

At a Court of Oyer and Terminer, &
 General Gaol Delivery begun and holden
 at Montreal in and for the District of Montreal
 on Thursday the first day of May 1823, and
 contd by adjournment to

Thursday 1st May 1823.

Present
 Justices Reid & Pyke.

The Commissions of Oyer and Terminer and
 General Gaol Delivery were read and the Jury
 sworn.

There being no business before the Court
 it adjourned till to morrow at 10 O'clock in the
 forenoon.

Friday 2^d May 1823.

Present
 Justices Reid & Pyke

There being no business before the Court, the
 Petty Jury were discharged till Monday next

The Court adjourned till to morrow at nine o'clock
 in the morning.

Saturday 3^o May 1823

Present -

Justices Reid & Pyke. -

There being no business before the Court
it adjourned till Monday next at ten o'clock
in the forenoon.

Monday 5th May

Present

Justices Reid & Pyke. -

There being no business before the Court
it adjourned till to morrow at ten o'clock in
the forenoon -

Tuesday 6th May

Present

Justices Reid & Pyke. -

The King
vs
Daniel Wetherley. }

On Indictment for Grand
Larceny. -

Wesley Jones, lives at Barnston, in January last
he was travelling wth Mr. W. in same sleep at Hatley
saw a buffaloe robe in a sleep gone on a horse
near a blacksmiths shop as they passed on the road -

after

after they had passed the P^o got out of the sleigh, as said
 he would walk a little - he came back soon after with
 a buffalo robe - the W^o asked him nothing about the
 robe, but had suspicions of its being stolen - they
 travelled on together about four miles further - when
 they arrived at the house of W^o's father in law, the W^o
 unpacked the horse, & P^o carried the buffalo robe into
 the barn - the next day he went w^o P^o to the barn, when
 he told w^o that he had scattered those things in such
 way as they would find but one of them in a place. he
 alluded to the robe, a bundle & a gun of P^o had bot^d at
 diff^t times & put in sleigh on the road - that it was at
 the shop of one Wells a blacksmith in Hatley where they
 saw the sleigh & horn with a buffalo robe in it, & knew
 the horn & sleigh to belong to one Johnson -

F

The P^o lived w^o father in law of W^o for some months
 previous to this time - the W^o was accused w^o stole
 this buffalo robe and was detained some time in custody
 in consequence

John Johnson, lives at Hatley, the P^o since he was arrested
 in January last he left his horn, sleigh & buffalo robe
 at house of Wells the blacksmith at Hatley - he staid some
 time there of on coming out, found one of his buffalo
 robes missing - is worth 30^o considering the property to
 belong to his brother, it was under his charge at the time
 & he considered himself as answerable for it - he put
 his brother's name upon it when he bot^d it - W^o made
 enquiry about the buffalo robe, heard that P^o was
 considered to be a suspicious character - was advised to
 go to house of Barnes when he lived & enquire about it
 w^o he did - they asked for P^o but told he was gone &

We did not see him there - They went to the barn
 when the buffalo was found - Since it to be
 the owner of it had been stolen from his sleep from
 the marks upon it -

F

That he has little of Jones. The W^r character, but
 he is not considered to be of best character in Hatty.
 cannot say he would not believe Jones on his oath,
 that when Jones was apprehended, he got in liquor,
 and at one time said that P^r was not the person
 who had committed the theft, & the magistrates
 directed that Jones sh^d be detained till next day
 & be then examined -

Verdict - Guilty of Petty Larceny

The court adjourned till to morrow at
 ten o'clock in the forenoon -

Wednesday 7th May

Present

Justices Reid & Ryke. &c.

The King
 Henry Driscoll }
 Henry Driscoll }

On Indictment for a Conspiracy -

Bertholomew Tench - was a merchant & in
 partnership with one Fran. Wilson in 1822 in Montreal
 he went home & W^r was left in charge of his business
 in Montreal - He diff^r since 1820. During absence
 of Wilson diff^r was in the habit of visiting a
 the

