r</sup>

Edward Brown, lives at Caldwell's manor, is a  
Capt<sup>r</sup>. of militia - Rs. W. Reid since he was five  
years of age, he is a malicious, bad character -  
Rs. that he was in the service of the P<sup>r</sup> as a labourer,  
and the P<sup>r</sup> dismissed him for bad conduct, on  
a charge of having taken Govt. property - has  
heard Reid say, that he would hang the P<sup>r</sup> or  
would make him leave the Country - from his  
son. of Reid's character he would not believe him  
in a Court of Justice - believes that the present  
prosecution has originated in his malice to the  
P<sup>r</sup> That the character of Andew Brown his own  
son the other W<sup>r</sup> is that of a dissipated bad boy,  
and ought not to be believed in a Court of Justice,  
and would not be believed in the place he lives -  
verily believes that these two W<sup>r</sup> have put their  
heads together to raise this pr<sup>r</sup> as P<sup>r</sup> has heard  
his own son say, that he w<sup>t</sup> hang P<sup>r</sup> or make him  
leave the County - from his son. of these two W<sup>r</sup>  
he would not give credit to what they have said  
upon oath - Has a son. that a quantity of tools  
which had been in the poss. of the P<sup>r</sup> as master

Carpenter

Carpenter had been delivered up - that they were carried to the beach to be put on board of boats for this purpose, and heard Capt. Worthy the Engineer after this say, that these tools had all been delivered up - has been in house of P: since that time and has never seen any Govt. property in his power We never rec'd a penny's worth or any Govt. tools from P: That P: has always <sup>had</sup> a good character and been considered a confidential servant of the Crown by his Superior Officers -

Here the Solicitor General declared himself satisfied with the evidence on the part of the P: and consented that a verdict should be taken in his favor. a

Verdict. Not Guilty. a

The Slings -  
In P: to Alexandre }

On Indictment for privately stealing  
in a Coach house to the amount of 5/- a

Joseph Petty, In October last, was Coachman to Mr. Mc Gillivray - on the month of August last he missed a lamp of one the Carriages out of the Coach house - cannot ascertain the value of it - saw the same lamp at the Police Office last fall and is certain is the same as was lost - when taken it was in better order than it now is - It had cleaned the lamp the day before it was taken - the Coach-house in general was kept locked, but the lock was so bad that it did not hold the door.

x<sup>o</sup>

It has been coachman to Mr M<sup>G</sup>. for several months -  
That there were several workmen employed at Mr. M<sup>G</sup> -  
at the same time -

Fred. Aug. Duesnel - dans le mois d'Octobre dern.  
le 14, ayant été informé qu'il y avoit une Cabanne  
près de sa maison, et ayant été avec Mr. de Boucherville  
et un nommé Boyer, pour examiner la Cabane  
y a vu le P<sup>r</sup> le premier, et ensuite deux autres hom.  
il y a trouvé beaucoup d'effets, et parmi d'autres la  
lanterne en question - Le P<sup>r</sup> a voulu se sauver -  
Que le P<sup>r</sup> a dit avoir acheté tous ces effets à Quebec.

Thomas de Boucherville, fut avec le dernier témoin  
lorsqu'il a été faire la recherche à la Cabanne, y a  
vu le P<sup>r</sup> à l'entrée de la Cabanne - ils l'ont arrêté  
le P<sup>r</sup> s'est sauvé, mais a été retrouvé & mené en  
ville -

Louis Marteau, officier de la Police - dit avoir  
reçu la lanterne & effets maintenant devant la ferme  
de Mr Duesnel, qui ont été depuis gardé en l'Office  
de Police -

Con. ant. Vaudry, qu'il fut amené avec le P<sup>r</sup> à  
l'office de Police, lorsque les effets en question y furent,  
et la lanterne aussi - Que Vaudry a déclaré alors que  
c'étoit lui qui avoit appellé le P<sup>r</sup> à la Cabanne,  
mais qu'il n'y avoit aucun affaire avec la cabanne.

Verdict. on Guilty of Petty Larceny.

The King . . .  
Antoine Vaudry }

On trial of Indictment for  
privately stealing in a Coach House  
to the value of 5/- a

Joseph Vetty, was Coachman to Mr. Gillray  
in August last - in that month he missed one of the  
carriage lamps out of the Coach house - that he had  
cleaned the day before - saw the lamp afterwards  
at the Police office, he broke the remaining lamp to compare  
it by and found them to correspond, except that the top  
of the lamp which was stolen has been taken off since  
the lamp was attached to the carriage -

That the lamp belonged to a Calash - and was in the  
Coach-house when it was taken - there were a number of  
persons about Mr. MG's house at the time - had not  
had occasion to use the lamps before that time - saw  
the lamps at 3 O'Clock in the afternoon and next day  
one of them was gone -

Fred. Aug. Duesme - le 14 Oct: cler. ayant été informé  
qu'on avait fait une Cabanne sur sa terre - il y fit arrêter  
Mr De Boucherville & un nommé Boyer, en y arrivant il  
vit un nommé Alexandre qu'il a arrêté - en entrant  
plus loin il y vit deux autres hom. couchés, dont le  
P<sup>r</sup> était un - il a dit à Boyer de les saisir - il vit dans la  
Cabanne la lanterne en question, et beaucoup d'autres effets -  
Le P<sup>r</sup> a reclamé tous les effets qui y étaient comme les  
ayant apporté de Québec - il a appris les effets à  
l'office de Police avec les prisonniers -

Thomas De Boucherville, a accompagné le dernier  
témoin

temoin à la Cabanne en question, q' a vu le P<sup>r</sup> couché,  
et a aussi vu la lanterne maintenant montré - on  
se rappelle point que le P<sup>r</sup> ait reclamé les effets qui étaient  
dans la Cabanne -

### Defense -

La veuve Pierre Pieb - con. le P<sup>r</sup> a dem. deux mois  
& demi chez elle - y étoit en Avril & Sept. dernier, y couchoit  
et prenoit ses repas - con. le P<sup>r</sup> depuis son age de  
con. il s'est toujours bien comporté -

Joseph Vaudry - con. la veuve Pieb - sait que  
le P<sup>r</sup> s'est retiré chez elle en Avril & Sept. dernier -  
et avoit occasion de le voir trois ou quatre fois par  
Semaine -

Est frère du P<sup>r</sup> sait que le P<sup>r</sup> a resté tout le  
mois d'Octobre & quinze jours de Novembre -

Here the Sol. General offered to go into evidence  
to shew that in October and November the P<sup>r</sup> was in  
goal, and ~~alibit~~ show by the examination of the P<sup>r</sup>  
that he had admitted having aided in constructing  
the Cabanne in question, and as the magistrate was  
out of the district that he might be admitted to prove  
his handwriting -

The Court committed the Sol. Gen<sup>t</sup> to call witnesses  
to rebut the evidence of the alibi, but would not  
allow him to produce the examination of the P<sup>r</sup> as  
this was a paper in his possession, and if any part  
of it made for his use it ought to have been produced

in support of it, - that the producing of the examination of the pris<sup>r</sup> to the admision of any facts could not be allowed after the case was closed because it would be cutting the P.<sup>r</sup> out of the means of rebutting this examination -

## Verdict - Guilty of Petty Larceny.

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The King  
Jes. Sternes }

On trial of Indictment for Robbery.

Jean B<sup>t</sup> Trudelle, dem. à St Jacques  
que dans le mois d'Octobre dernier il a vu le P<sup>r</sup> à  
St. Henry de Mas couche de Lachenage, chez un nommé  
Belanger, le P<sup>r</sup> lui a demandé de le prendre dans sa  
chenette - ils ont été ensemble jusqu'à chez le nommé  
St Louis de la même paroisse distante de chez Belanger  
d'environ 60 arpens - ils ont entré tous les deux chez  
St. Louis - en chemin le P<sup>r</sup> lui dem. s'il ne voulait  
point lui donner quelque chose à boire chez St Louis,  
le tem. lui dit ji ne vous doit rien & je ne vous demander  
rien - le tem. a demandé 2 Verres de Vin - illes a payé  
à allumé sa pipe - quand le P<sup>r</sup> lui a fait se faire de  
sortir - le tem. avoit 15 francs dans sa bourse en  
trente sols & chelins, quinze sols & copper - étant  
dehors le P<sup>r</sup> lui a demandé de lui prêter un eeu

ce que le tem. a refusé disant qu'il ne le connoissait pas, que l'adversus le P<sup>r</sup> a ~~façonné~~<sup>arraché</sup> sa boîte à la bague ou étoit l'argent, et le pourtant lui dit, prenez garde, je suis bailli du Roi - Que le P<sup>r</sup> a ôté l'argent qu'il y avoit dans la boîte, et l'a rendu au tem. et a rentré dans la maison, le tem. l'a suivi, là il a demandé au P<sup>r</sup> vous voulez donc garder mon argent - le P<sup>r</sup> lui répondit - prome moi que je vous ai pris votre argent, et se tournant vers les gens de la maison leur a demandé, m'avez-vous vu prendre son argent on a répondu, non - l'adversus le P<sup>r</sup> a pris une des verres de vin qui restoit encore sur la table, et s'est sauvé hors de la maison - Que le tem. s'est revêtu sur son chemin et apporté plainte à un nommé Sansouci, et avec deux hom. et ils ont été arrêtés le P<sup>r</sup> - Que'ils n'ont point trouvée d'argent sur le P<sup>r</sup> à l'exception de 113 sols, disant que c'étoit toute l'argent qu'il avoit -

x

Que le tem. venoit de Terribonne - avant de rencontrer le P<sup>r</sup> il est entré dans un auberge, mais n'y a rien bu - chez Bellanger le tem. a eu une verre de rum - a eu aussi une verre de vin chez Bellanger mais pas plus - n'avoit point pris de rum avant d'entrer chez Bellanger - n'a pas bu le vin chez