The house of W^r 2 or 3 times a day - Wilson ret^d
 in June 1822 at Quebec & W^r came wth him to
 Montreal, a good understood spirit between them
 till 16th Aug^t - when he rec^d. a letter from Wilson
 charging him wth ~~guilt~~ intimating to him that his
~~releasing~~ had been confessed by the partner of his
 guilt & desiring him to leave the Country - W^r was
 on terms of friendship with Def^d. up to 22nd May when
 he went to Quebec - That 10 days after receiving this
 letter he was arrested at Quebec & committed to Gaol
 where he remained some time without bail - about six
 weeks - he was bro^t. to Montreal, where he was bailed -
 When W^r came up to Montreal, he rec^d. a challenge
 from Def^d. verbally - about 12 months before the
 Def^d. had insulted W^r & W^r had sent him a challenge -
 That one Watts came as the friend of Def^d. & demanded
 satisfaction for something he had said of him, but did
 not say what it was - That about 6 weeks after
 W^r was arrested, Wilson & his wife left the Country -
 W^r had no commⁿ wth D. on this subject till cont^d
 Friday, when a proposal was made by the Def^d.
 through a friend of W^r that the prosecution of this
 Indictment would ruin him, and that a public
 apology would be made by D^r in the public papers
 this was done and an apology made out by Def^d.
 same as now read, q^d was inserted in the papers &
 W^r understood the matter to be at an end, but Def^d.
 afterwards requiring of W^r a certificate to show the
 gentlemen of the bar, that the charge of conspiracy
 made of him was not founded, the W^r refused
 to give this under a conviction of Def^d. guilt

in this respect, in consequence Def^r came forward and claimed a trial on the Indictment. That Def^r as well as Mr John Walker & a Mr Vigi were in habit of coming frequently to the house where W^r lived wth Mr Wilson. W^r understood from a Mr Walker that Def^r had said that W^r had made use of words derogatory to his character, and therefore he had that it his duty to acquaint Mr Wilson with familiarities he had seen between W^r & his wife. That W^r was told at Quebec, that he would never been bailed, had it not been for affidavits produced of him - bail was refused - That a bill of Indictment was prosecuted ag^t W^r in the Court of Oyer & Ter in Nov: last for a rape on the body of Catharine Steadman wife of Frank. Wilson this bill was ignored by the Gr. Jury - The Def^r was a witness on this bill - but Wilson and his wife did not appear - Has no knowledge that Def^r used any influence with Mr or Mrs Wilson to prosecute ^{the} indictment ag^t W^r.

7-

W^r was in low circumstances when he was employed by Mr Wilson - was treated handsomely by him, & as a reward of services, the W^r was boarded & lodged in his house - When Wilson went to England, he recommended to W^r to take care of his wife - and in some of his letters from England he reiterated this request - That after his return from England in some of

the

The letter Mr W. wrote to Melron, he requests
 him to give his compliments to Sister, meaning
 his wife, Mrs Melron - That W. declared to Mr W.
 that he had nothg. of the character of his wife, but
 did not say she was one of the most virtuous women
 upon earth - That on his defence on the charge of
 a rape made of him, it was stated what was the
 fact that a connection had taken place between
 him & Mr W. - but without any rape having
 been committed - Told Mr Melron that Dr
 had spoken ill of his wife, & advised him to have
 no commⁿ wth Dr - as he would do him more hurt
 by his tongue than any other means - Told to Dr
 Sleight that in a business between him & on Sparrow
 hawk the Dr had not conducted himself in a way
 to his credit - This was before any misunderstanding
 took place & after an entertainment at house of
 Dr - ~~about after these proceedings~~ ^{upon the arrest of W.} he wrote a letter
 to Mr Walker to say, that he would not fight Mr
 Melron, but that he would go up to Montreal and
 blow out brains of Dr - That upon a letter rec^d
 from Melron, he wrote him to say, that he would
 come up to Montreal, when he would receive a very
 different answer from what he imagined - Thanks
 that Mr W. had a very great affection for his wife -
 That when Melron went away W. told him he did not
 wish to remain in the same house wth his wife & in his
 charge, it would be imprudent - d^r her character, but
 Melron insisted on it, & said he had no fear either of
 his wife or of the Wits - How? that Dr lent some
 money

money to Mr Wilson during Mr Wilson's absence. That in consequence of the letter she rec^d from Mr Wilson, which let^r was at Quebec, he said in answer that he was coming up to Montreal and that was his intention - but was prevented by his arrest shortly after -

That he never told Mr Wilson, that he was prevented by the arrest from going on board ship to leave the Country -

Never commenced any improper attentions to wife of Wilson imm. after ^{he} turned his back to go to England -

Has no wish to convert Dep^t

John Walker his Dep^t & Trench, has had frequent conversⁿ wth D^r respects Trench - In Aug^r last before J. was in prison - he had heard from Mr Wilson of the information he had rec^d of Trench as to his behaviour, that he was a scoundrel but wd not say who had told him so, - met Dep^t & told him what Wilson had said - D^r S^r that J. was a scoundrel & could never show his face again - upon this W^r S^r that if J. knew this he would come up & meet them - asked what Trench had done - D^r S^r you will hear that say and by - you will be astonished at his conduct, that D^r S^r if he did come up, he would fight him & nothing but his blood would satisfy him - afterwards found that a quarrel had

had

had been taken out of French, which explained the meaning of this conversation — That French had written to Wilson, requesting him not to receive D. at his house as he was a person not to be relied upon, & that he might injure him with his tongue, this letter W. understood Wilson had showed to Briscol — That in consequence of this letter D. had acquainted Mr Wilson with certain familiarities French had taken with his wife during his absence in England. That some time before this, the Q. S. to W. that he did not kn. what to think of Mrs Wilson from her manners, as he had heard she was a common woman from Kingston — this the W. told to French, and in consequence French wrote the above letter to Wilson in regard of Briscol — We was in habit of visiting Mr French & saw Mrs Wilson there — & observed her conduct — met the D. there frequently — That after Mr Wilson returned W. went once or twice to house, but discont. his visits her conduct was inconsistent with that of a married woman — He as kn. French 4 or 5 years — always heard him spoken of — as a man of good character — & always found him to conduct himself as becoming it — did not believe the charge of rape made up him —

Does not recollect he was
 Heard that if French had had improper conversation
 with Mrs W. he must be a villain — That some short

time before the arrest. I s^d. he wd not fight Mr Wilson, but would meet Mr Driscoll - That from extracts from affidavits of D^r. that he had caused Trench to be imprisoned at Quebec to prevent his coming to Montreal - That we after this expressed this as his opinion, - and also heard Mr Trench say some thing - that he had been coerced at instance of D^r. - to prevent his coming to Montreal -

Edu^d. E. Clarke. Mr D^r. was introduced by him to Mr Wilson in ^{July or} Sept. last - at house of Driscoll - they were conversing about the case of - G^r. Trench had been guilty - Mr Wilson app^r. much agitated & very angry - That Wilson s^d. that Trench had told him very ill, and he would have him prosecuted, - does not recollect what D^r. said except that he seemed to join with Mr Wilson in saying that Trench deserved to be punished. That D^r. has upon other occasions spoken of the names, s^d. he considered Trench as guilty & from what he thought & had observed -

Consider D^r. as a man of humane character -

Ann Stroniger - lived about 3 months with Mr Wilson last summer - That D^r. used to go there frequently, that on one occasion we went for a bible by order of Mr Wilson -

Angus Shaw, saw Trench & Mr Wilson walking together in a yard in his garden -

Lawr Vigé, 150. Dr. L. Fr. Wilson & Tench - had a meeting that W. went wt. Mr Wilson & Dr. to a place where Wilson told him that Tench had committed a rape on his wife, wished to fight Tench & asked W. his opinion - he advised him to prosecute Tench, & to put matter into hands of the Atty Genl - that Dr. declined giving any opinion on the business, as he expected to have a private meeting with Tench -

That Wilson came to look at some house w. Dr. M. app^d. to be a respectable man - that from what Mr Wilson stated W. was impressed w. a belief that Tench was guilty - but from what he heard of Mrs. W.'s character after he altered his opinion of her - that he has heard Dr. advise Wilson to be careful what he swore to as the life of a fellow creature was at stake - and even hoped that he might escape altho' he thought the facts strong ag^t him - that always observed Dr. conduct himself with a great degree of respect towards Mrs. W. - that Dr. is a man of humane character

Re-ex- by Atty Genl

Mr Wilson reduced his wife's deposition, the Dr. was there, and corrected some errors in language

Mary Roots - Mrs Wilson lived in upper part of W. house, has seen Dr. pass 2 & 3 - that Dr. drew Wilson reduced her affidavit into writing touching a mark she observed on Mrs Wilsons cheek on morn^g - Dr. was present, and said she must state merely the truths