S<sup>r</sup> Louis avant d'avoir perdu son argent - Da<sup>m</sup> lui arrachant sa boute le P<sup>r</sup> l'a poussé, & lui dit qu'il étoit bailli du Roi - Que le tem<sup>s</sup>. n'avoit point peur du P<sup>r</sup> dans le tem<sup>s</sup> -

Ambroise S<sup>r</sup> Toucios - com. le dern. tem<sup>s</sup>. - il est venu chez lui vers le 26 Oct. dern. pour l'aider a prendre le P<sup>r</sup> Trudelle l'a reconnu pour l'homme qui l'avoit volé - apres qu'il fut arrêté - il a dem. aux tem<sup>s</sup> "en vous remettant la Somme me lacherez vous" - La confesse tem<sup>s</sup> lui a dit - confirmé avoir pris 15 francs de cet homme là - il répondit oui - il a remis 113 s<sup>c</sup>ls. a leur a demandé de le laisser aller - mais ils ont répondu que ce n'étoit point la somme qu'il avoit prise - et ils l'ont arrêté emmené chez le Capitaine - là il leur a fait plusieurs effros, de son habit, sa veste ses souliers pour le laisser aller - mais Trudelle a dit que le Cap. ferroit faire ce qu'il croyoit juste, mais pour lui il n'y consentoit pas -

Marguerite Archambault, dem. a Sterry de Mascouche a vu Trudelle chez elle le 26 Octobre dernier - y a vu le P<sup>r</sup> le tem<sup>s</sup> est la femme de S<sup>r</sup> Louis Trudelle étoit sobre - Que le P<sup>r</sup> a demandé à Trudelle de sortir qu'il avoit affaire à lui - ils ont sorti ensemble - apres qu'ils étoient dehors, le tem<sup>s</sup> a vu le P<sup>r</sup> avec le boîte a tabac de Trudelle à la main - & l'a vu prendre l'argent qu'il y avoit

avoit dedans, apres que le P<sup>r</sup> avoit ôté l'argent de la boîte il l'a rendu à Trudelle - ils ont entrés ensemble, lors que Trudelle à St-Louis, vous laissiez voler le monde à voler parti - St-Louis a dit qu'il ne répondait point ce lequel ce parloit dehors Que le P<sup>r</sup> a pris une vare de vin et est parti -  
Quelques-uns Trudelle a demandé son argent au P<sup>r</sup> lors qu'il a demandé à St-Louis ci-  
l'avoient vu prendre l'argent de Trudelle - le tém<sup>t</sup> par la preuve qu'elle avoit du  
timon, a répondu non - quoiqu'ille l'avoit  
vu prendre l'argent au travers de la fenêtre -

x

Que Trudelle a mis un peu dans la maison apres que le P<sup>r</sup> fut parti -

On a question hythe Camb<sup>t</sup> - le W<sup>s</sup> seud,  
Qu'apres que Trudelle et le P<sup>r</sup> furent sortis,  
elle a regardé par la fenêtre et a vu le P<sup>r</sup> avec  
la boîte de Trudelle à la main et apres ôter  
l'argent qu'il a entendu Trudelle dire au P<sup>r</sup>  
comment tu prend mon argent, je suis un  
peuvert homme, si j'en ai besoin - Le P<sup>r</sup> a  
répondu - mette-toi - je suis un bailli du  
Roi - Le P<sup>r</sup> a ôté l'argent, a fermé la boîte  
et l'a rendu à Trudelle - Qu'alors ils ont  
entrée dans la maison ensemble -

The Court charged the Jury, - that robbery from the person, consisted in the felonious taking of the money or goods to any value, from such person, against his will, by violence - or putting him in fear - Here the taking was clearly against the will of the Miss Trudelle - the only consideration was whether such violence had been used as would bring the offence within the description of robbery - as to fear, the party declares he had none - Now it is laid down that that no sudden taking of a thing unaware from the person, as by snatching any thing from the hand or head, is sufficient to constitute a robbery, unless some injury be done to the person, or unless there be some previous struggle for the possession of the property according to this distinction there appeared to be neither an injury done to the person, nor was there any previous struggle for the possession of the property - The struggle here, if it could be so called, was merely the representation of Trudelle to the O. aft. his taking the money - but this was after it had been taken, and there appeared no injury done by the taking of it - The Court therefore recommends Jury to find a Verdict for the simple Larceny merely -

Verdict - Guilty of Petty Larceny.

2 East P.C.  
708.

The King  
Wm Colman

On Indictment for a misdemeanor  
in office -

On motion of Mr. A. Stuart of counsel for the  
Defend<sup>t</sup> to quash the Indictment - The charge in  
the Indictment that the Defend<sup>t</sup>. had refused to issue  
a warrant to apprehend a man against whom an  
accusation was made, the offender being in the  
district of Montreal -

The instant an offender in the Indian Territories  
came within the jurisdiction of the ordinary  
Courts, the power granted to the Justices in the  
Indian Territories stands over such individuals -

The warrant agt the individual in question  
could have been applied for to the Police Magistrate  
to apprehend him as being within their jurisdiction  
as had been done in many similar cases -

Doy. 153. Indictment quashed as containing  
no legal accusation -

Sol. Gen<sup>t</sup> for Crown - It is a question whether  
the Court will exercise its discretion to quash the  
Indictment in this stage - it being important  
when high offences have been committed that the  
best investigation should be had of the question

replies

refers to cases where public safety &弦 safety  
is concerned it ought to be refused —

If all the allegations in the Indictment be admitted  
the defendt must be considered as guilty of an offence  
he was equally authorised with every other Magistrate  
in the district, to have issued his warrant — (as the  
Stat. says, it may be done within the limits of either  
of the Provinces of U.P. & L.C. Canada — the subject  
matter is offences in Lower Canada — but the mode of  
following up those offences must be in the usual course  
There was a greater authority given to the Magistrate in  
this case than merely bringing the offender out of the  
Indian Territory, within the jurisdiction of the ordinary  
Courts — the Defd had a concurrent jurisdiction  
with the <sup>ordinary</sup> Magistrate of the district —

Mr. A. Stuart in reply — where a law made out  
of the common course of is to be examined, it must  
be strictly construed — The magistrate for the  
Indian Territory must have power out of the  
limits of the Stat. to act when the offenders were  
within the jurisdiction of the ordinary Courts  
& Magistrates — influence cannot be made to give it —  
The power of the Magistrate for I.T. within the  
Provinces of U.P. & L.C. Canada is only, to arrest  
offenders

offenders within the Indian Territories -

The refusing by the magistrate to take the oath  
was founded on the same ground, as he had refused  
to grant a warrant -

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Monday 8<sup>th</sup> March 1819.

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The King  
In B<sup>r</sup> D<sup>r</sup> Delinie }

On trial of Indictment for  
stealing privately in a shop to  
the amount of 57. ecu

Marguerite Grandprie, femme d'Hypolite  
Grandprie de Berthier - que son mari tient  
un magasin & y vend de marchandises - que  
vers la fin de Juillet dernier, elle a vu venir le  
P<sup>r</sup> au magasin vers les 9 à 10 heures du matin  
et a demandé du tabac - mais après que le tabac  
fut pesé il a dit qu'il n'en voulait point, et est  
parti - Qu'elle est montée dans sa chambre & peu de  
tems après elle s'est apperçue du P<sup>r</sup> près de la fenêtre  
du magasin qui étoit ouverte, qu'il s'est retiré un  
peu de la maison ~~et~~ s'est assis - en regardant de tout  
côté comme un homme qui a envie de mal faire -  
Que le P<sup>r</sup> avoit du souper ~~qui~~ contû le P<sup>r</sup> - Qu'en  
consequence elle a été compté son argent et a  
trouvé 24 piastres, en piastres & autres argent, et

environ

environ trois quarts piastres en change & petites monnaies - qu'apres cela elle a vendu pour la valeur de 3 piastres qu'elle a mis avec le reste dans le tiroir -  
Que pris de la porte du magasin il y a une petite clochette qui sonne quand on entre, à moins qu'on ouvre la porte bien doucement - Que en descendant une seconde fois elle a vu le P<sup>r</sup> dans le magasin, et comme il y avait tombé un peu de pluie elle s'est appuyée des marques de pied d'une personne pris du tiroir où étoit l'argent -  
Que le P<sup>r</sup> a demandé au tem. si elle avoit du ruban noir - elle a dit qu'elle n'en avoit point, et comme il est entré quelque personne dans le magasin, il a pris cette occasion de s'en aller - Que le tem. apres le départ de cette personne a exam. son argent, et l'a trouvé tout épailié, et qu'il en manquoit environ dix à onze piastres en différents espèces de monnaies - qu'il manquoit 5 piastres - 5 piastres d'un cru - plusieurs trente Sols, chelins &铜币 - il manquoit un coupon d'Indienne Valente 3/-  
Que le lendemain elle a reconnu le P<sup>r</sup> chez Mr Bondy à Berthier -

x

Qu'elle va bien souvent en sa chambre sans laisser personne dans le magasin - que l'on peut entrer au magasin sans faire sonner la clochette, & qu'elle s'en appuycoive -

Joseph Bondy - est Juge à Paris à Berthier,  
que le dernier lundi de Juillet ou premier d'Aout dernier  
le P<sup>r</sup> a été arrêté & amné devant moi accusé d'avoir  
volé chez elle Grandpris, et le tem. l'a examiné,

et

sur son examen il a avoué et avoue solo pris sa déclaration volontairement - et Mme Grandpere l'a reconnue pour être la même personne - Qu'il a quelque raison de soupçonner qu'il y a eu des promesses faites au P<sup>r</sup> pour l'engager de confesser le crime -

Verdict. Not Guilty. ~

The King. ~  
Geo: Butter &  
Thos Curran. }

On trial of Indictment for a  
highway robbery. ~

Fran<sup>s</sup>. Cloutier, dem. à Québec, en Mai dernier il étoit à Montréal - Que le 19 Mai du. vers 1 heure de nuit en revenant du f<sup>r</sup>b. St. L. il a rencontré trois soldats, dans une petite rue dont il ne sait le nom - il, ont dem. au Tem. D'où il venoit - il a resp. qu'il venoit du fauxb. St. L. est certain que les deux P<sup>r</sup> étoient deux de ces person.. ils lui ont dem. s'il voulloit aller avec eux prendre un coup - il a dit qu'e<sup>t</sup> étoit trop tard - mais lui a prop. d'aller avec lui tem. ce qu'il a refusé - c'étoit Butter qui parlait - alors ils lui ont dem. quelle heure il étoit - le tem. a tiré sa montre et lui dit que c'étoit une heure & demi - alors Butter lui dit, laissez moi voir, et Butter avançant, le P<sup>r</sup> tenant la montre à la main, l'a saisi, le

tem

rem. a tenu la chaîne, mais le P<sup>r</sup> a tiré si fort que  
la chaîne fut cassée, et le P<sup>r</sup> s'est sauvé avec la montre  
Que le tem. avoit peur dans le tems, étant seul, et  
lorsqu'on lui a demandé a voir sa montre, il soupçonnait  
qu'ils vouloit lui faire quelque chose - Qu'il a  
acheté la montre de Mr Turnbull pour trois francs  
Que le lendemain il a vu le P<sup>r</sup> aux Casernes, premierement  
il a été trouver l'adjoint et lui a dépeint les hommes,  
lorsque l'adjoint lui dit qu'il pouvoit lui montrer les  
hommes - le Tem. fut ensuite avec un Sergeant ou Corporal  
qui a fait mettre les hommes en rang, et le temoin  
a reconnu premièrement Curran, et ensuite Butler - mais  
n'a pas reconnu le troisième - mais est bien sur que ces  
deux P<sup>r</sup> étoient deux des hom. qu'il a rencontré au Faub.  
St L. - étant demandé s'il a crié apres les hom. afin de  
les arrêter, dit, non, j'avois peur qu'ils m'euroient fait  
quelque mal, et je ne leur ai pas poursuivi - qui n'e  
rappelle que Butler étoit habillé en habit de Soldat -  
mais ne peut dire rien pour l'habillement des autres -

x<sup>o</sup>

Ne peut dire où la montre a été trouvée.

John D. Turnbull - rem. having sold a watch  
to the last Mr Mc-watch now shown to be the same,  
values it five dollars - it was in the early part of  
May last he sold watch -

Jean Marie Mondelet - does not kn. from where  
the watch came, but upon shew<sup>s</sup> several watches in  
the Police office to Mr Turnbull, he recognized it to be the  
watch he sold to Cloutier -

Defence

Samuel J. Hintonson, was adjutant to the 99<sup>th</sup> Regt - recollects that a man applied to him in regard of a Watch which was stolen by soldiers - he said that one of them was a tall man -

Thomas Gallagher - was a soldier of 99<sup>th</sup> Regt - was on the Barrack Guard on 19<sup>th</sup> May last, was placed then between 12 & 1. O'clock at night - remembers having seen the two P's come into the barracks while he was on guard, it might then be about 1 o'clock - & a man of the name Hoar & also a man of name of Campbell recollects they told them they had a watch to sell - That Hoar is gone to the States -

Mr Disrivers for the P's objected to the sufficiency of the evidence to make out a Robbery - cites Macaulay's Case - Bakers case -

The Court charged the Jury that the facts as stated by the witness Cloutier, constituted a robbery - but that if they did not give entire credit to those circumstances of the fear of the loss of the struggle to retain the watch, they might then proceed to examine whether the P's were the persons who took the watch, & thereupon might convict them of simple larceny -

Verdict - Guilty -

Dow<sup>t</sup> Rep  
Jones and  
Alexander }

On Indictment for using fraudulent  
means to cheat one John Porteous —

The trial was fixed for this day, — the  
Solicitor General now moves to postpono  
the trial on account of the absence of a material  
~~absence~~ witness —

Mr Grant opposed the motion, and contended  
that sufficient cause should be shewn, as the bare  
statement of the Sol. Gen<sup>r</sup> is not enough. —

The Court were of opinion that as the Case had  
been set down for trial, the Crown ought to shew  
that there was ground by affidavit to postpono the  
trial — And in consequence an affidavit was produced  
and read — and thereupon granted the motion.

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The King. }  
" Ezra Hoyt }

On trial of Indictment for conveying  
aqua fortis into the Gaol in order to  
facilitate the escape of a prisoner. em

Gwyn Owen Radford, is Gaoler — in Nov<sup>r</sup>. last he  
had a person of the name of Donald Cameron in gaol  
for debt on mesme process — was there detained on 5<sup>r</sup> Nov<sup>r</sup>.  
on that day he went to the door of the Gaol and saw a  
boy with a bundle containing rolls and half a loaf  
of bread — it was addressed to the said Donald Cameron  
in the handwriting of the Dr<sup>r</sup> — the boy said the parcel  
was for Donald Cameron — the Mr exam<sup>d</sup> the bundle

and

found concealed in the half loaf a small phial containing nitri fortis - this has been locked up since and the son of Mr. has had the key. -

Has seen the P<sup>r</sup> write, and see his hand writing the address on the bundle was in these words Cameron" Gaol -

Henry Leyland, a boy 12 years old - says he Mr. P<sup>r</sup> saw him at Mr Haddens who keeps a public house in Montreal - that on the same day he carried a bundle to Gaol he saw P<sup>r</sup> at Haddens - he asked Mr. to carry a loaf to a prisoner in Gaol - there were two parcels, and there was a writing on them of the name of the P<sup>r</sup> for whom they were intended - that Mr. gave the parcel to Mrs Radford - that he saw Mr. Radford the Gaoler at some time who asked Mr. who had given him the parcel - that Mr. Radford opened and examined the parcel and found a bottle in it.

Harriet Radford, is daughter to Mr. the Gaoler, that on 5 Nov. last she rec'd. a parcel at the Gaol door from a boy, q<sup>r</sup> was addressed to Mr. Gould Cameron, she gave it to her father who opened it - and there was found in it a bottle contg some liquid in it, and on the label was written Nitri fortis -

William Hedges, druggist in Montreal, about 3<sup>d</sup>. Nov. last he saw P<sup>r</sup> in his shop, who enquired for Nitri fortis, he gave him some white he put in a small phial w<sup>t</sup> a label to it - that nitri fortis

is used in dying & in other chemical purposes, is fit to corrode iron - the quantity sold to P<sup>r</sup> was 12 ounces -

Mary Heddern - keeps tavern in Montreal - H<sup>s</sup> P<sup>r</sup> saw her at her house last fall, he asked to buy a loaf of bread, and when he rec'd it asked if she w<sup>t</sup>. let her little boy carry it to a friend of his in Gaol - after he got the loaf of bread he went into the bar with it, but Mr. does not know what he did there -

Thomas Owen Radford - the bread & bottle now produced have been in his possession since he rec'd it from his father, the Gaoler. -

Fred<sup>r</sup> Wm Ermatinger, Sheriff of the District, he issued the warrant now produced to the Gaoler upon a writ which was addressed to him to take and detain in his custody the body of Donald Cameron. -

Verdict - Guilty. m

The King. m  
v  
David Iacox } m

On trial of Indictment for attempts to break the Gaol in order to make his escape. m