John Kay. Wilson & D. came to visit, propose his being
a second to Wilson in order to fight Tench -
saw pistols produced & D. shewed Wilson
the position to Wilson in q^t he ought to place
himself - We declined the proposal -

Eliz. Clarke. 16. D^y - he lodged in her house, & Wilson
came there some times -

Here the evidence for the Crown was
closed, and the Court being of opinion
that no material fact had been made out
to charge the Defend^t with the crime alledg^d
did not call upon him to make his defence
but charged the Jury to acquit him,
which they did -

The Court adjourned till Friday
morning at 10 O'Clock in the forenoon

Friday 9th May 1823.

Present

Justices Reid & Byrd. -

The King
vs
Joseph Laviolette

On Indictment for Great Larceny

1 bag. value	1/
320 Fr. of Crowns	2 ⁴⁰ -
1 whip	2/ -

property of Jerome Gerard. on 27th Febr^y. 1823. at
Montreal. -

Jerome

Jerome Gerard, dem. en la Sez. de Noyau - con. John Miller
 Embuziste à Sabrevois - le 27 fev. der. il y est entre, &
 a resté quelque tems - et il y avoit bien de maniere a
 estre en train une pece - mais pas hors de raison - qu'il
 a pris son argent qui estoit dans un sac, pour payer
 du rom qu'il avoit - qu'il avoit 1070^l. tout en pees
 de 3^l. 6. francois - que les personnes presentes auroent
 pu voir son argent - qu'il a quitté cette maison
 environ 1¹/₂ heur avant soleil coucher pour s'en retourner
 chez lui - ne peut dire si le P^r estoit la alors - mais
 a entendu dire qu'il y estoit - qu'il s'est endormi en
 chemin dans sa voiture - qu'ici le tuban de deux
 miles de chez Miller il s'est aperçu que son argent
 manquoit - il a retourné chez Miller, mais n'y a
 pas vu le P^r mais a dit qu'il avoit perdu son
 argent - et alors Mr Miller & Cameron sont partis pour
 chercher l'argent - Que le lendemain il a reçu nouvelles
 de deux personnes qui avoient passé dans le chemin
 dont un avoit un sac sur le dos - qu'ils avoent arrêté
 chez un nommé Carpentier - que le P^r des se poursuivi
 et a trouvé le P^r a St. Albans - Que le ^{nommé de la nouvelle} ~~se~~ dit
 avoit ~~aucune~~ connoissance de l'argent, mais que son
 Camarade avoit trouvé un focte, que son camarade
 avoit vendu - qu'il a dit que lui & le P^r estoient prum
 chez Miller lorsque lui le tem. - y est entre, & que
 c'estoit le P^r qui avoit pris son argent - qu'ils avoent
 poursuivi le tem. & que voyant qu'il dormoit, ils
 ont été d'accord de voler le sac avec l'argent, comme
 ils en voyoit le but qui sortoit de la poche du tem.
 qu'ils avoit prumement arraché le focte de la main
 du tem. pour voir s'il dormoit - & que voyant qu'il
 dormoit ils ont pris l'argent - & que c'estoit lui
 Latrumeille qui avoit secouru le focte aux hommes

du chantier pour M Job - Leu le tem. a été à
St. Albans ou il a arrêté le P^r & l'a amené à
St Jean, ou le tem. & Latribouille ont donné
leur déclaration contre lui -

^{7^e}
Qu'il y avoit plusieurs personnes dans l'
embuze chez Millar lorsque le temoin y est
arrêté, et il ne se rappelle d'y avoir vu le P^r
Que sur le dire de Latribouille il a été à St
Albans trouver le P^r qui a renié avoir pris
l'argent, qu'en consequence le tem. est revenue, &
sur plus ample information il a encore retourné
St Albans & y a arrêté le P^r et l'a amené à
St Jean devant le magistrat, ou il a été confronté
avec Latribouille, mais le P^r a toujours renié le
fait d'avoir pris l'argent -

John Millar, lives in Sabrevois, keeps a tavern there -
He last W^c who was at home of W^c about end of
Feb^r last - That there were two men in his
house same time as Girard, one of them a lame
man & another of a dark color, cannot swear
that P^r was one of them - They left his house
about half an hour before Girard - They spoke
with Girard while in the house - After Girard
had been gone about 40 minutes he ut^d as he
had lost his money - W^c went in search of it
but could not find it - That Girard was
not sober when he left the house of W^c -