Gwyn Owen Radford, is Gaoler of the Montreal Gaol - the P<sup>r</sup> was in his custody for debt in the month of November last, under a warrant he rec'd from the Sheriff of this district for a debt due to Start Logan and

and others mett in Montreal, saw P<sup>r</sup> & some  
others one even<sup>g</sup> examin<sup>g</sup> the lock of a door which  
opens to a passage leading to the privy - this was on  
the 9<sup>th</sup> Nov<sup>r</sup>. last - from a notice the W<sup>r</sup> had received  
he was induced to believe there was some escape intended,  
that about four o'clock in the morn<sup>g</sup> he heard one  
Doherty give information to the daughter of W<sup>r</sup>. that  
the Prisoners were effecting their escape - he procured  
light went towards the place, saw one Cameron escape  
into a room as if to conceal himself - next laid hold  
of the P<sup>r</sup> and gave him in ~~to~~ charge to a Soldier, he  
went to the place, found the lock of the door broken,  
found a breach made in the outer wall of the privy  
which lead into a ward from which the Prisoners  
could have let themselves down into the Street -  
The W<sup>r</sup> observed a great deal of dust and lime on  
the cloaths of the P<sup>r</sup> that he found the lock of  
the ward where the P<sup>r</sup> and a number of other P<sup>r</sup>'s were  
confined, which had been broken -

Thomas Owen Radford, son of last W<sup>r</sup>-  
rem. having occasion one night between 8 & 9  
o'clock to go and speak to one of the debtors, observed  
P<sup>r</sup> examining the padlock and one Cameron holding  
a candle to him - when they observed the W<sup>r</sup> Cameron  
blew out the candle - the W<sup>r</sup> went out into the Street  
and passing in front of the Court House he observed  
light in the end window next the Court House, and  
observed the shadows of persons moving backward  
and forward - about half past four in the morning  
he observed a light proceed from the ward where the

P<sup>r</sup>s were down to the necessary, and about  $\frac{1}{4}$  hour after, observed the light through the wall, from a hole which they had made in it - the W<sup>r</sup> went to the place saw P<sup>r</sup> in the charge of a Soldier, and saw the extent of the break in the wall, through which a man might easily have escaped, the wall was broke through except the last stone -

Dominique Quirr, Soldier in 37<sup>t</sup>: R<sup>t</sup> was on guard at the Gaol on the night of the 9<sup>th</sup> Nov. last he went up stairs with the Gaoler to the door when ~~the~~ met the P<sup>r</sup> and gave him in charge to W<sup>r</sup> -

Charles Davis. As P<sup>r</sup> the W<sup>r</sup> was a P<sup>r</sup> in Gaol for debt, has a kn. that the business of endeavouring to break out of Gaol commenced on the 5 Nov<sup>r</sup> and continued down to the 9<sup>th</sup> he saw the P<sup>r</sup> at work with a knife & spike, picking out the lime, & was assisted by other prisoners - the W<sup>r</sup> gave information of what he observed - and the P<sup>r</sup> were afterward arrested about 9<sup>th</sup> or 10<sup>th</sup> -

x

R<sup>t</sup> that the P<sup>r</sup> was lame of one arm at time -

Edu<sup>r</sup> W<sup>m</sup> Ermatizer, Sheriff - proves his warrant to detain P<sup>r</sup> in Gaol for a debt -

### Defence

Donald Cameron - was confined in Gaol at same time w<sup>t</sup> P<sup>r</sup> about 9<sup>th</sup> Nov<sup>r</sup> ' and observed that he had lost the use of one his arms which appeared

to

to be broken at the wrist -

Daniel McDonald, observed that P<sup>r</sup> had not the use of one of his arms, when in Gaol, he was able to do nothing w<sup>t</sup>. it - always saw & comand P<sup>r</sup> to be a quiet and peaceable man -

Verdict. Guilty

Tuesday 9<sup>th</sup> March 1819...

The King. v.  
or  
Joseph Daly }

On trial of Indictment for  
stealing privately from the person

Thomas Riddle, is a labourer, was in Montreal on 18 Sept<sup>r</sup> last - he fell asleep on a <sup>shoppe necessary near the Banqueting</sup> ~~shoppe necessary near the Banqueting~~ in the evening in the Street, about 9 o'clock, in ~~and~~ bed on him the silver watch - when he awoke up he found his watch was gone - that Mr. felt the watch go out of his pocket, but he was so heavy he could not prevent it - did not see the person who took it - from what was told Mr. he suspected the P<sup>r</sup> That next day, he gave a description of his watch at Police Office watch is worth five pounds - that now produced belongs to him. etc

Thinks it was on a Saturday he lost his watch  
cannot tell what day of the month -

John Fraser is private Soldier in 37<sup>th</sup> Regt. That  
some time last Autumn he was on guard near the  
barracks - the P<sup>r</sup> came up to Mr about the hour of 9 &  
eleven o'clock - he had just seen the Mr Riddle who  
came up to him apparently in liquor, and wished Mr  
to drink w<sup>t</sup> him, w<sup>t</sup> he refused, being on guard - that  
as he went away the P<sup>r</sup> came up immediately and  
told Mr not to mind that man - and followed on after  
him - they both returned together and passed the Mr  
on his post - and went together under a gateway  
where they remained together near 1/4 hour when P<sup>r</sup>  
returned alone - the Mr asked him what he had done  
w<sup>t</sup> the man, P<sup>r</sup> s<sup>d</sup> he was safe enough - upon this  
the Mr taxed him with having robbed the Mr Riddle  
he denied it - the Mr said you certainly have not let  
him go without taking something from him, - he  
said he had taken nothing but that, shewing a  
watch in his hand - that the Mr took watch from  
the P<sup>r</sup> and kept it, and gave notice of it to the  
Sergeant who directed Mr to keep the watch and  
P<sup>r</sup> also which he did until he was relieved -  
that P<sup>r</sup> was sent to the main guard - that the  
P<sup>r</sup> again acknowledged in presence of the Sergeant  
having

having taken the watch from the man -  
That Mr recognises the watch to be the same  
now shewn which he rec'd from P<sup>r</sup>

Charles Rogers, Serjt. in 37 - recd. that in the  
month of Sept<sup>t</sup>. last having been called upon  
by the last Mr Fraser when on guard who had  
the P<sup>r</sup> in custody, and told Mr. that the P<sup>r</sup> had  
robbed a man and that he had the watch wh-  
was taken & that P<sup>r</sup> acknowledged it - That  
Mr went over to Serjt. Kelly and called him,  
he came over and the P<sup>r</sup> in his presence ackn<sup>d</sup>  
having taken the watch. —

Peter N. Rossette - rec'd the watch from Mr Wm Ford  
in the Police Office in Sept<sup>t</sup>. last -

### Defence

Daniel McDonalds, that while in Gaol he lost  
a purse with 17 dollars in it, the P<sup>r</sup> brot the purse  
to him and asked him if he had not lost it - that  
the P<sup>r</sup> was refused to take part of liquor which had  
been sent for as the proceeds of stolen money. —

Ezra Hoyt - Mr. that a robbery had been committed  
in Gaol, and liquor purchased with the bigelow money  
but P<sup>r</sup> refused to partake of it. —

Verdict - Guilty of Grand Larceny. —

The King. or  
Jos: Beauchemin }

On trial of Indictment for an  
attempt to break the Gaol and escape  
therefrom.

Gwyn Owen Radford, about 2 or 3 o'clock in the afternoon of 30 Dec. last, he heard a great noise in the ward No 3. where the P<sup>r</sup> was confined w<sup>t</sup> several others - the Mr went there w<sup>t</sup> one Hubble the Sjt<sup>t</sup> of the Guard - in going towards the place where he heard the noise, he heard some one call out Jose' - Jose' - and saw P<sup>r</sup> come running out of the room covered with lime dust - he ordered him to be seized - went into the room, and saw an attempt made on the wall to break it off nearly two feet & a half by two feet ~~feet~~, and saw some pieces of iron lying by the place - the wall was penetrated about a foot deep - the P<sup>r</sup> on being charged with the fact, did not confess nor deny the fact directly, but said there were other persons as guilty as he was -

James Heddle, on the 30 Dec. last in the afternoon he heard a knock in the Gaol like breakes of the wall, he went w<sup>t</sup> the Gaoler to the ward No 3 where the P<sup>r</sup> was confined - on going in heard several Mr Donald who was at the Stove, call out Jose', Jose' - the name by qf the P<sup>r</sup> was generally known - and immediately upon this saw P<sup>r</sup> come running out of a room covered with lime dust as if he had been at work - th<sup>t</sup> he went into the room out of q<sup>t</sup> the P<sup>r</sup> came and saw a large hole begun in the wall, nearly two or three feet square and about a foot into the wall

wall. —

J. O. Radford called up - produces the warrant upon which the P<sup>r</sup> was detained in Gaol, - and Paul Whitney - proves signature of Leon Léonard the magistrate to the said warrant -

The warrant was for suspicion of stealing sundry monies and goods out of the store of one Joseph Winch late of St. Armand deceased on 28<sup>th</sup> October last, —

Defence -

Daniel McDonald was in Gaol on 30 Decr. last - had not seen the Gaoler in the ward where the P<sup>r</sup> was for several days before that time -

Verdict - Guilty -

The King .  
Dan<sup>n</sup> McDonald }

In trial of Indictment for  
an attempt to break Gaol and  
to make his escape therefrom -

Gwyn Owen Radford, is keeper of the Common Gaol for this district, says, that the P<sup>r</sup> was in his custody under a warrant from Mr. McCord the Police magistrate on a charge for horse-stealing - That in the afternoon of the 30 Decr. last, he heard a knock on the north

North - east end of the Gaol in ward No 3 -  
he took Huddle with him and went to the lower  
gate of the ward, when he saw the P<sup>r</sup> come out of  
the room at the end of the Gaol from which the  
noise proceeded, the W<sup>r</sup> proceeded to the room and  
saw a great quantity of stones & rubbish taken out  
of the wall, found some irons near the plan &  
some pieces of fine wood - he also Beardourin come  
out of same room - the hole in the wall was  
two feet and half long and upwards of a foot  
deep into the wall - was in the same room the  
night or 2<sup>d</sup> night preceding, and it was then  
entire - the W<sup>r</sup> being charged with the breaking  
of the wall he made no reply - his cloaths were  
covered with the lime dust as if he had been at  
work there - That after the P<sup>r</sup> came out and was  
near the Stove, the W<sup>r</sup> heard the P<sup>r</sup> call out in an  
under voice call out, Jose', Jose', upon wh Joseph  
Beardourin the P<sup>r</sup> this day convicted of same offence  
came out from the same room, where the breach had  
been made -

x<sup>2</sup>

There were several persons in the same ward besides  
the P<sup>r</sup> heard the P<sup>r</sup> call out Jose', Jose', & also saw  
P<sup>r</sup> so as to enable him to say it was the P<sup>r</sup> - That  
there was one Joseph Sterns in custody in that  
ward at that time - that put P<sup>r</sup>'s Beardourin in  
irons that night - does not think that he put

Eyre

Erva Hoyt in irons that night, nor did he express any doubts about putting the P<sup>r</sup> in irons. — That the P<sup>r</sup>s are in the habit of sleeping on the floor. —

James Heddle, was called on by last Mr sometime in the afternoon of the 30 Dec. last to go into a room in the N. E. end of the Gaol, went into the ward No 3- and heard the P<sup>r</sup> call out Josie, Josie — there was one Beaudouin who has this day been convicted of attempts to break Gaol in that ward Luns<sup>t</sup> to that num — that upon this the said Beaudouin came out of the room when the wall was broken — the Mr went into that to search Beaudouin — after this he observed the P<sup>r</sup> Cloaths which were covered with lime dust as if he had been at work in demolishing the wall — the Mr had been in the room previous to this and saw a considerable space in the wall broken down of nearly 2<sup>1</sup>/<sub>2</sub> feet square and one foot deep into the wall — he also observed several irons lying on the floor and some billets of fire wood, wt qh he thinks they forced the Irons into the wall it was in taking McDonell out to put on his irons that Mr observed the lime dust on his cloaths

cloaths and shoes, and having a blue jacket on, he looks like a Miller -

There was one Joseph Sterns confined also in that ward - there might be 13 or 14 prisoners confined in that ward at the time -

Jean Marie Mordelet - proves handwriting of W. McCord, the magistrate to the warrant under which the Dr. was confined in Gaol -

The warrant charges Dr. with suspicion of Horse-Stealing -

### Defense

Ezra Hoyt - was confined in Gaol on 30 Dec last, was in same ward w<sup>t</sup> Dr. heard that a hole had been made in one of the rooms adjoining that ward about that time - That Mr Radford went into the room, and when he came out again he addressed himself to Mr L.S. he w<sup>t</sup> put irons upon Mr because he had not give him intelligence of the fact - he also put Beardorin in irons - afterwards the Dr. There were 14 persons in that ward - That he saw two men at work making the breach, but Dr. was not one of them - Does not rem: having seen the Gaol in that ward for 4 or 5 days preceding that day - thinks that he must have seen the Gaol had he come into that ward -

X

Cannot positively say that the Gaoler did not come  
into the Gaol during the last four or five days before  
the 30. Dec. last.

The King -  
Geo: Barnard }

On verdict for forcible entry -  
motion for new trial -

Grant for Defendant - at Com. law persons  
who has lost poss. of their lands & houses even  
warranted to retake the poss. forcibly - This is  
no crime unless done with intention to hold the  
thing under a title - Our Defendant pretended  
to no title - That the Defendant acted here under  
the authority of law and might have mistaken  
his duty or gone beyond it, but he cannot be  
considered as guilty of a forcible entry - He  
could be guilty only of a common trespass -  
Foster C. L. 319 - Iac. C. L. V<sup>1</sup> Execution -  
Esp. N. P. Trespass. p. 392. -

Mr. Marshall, for Crown - Com. Disg. v<sup>1</sup> Forcible Entry  
It is no excuse for entrance that the party came to  
enforce legal authority - Hawk.

Wednesday 10<sup>th</sup> March 1819.

The King  
~  
Joseph Sterns }

On conviction for robbery -  
Judg<sup>t</sup> Death. Exon 16 Ap<sup>r</sup>.

The King  
Tho<sup>r</sup> Gallaugher }

On conviction for <sup>Petty</sup> ~~Larceny~~ Larceny  
Judg<sup>t</sup> 3 months Impris<sup>t</sup> in the  
House of Correction.

The King  
Em<sup>r</sup> Antonio }

On conviction for Grand Larceny  
Judg<sup>t</sup> Six m<sup>e</sup> Impris<sup>t</sup> in House Cor.

The King  
Chas<sup>r</sup> Lawson }

On Conviction for Petty Larceny  
Judg<sup>t</sup> whipped on Friday 12 inst

The King  
~  
Barzile Demus }

On Conviction for Horse Stealing  
Judg<sup>t</sup> Death - Exon. 16 April

The King  
Ant<sup>r</sup> Riquette  
Marie Sullivan }

On conviction for an assault been  
Judg<sup>t</sup> 3 m<sup>e</sup> Impris<sup>t</sup> in Gaol.

- The King }  
 Ios: Sternes }  
 On Conviction for Petty Larceny.  
 Judg<sup>t</sup> suspended, on acc<sup>t</sup> of du<sup>t</sup> for the  
 Capital crime against him -
- The King }  
 Antoin Vaudry }  
 On Conviction for Petty Larceny.  
 Judg<sup>t</sup> that P<sup>r</sup> be confined in House of  
 Correction, be whipt on 19<sup>th</sup> inst -
- The King }  
 Inf<sup>t</sup> B<sup>r</sup> Alexander }  
 Same Conviction & Judg<sup>t</sup>
- The King }  
 George Butter }  
 Thos Curran }  
 On Conviction for robbery.  
 Judg<sup>t</sup>. Death - Exon 16<sup>th</sup> April -
- The King }  
 Ezra Hoyt }  
 On Conviction for conveying aqua  
 fortis into Gaol or  
 Judg<sup>t</sup>. 6 months Impris<sup>m</sup>  
 Secund<sup>r</sup> for good behaviour  
 for 1 year £50 - & £25 -
- The King }  
 David Jacobs }  
 On conviction for an attempt to  
 break Gaol & escape -  
 Judg<sup>t</sup> suspended - as P<sup>r</sup> is detained  
 in Gaol under maine process.