Charles Fontaine, dem. à la S^{te} de Noyan - qu'il
a été dem. à environ à 10 à 11 perches de
M

Mr Girard - qu'il a entendu dire que Girard avoit perdu son argent - que le Loup, avant que le P^r & le nommé Latrimouille ont entre chez lui, & le dernier avoit un sac sur le dos - qu'ils se sont chauffés & alors le P^r disoit qu'il vouloit avoir un double stuyf pour le mener à Swanton, - qu'il donnoit un gallon de Rom pour en avoir un & qu'il avoit de l'argent dans sa poche - n' a pas vu de l'argent. Que lorsque Latrimouille a mis le sac par terre il l'a mis doucement comme si c'estoit été des deufs, et en sortant Latrimouille a repris la poche. -

Joseph Girard, frs de Jerome Girard - con. Latrimouille & le P^r - que Latrimouille a dit que c'estoit le P^r qui lui avoit conseillé de prendre l'argent de Girard

Fran^s Latrimouille, con. le P^r depuis qu'il s'est rencontré avec lui en allant à St Albans, & ils ont poursuivi le même chemin - Que lui & le P^r ont arrêté chez le Cantinier Miller, ou ils ont resté environ une heure. Qu'il s'est engagé à Miller a deux paches par mois. Qu'il a vu Girard la, qui est venue disant qu'il avoit perdu son argent -

Upon this Evidence the Court called upon the Att^y Genl to say whether he had any other evidence in support of the Indictment, and he having none the Court directed the Jury to acquit the Prisoner, which they did by a verdict of Not Guilty

The

The King
 Pr^s Trotter
 Prisque Trotter

On Indictment for Sheep steal³

1 Ewe sheep. value 20/Ste property of
 J^{rs} Godin at Berthier on 12 Dec
 1822.—

J^{rs} Godin, dem. a Berthier — on, les P^{rs} qui demeurent
 en la meme paroisse — que le tem. avoit mis
 deux mers moutons chez son beaufr Lefond
 on est venu lui dire que l'on avoit volé une
 de ses moutons, il fut voir & a suivi les
 pistes chez les P^{rs}, et avec un warrant de recherche
 ils ont demandé s'ils avoit quelque viande
 de mouton chez eux — P^{rs} Trotter a dit qu'ils n'en
 avoient point, que s'ils en trouvoient cela leur
 apparteniroit, & que eux P^{rs} n'avoient d'autre
 viande dans la maison que du lard dans le Sallois
 en consequence on a été à la grange ou on a
 trouvé deux pains de suif, deux fruits, & la tête
 de la moutonne avec la marque du témoin
 qui étoit un trou dans l'oreille droit & le bout de
 l'oreille coupé — l'oreille gauche fardée & un
 esquere dans le côté — qu'il a levé la peau de
 la tête qu'il montre maintenant, c'est réellement
 que c'étoit la tête de sa moutonne — Que quand
 on a trouvé les viandes on a demandé au P^{rs} Pr
 Trotter ou est ce qu'il l'avoit eu — il disoit, qu'il
 falloit que cela fut ou son fils, ou un nommé
 Piquet qui étoit dans sa laiterie — il a fait
 venir son fils qui l'a renié — On a eu des
 informations qu'il y avoit de la laine chez
 le fils Prisque Trotter, on y fut & a trouvé

de la laine qui paroissoit toute fraîche & toute
grosse & mal lavée - & il croit que c'estoit la laine
de son animal - Que le fils n'ayant pas rendu
de compte satisfaisante de la laine, il fut arrêté avec
son père - Que pendant que l'on faisoit la recherche
dans la grange Piquet s'est sauvé -

F

Les P^{rs} restent sur la même terre, mais ont des
maisons séparées ou ils demeurent -