The King  
Jas: <sup>n</sup> Daley }

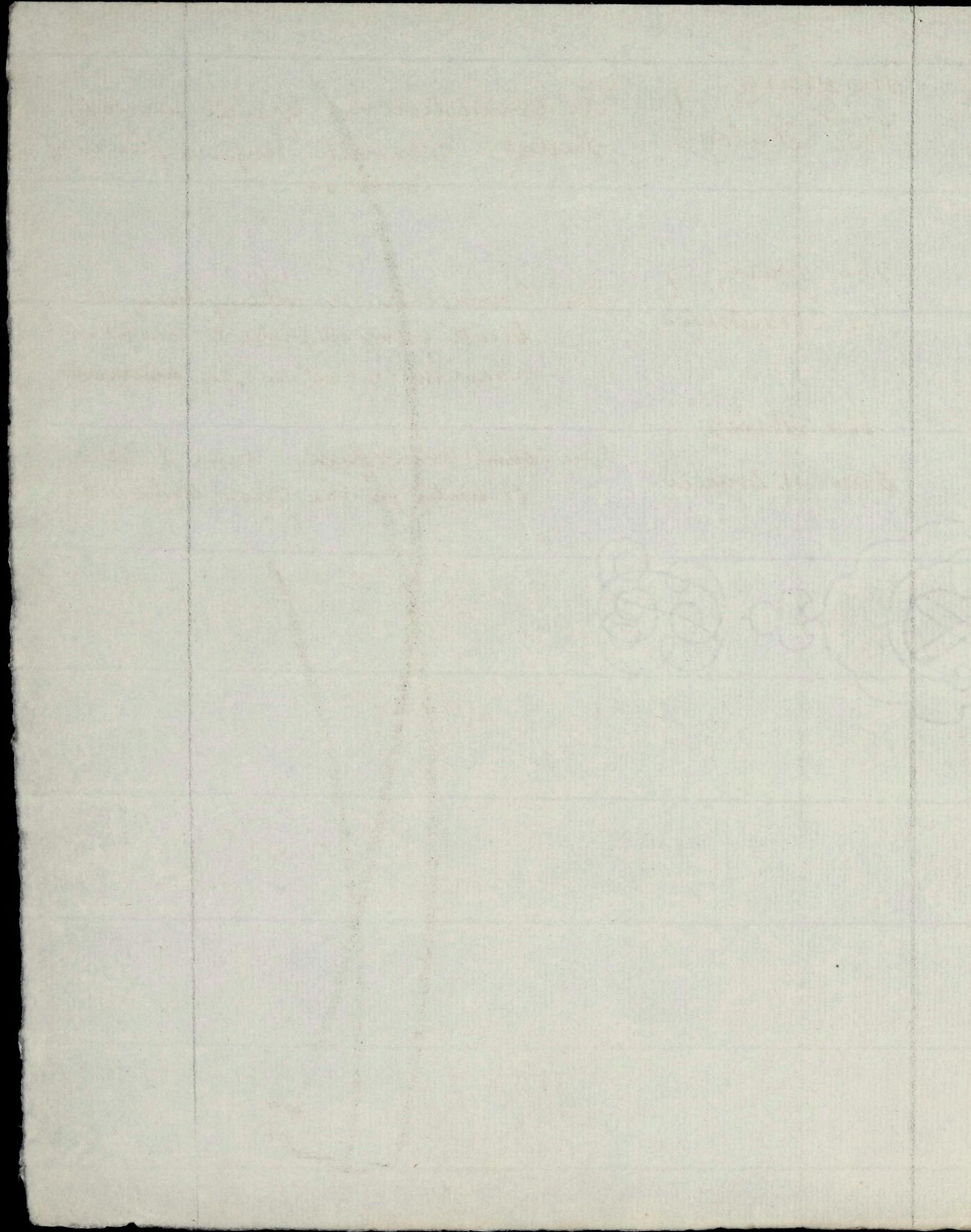
On Conviction for Grand Larceny.  
Judge - 6 months Imp. in House of  
Correction -

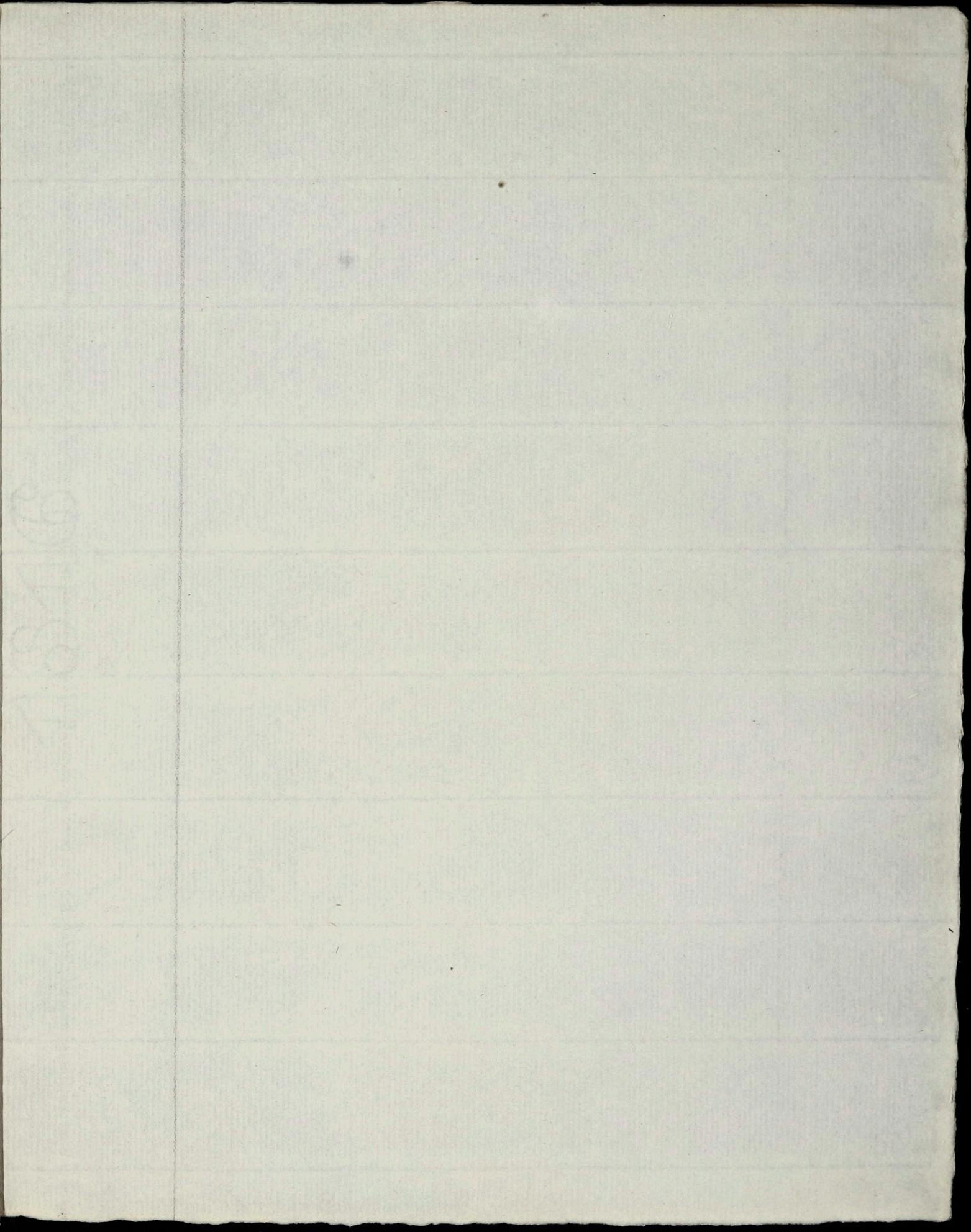
The King  
Jas: <sup>n</sup> Beaumont }

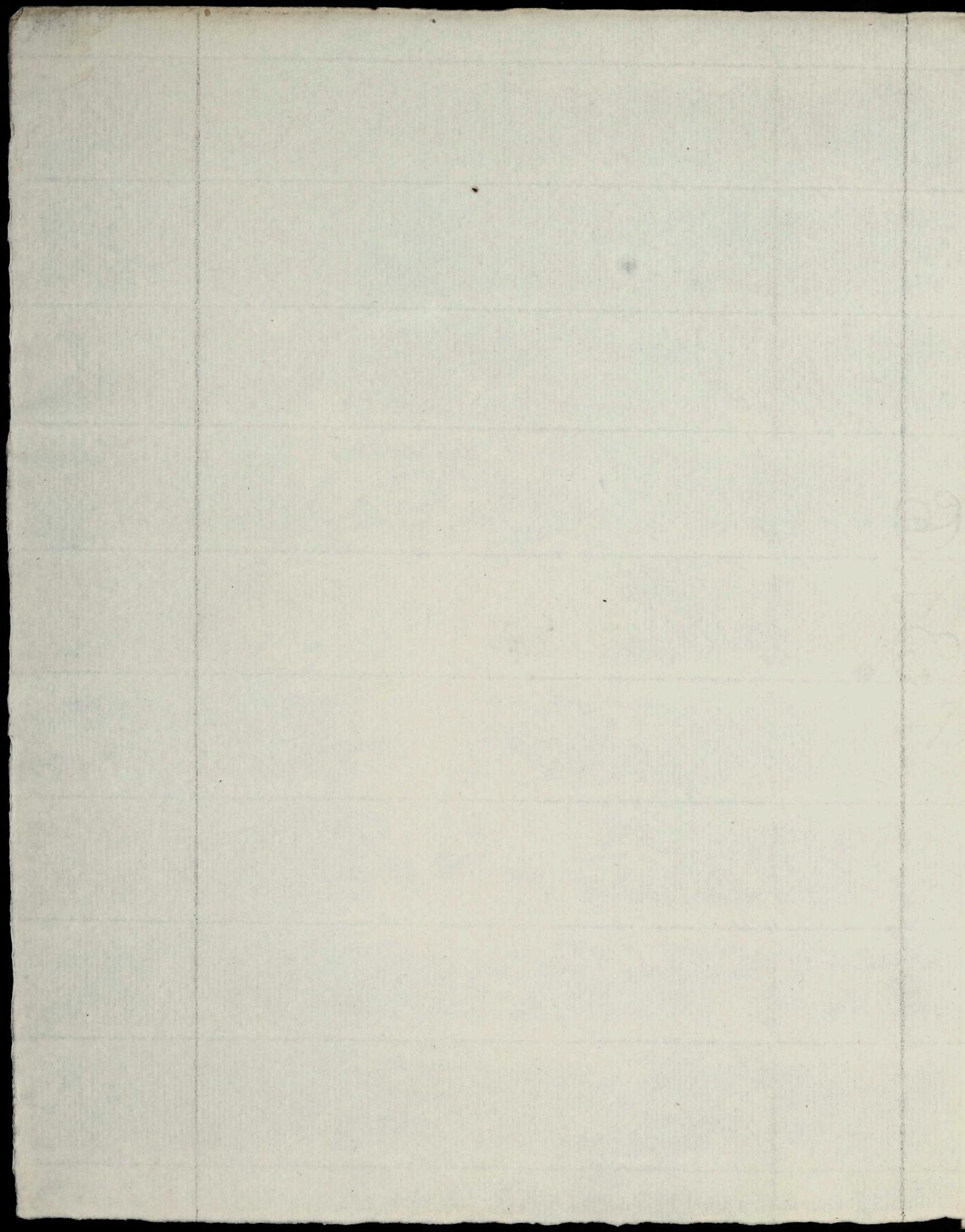
On Conviction for attempting to  
break gaol in order to escape. 6  
months confin. in Gaol ~~as security~~

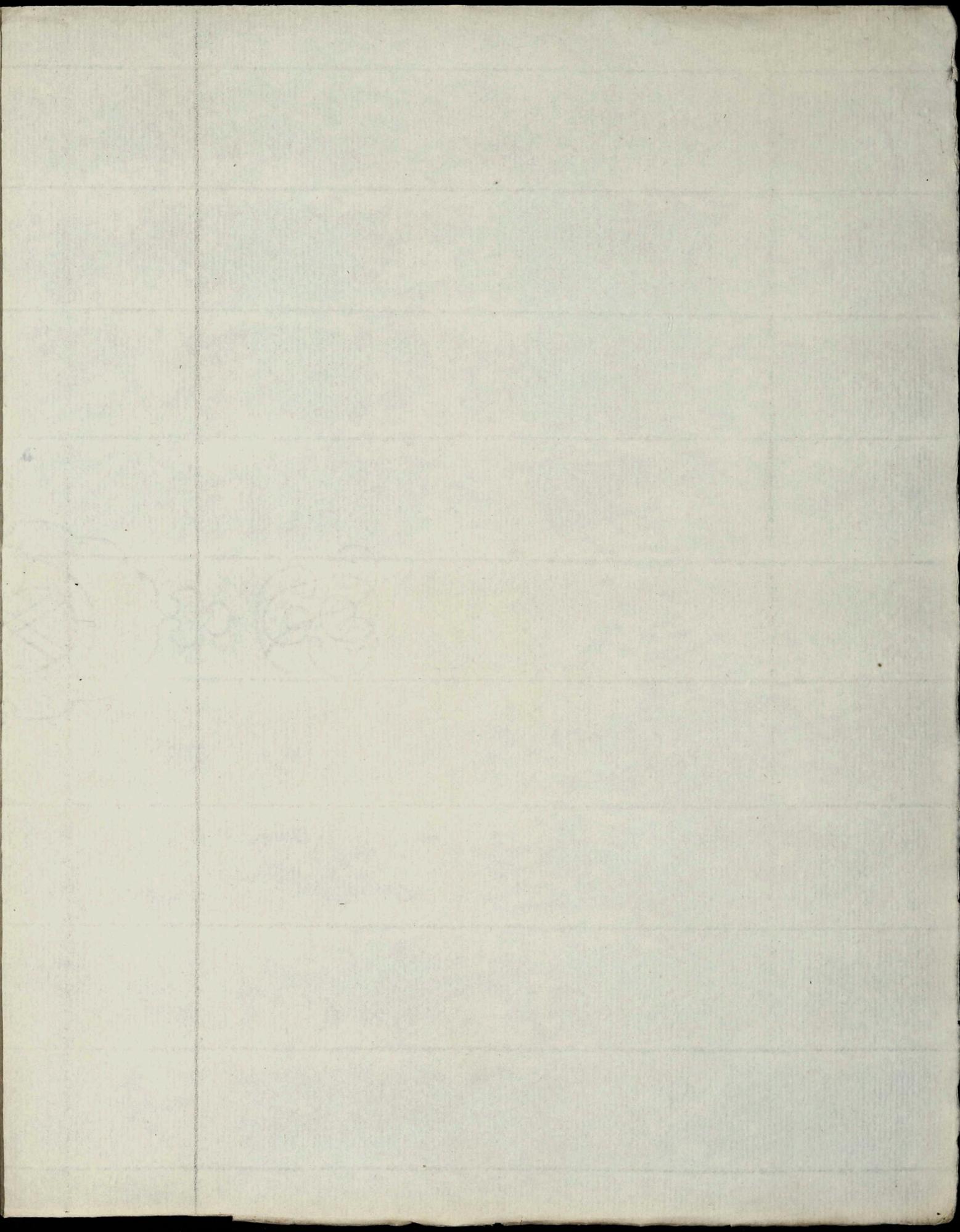
The King  
Dan<sup>e</sup> M'Donald }

On same Conviction - same Sent., &  
security for the good behaviour











The King }  
Ios. Sterns }  
The King  
Geo. Butter }  
Thos Curran }

Seriously charged with the crime of  
Robbery - Your trial has been had  
and you have been convicted upon  
clear and satisfactory evidence -

You Sterns have been convicted of robbery  
fr. the person of Ant. Rochon - and you  
Butter & Curran from the person of Frans Cloutier  
= If any thing can distinguish your cases, - that in  
your case Sterns, your crime was committed with  
premeditation - ~~with~~ on a deliberate plan -  
You made use of the authority of the law to cloak  
your design - by this means you struck terror  
into the mind of a poor ignorant man - You  
alarmed his family - and under this state of terror  
and dread you extorted from him his money -

Your case Butter and Curran appears to have  
had less of premeditated design - you met with  
the wife Cloutier at a late hour of the night - you  
were three in number. Cloutier was alone - This ~~gave~~  
~~was~~ was favorable to your plan - which  
it created alarm in the mind of Cloutier - having  
led him to look at his watch you laid violent hold  
of it - forced it from - & in this manner robbed him of  
his property - Whatever difference there may be  
in your cases - they are both equally criminal.

in the eye of the law, and both subject to the same punishment which is that of death —

The Offence of which you stand convicted is of a very heinous nature - Robbery is a crime resorted to only by the more daring and more experienced offender - it requires more resolution than what belongs to the petty thief, to ~~put~~ <sup>carry</sup> into execution a robbery - ~~and~~ the man who can by open violence - by terror and <sup>by</sup> threats, lay his hands upon the property of his neighbour, ~~cannot~~ must be considered as a daring offender - for against this neither person nor property is secure - and therefore it is that Robbery seldom escapes punishment -

What is there in your case Persons that can recommend you to the mercy of the Crown - The Court can see nothing & therefore can offer nothing in your favor - You Sternes appear to be an idle man, a dissipated character, without any visible means of living, but that of fraud and imposition - The offence of which you now stand convicted, is not the only one of the kind of which you have been accused, and had nearly been convicted - ~~This shews you to be a dangerous man in society~~ - who is in the habit of using your superior strength, int'relligence, or art

to

~~to pillage~~, to decieve, and to pillage and to rob  
the poor ignorant peasantry of this Country -  
You are said to have connexions and relations in  
this Country - but we see none disposed <sup>to acknowledge you as</sup> to aid  
you upon this occasion when such assistance  
might have been useful - now who will, or who  
can give you a good character, to ward off the severity  
of the law upon your offence - You must therefore  
be considered as a man not only obnoxious to the  
laws of your Country, but a fit object of punishment  
as to your Butler & Curran - You are soldiers, and  
as your profession maintained is disposed to attack the  
idea of whatever is upright, and honorable - from  
soldiers <sup>you were bound</sup> it was ~~your~~ duty to protect the lives, the  
rights, and property of your fellow subjects - it  
was your peculiar duty obligation to do so - but  
in your profession as in most others men of unworthy  
characters are to be met with, and I am sorry to  
find that it should apply to you upon this  
occasion - you belong to the 99<sup>t</sup> Regt - and  
yet none of that Regt - of 9<sup>t</sup> there must be many  
individuals to be found in this town, have been called  
on to ~~give~~ speak to your character - You  
have called on Mr Hincherton, the adjutant to  
speak to a trivial circumstance - but in regard

of your character - nothing is asked - this  
is the more remarkable, as from that Gentlemen's  
situation in the Rgt - he was well qualified  
to know the men of the Rgt - and to give every  
man in it a good character who deserved  
it -