Laurent Fresnaye, serg. de milices, un. le der. tenu,
qu'en Dieu der. il fut avec Godin chez P^{re} Trotter
pour faire une recherche pour mouton volé - on
a demandé perm. de chercher, il leur dit de chercher
qu'il n'avoit point de viande chez lui - que
l'on fut à la grange ou l'on a trouvé les pattes
la tête d'une moutonne, & de la viande - on a
rapporté cela à P^{re} Trotter pour lui demander d'où
il avoit eu cette viande, il dit n'en avoir de connaissance
qu'il falloit que cela fut son fils ou Piquet
qui l'avoit mis là - que pendant qu'ils
étoient à la grange Piquet s'est sauvé - Qu'ils
ont été chez P^{re} Trotter, on ils ont trouvé de
la laine, que Godin croit lui appartenir, mais
la femme disoit que c'estoit à elle - Que la Sœur
de P^{re} Trotter ^{elle} observa: mon frere je vous en
toujours dit, que cela vous arriveroit, tu y es-ayez
Que Piquet s'est sauvé -

Defence -

Int^{te} Robitaille, dem. a Berthier, con. les P^{rs}
depuis

depuis long tems, qu'ils ont toujours passé
pour des honnêtes gens - Que les habitans
marquent leur moutons de différentes manières

Charles Piccard, boucher, a acheté depuis 8 ans
environ 200 moutons, & en a perdu, qui ont
été achetés par un autre parcequ'ils étoient
sans les mêmes marques des autres -

Verdict - Not Guilty. -

The Court adjourned till to morrow at
ten o'clock in the forenoon. -

Saturday 10th May

Present

Justices Reid & Pyke. -

The King }
Archibald ⁿ Welsh } On Indictment for Perjury. -

Isaac Gibbs, farmer, lives at Farnham,
has ten. L^{ds}. about 7 years, sold a farm to him about
that time for 600 dol^s. - of. he pd. at diff^t. times to a
a small sum of about £3. 2. 6 for of. L^{ds}. gave him
a note - That one Tucker brot an action ag^t
W. Robt. a L^{ds}. of him. this the W. was anxious
to settle & applied to L^{ds}. for the money he owed

on his note, or if he would go & pay Tucker a
 sum of £3 - he was condemned to pay him, the W^r
 would give up the Def^d his note, and give him
 2/6 for his trouble - to this Def^d assented, and came
 afterwards and said he had paid Tucker, and red
 from W^r the above note of £3. 2. 6, and said that
 Tucker would discharge him W^r whenever he called
 upon him - that he had satisfied Tucker by means
 of one Elkanah Phelps who owed money to the
 Def^d - that Ann Gbb^r, Isaac Gbb^r Jun^r,
 Dorcas Higgins & one Lazzara were present in the
 house when the agreement was made between W^r &
 Def^d about this matter - that Ann Gbb^r his wife
 handed the note to W^r to deliver to Def^d - that
 in Sept^r last, about ^{one year &} 19 months after, the Def^d
 sent a sumⁿ to W^r for ^{£3. 10} money he had paid to Tucker
 on acc^t of W^r and this without any previous demand
 made on W^r - the W^r appeared before Jos. Baker
 Commissioner appointed for trial of small causes
 at Dunham, and then pleaded pay^t. to demand, &
 submitted the fact to oath of Def^d whether he had
 not satisfied the demand, by obtaining from W^r
 the above note of hand for £3. 2. 6 which he owed
 W^r on acc^t of the farm - The Def^d was sworn
 in Court before the Commissioner - and he then
 answered, that he had not received ^{the} ~~such~~ a note
 from the W^r nor pay^t. & satisfaction of the debt
 he had p^d. to Tucker on acc^t of W^r - that he had
 no recollection that he the W^r held any note acc^t
 from the Def^d - or that he the W^r had delivered
 up

up such a note to him - and that he the
 Defend. had not in any shape received payment
 for the said money he so paid to the said Welsh
 on acc. of W. - That Ann Gibbs & Dorcas Higgins
 and Lagrange were present when Defd. swore this -
 In consequence of this oath Defd. went acc. W.
 for £3. 10 & forth of he satisfied it under Execution.
 That what Defend. so swore was wholly false
 and untrue -