Under all the circumstances of your  
case therefore Prisoners - it is my duty to tell  
you that there is too much reason to apprehend  
that the Sentence of the law will be carried  
into execution against some of you, perhaps  
the whole of you - Some example is necessary  
and where it may fall is uncertain - I  
mention this not with ~~any~~<sup>a</sup> view to create any  
idle alarm or apprehension in your minds  
but to excite in you a timely reflection upon  
your past conduct - Consider that the moment  
of reflection, if ever it can arise, ought now  
to be at hand - That you are accountable  
beings, not merely before this Court for the offence  
of which you now stand charged, but before  
the more solemn Tribunal of Your maker  
in all your conduct in life - Think  
how your past life has been spent - how  
many other acts of fraud, of violence or  
ef

of iniquity you have been guilty of besides the  
Crime now laid to your charge - and in case the  
door of mercy should be shut against you in this  
life, endeavour by a timely and sincere repentance  
to obtain from the great author of your existence  
that pardon and mercy which man cannot  
give - You have the consolation to think that  
that his mercy is never withheld from the  
penitent sinner - be earnest therefore in your  
applications to the throne of his grace - call  
in such ~~a~~ assistance as may aid you  
in this import - and prepare you to meet the  
awful sentence of the Law -

Mr le R<sup>e</sup> King Antoine Riquette  
Marie Sallière

assaut sur Bailiff dans l'exécution  
de son devoir —

votre défense - très grave - l'opposition  
aux ordres d'un magistrat, ou d'un Com  
de Justice est une chose qui doit être punie et  
même sévèrement suivant les circonstances - parqu'il  
doit permis de faire telle résistance la loi resterait  
sans exécution - et le plus fort l'emporterait sur  
le plus faible - et cette protection que tous & chacun  
cherche dans la Loi pour défendre sa propriété - ses  
libertés & sa vie même, seroit sans effet —

— Il est ainsi de faire résistance à un hussier - ou autre  
officier de Justice - parqu'en général il n'est qu'un  
faible représentant de l'autorité dont il est muni - mais  
ce n'est pas la personne de l'hussier tant que son  
autorité qu'il faut respecter - dès l'instant qu'il est  
autorité paroit, non seulement toute résistance doit céder  
mais au contraire tout bon sujet, tout honnête homme,  
& toute personne bien disposée doit se prêter pour donner  
du secours à l'hussier de mettre en exécution ces ordres

— Que vous avez bien mal agi tous les deux - inconsciemment  
& sans réflexion de porter votre résistance à l'Hussier Poyer  
au point que vous avez fait - de le bâtrer - de le mal traîner  
et même de mettre sa vie en danger - Qu'elle aurait été  
votre situation si par quelque malheur ce hussier eût  
été tué ? J'aurois été dans le cas aujourd'hui de prononcer  
une sentence de mort contre vous - Sentence qu'il aurait  
été infailliblement exécuté contre vous —

Quant

Quant à vous Riquette - la Cour a bien moins  
d'excuse, que pour pour la femme - l'intent qu'elle  
prenvoit pour son mari - aurait pu l'engager à  
commettre cette extravagance sans user de cette réflexion  
comme vous aviez du faire - mais vous, vous êtes mêlé  
d'une affaire qui ne vous regardoit point, & dans la  
quelle vous n'aviez aucun intet si non celui de  
porter secours à l'humain, plutôt que de lui faire  
de la résistance -

Si vous étiez des gens plus futuns, - la Cour  
vous puniroit plus severement qu'elle ne fait  
~~à cette occasion~~ - mais, <sup>elle espere que</sup> la punition que vous  
subirez vous servra de leçon ~~à l'avenir~~, et  
vous mettra dans le cas de mieux remplir votr  
devoir en pareille occasion à l'avenir

==

The King  
v  
Ezra Hoyt  
Jos. Beaumont  
D. M' Donald

For conveying aqua fortis into Gaol in order  
to facilitate the escape of a Prisoner -

\* The other - for an attempt to break the Gaol  
and escape therefrom

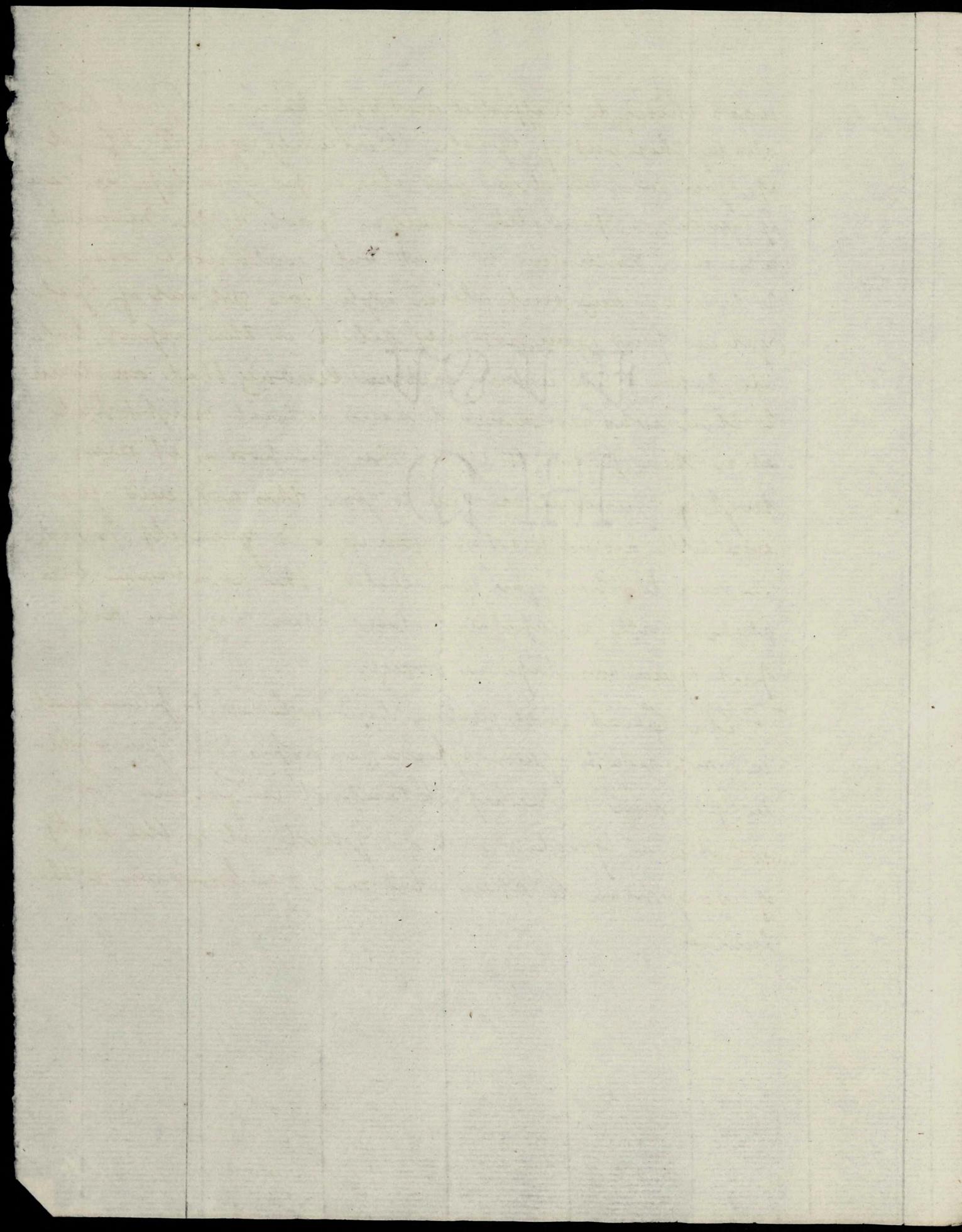
The crime of which you are convicted is of more serious  
nature than you are aware of, and of more serious consequence  
than is generally supposed - because the extent of the evil  
to arise from it is not generally considered -

There is a kind of feeling for a man in confinement,  
and it is natural to suppose that he should wish to regain  
his liberty - but where the law has imposed restraint  
either upon the person, or upon the conduct of a man  
it is his duty to submit, by resistance he becomes an  
offender, whatever his previous conduct might have been -  
It has been the fate of many honest and many unfortunate  
men to be committed to Gaol - and perhaps too without  
just cause - but will this justify that man to take  
the law into his own hands - to determine for himself  
how long and how far he ought to be confined in this  
way? In that case the law becomes a dead  
letter, and we had better have no Gaol - than expose  
the keepers of it to danger & difficulty in useless endeavours  
to control the conduct of men who may break from  
it when they please. -

I regret to see that there should have existed so  
much of a general plan and purpose among the Officers  
to effect their escape, and that the gates of the Gaol  
was

was a thing to be effected not only then in Gaol, but also by those out of Gaol - Certainly you E. thought if you were in dread and alarm for your life in case of giving information while in Gaol up the criminals who were continuing to break out, could not be considered to be under any such alarm after you got out of Gaol yet we find you not only silent in this respect, but also taking an active part in rendering that assistance to those who remained behind which might put it in their power to effect this purpose - it was highly criminal in you to give this aid, and you were little aware to what you exposed yourself, to have the man to whom you were rendering this assistance been charged with a capital felony, you by this act put your own life in danger -

The Court will impose but a lenient punishment in proportion to your offence, in hopes that you will be of a more circumspect conduct in future, for whether in Gaol or out of Gaol, it is the duty of every man to show obedience & submission to the law.



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