2-

That previous to this transaction for some years
 he had several notes had passed between W. &
 Defd. - This was the last - That Defd. gave 2
 notes for the land farm of £12. 10 each, & the last
 must note of £3. 2. 6 was for a balance on one of
 these notes - Shows a promissory note N. 1. dated
 25 March 1816 for £25. by Defd. for W. - which
 W. acknowledges to have been paid - Note N. 2.
 for £2. 10 - dated 20 Sept 1816 - acc. W. also asked
 to be paid - N. 3. for £12. 10 - July 1817 - which
 is also discharged - The note for £3. 2. 6. was dated
 in 1820 - That Defd. had at diff. times instituted
 several suits acc. W. for monies he did not owe him -
 Now said in the presence of one Downman, that
 he would have the Defd. punished or drive him
 from the Country -

Edith Lagrange is step daughter of last W. - Her Defd.
 son. when Defd. came Mr Gibbs home about a note
 of hand of Welsh owed - That Welsh if he had
 no money, upon this Gibbs said if he Welsh would
 pay

£25 -

2. -

12. 10

pay or settle a Judgment of Mr Tucker had obtained
 against Gibbs, he would give up the note to Welsh
 to get Welsh agreed of work away - that soon after
 Welsh told of said he had paid Tucker, upon this
 the wife of Gibbs ^{gave} up the note to her husband
 who delivered it to Welsh - this took place
 about Nov. 1820 - the amount of note was
 £3. 2. 6. - W^r was present in Court held by
 Jos. Baker on a suit bro't by Welsh against Gibbs
 for the money he had paid on his acct to Tucker
 upon this occasion the Dep^t was sworn, and
 said that he had never received such a note from
 Gibbs, and that Gibbs never held such a note of
 him, and had not rec^d part in any way from
 Gibbs for the money he had p^d to Tucker for him,
 and never rec^d any recompense from Gibbs - This
 was last fall that W^r was in Court of said Dep^t
 swear as afores^d.

x²-

That she has seen and read the note for the £3. 2. 6
 was present when note was deliver^d - note could not
 at first be found, when Mrs Gibbs found it, and
 gave it to her husband who deliver^d it to Dep^t - heard
 the note read by Mr Gibbs before he deliver^d it to Dep^t -
 never heard any report that Dep^t had been active
 in prosecuting on Buck & Scott about skull & bones.

Isaac Gibbs Jun. is son of first W^r - Mr Dep^t - was
 in his father's house in Nov^r 2 years ago when Dep^t
 came to the house about a note his father held of his.

x²

Am

x.

knows Burke & Scott - never heard they were accused
of horse steals by Dept.

Ann Gibbs, wife of Isaac Gibbs - 1st Dep. There was
a note given by Dept. to her husband for £3. 2. 6
Gibbs was sued by Tucker & upon this called on
Welsh for amt. of note to pay Tucker, Dept. said
he had not the money, but that he would
pay Tucker provided he Gibbs would give him
up his note - this was agreed to, when some
days after Dept. came to the house, & he had
paid Tucker, upon this the W. searched for
the note & found it, & delivered it to her husband
who delivered it to Dept. - saw the note &
knew it to be same Dept. had given to her
husband some time before - Welsh then
said that the note settled the Debt of Tucker
and there would be no more trouble about
it - That in Oct last her husband was
sued by Welsh for the monies he had pd
for him to Tucker, in the Court before the
Commissioner for the trial of small causes
at Exeterham, when he was sworn and
declared on oath, that he had no recollection
that Mr Gibbs held such a note against
him, and that he never received any such
note from Mr Gibbs in order to pay Tucker
and that he never had received any thing from
Gibbs in satisfaction of the money he the Dept.
had

in Nov. 1820.

had paid to Tucker on acct. of Gibbs - upon this
 Just. went aft Gibbs & upon, she was obliged
 to pay the money -

Thinks the note was dated 3 years ago last March
 was present when it was made - at this time Mr
 Gibbs gave up a note he held of Mr Welsh's - she
 never said that this debt was due to Welsh.

It was said among the neighbors that Welsh
 was trying to find out something of two new
 Bank of Scott. -

Dorcas Higgins lives in Farnham, No. Dfdr. That
 she lives next neighbour to Gibbs - that she recollects
 that Dfdr. was at her house in Nov. 1820, when
 he agreed to go and pay Tucker a Judgt. which
 he had obt. aft Gibbs, upon his Gibbs giving up
 a note of he held aft Dfdr. - for ~~the~~ 2.16, wh
 Gibbs agreed to and said he would throw in the
 difference of the 2/6 - That last fall she was
 called as a witness before the Court for the trial of
 small causes held by one Baker, to prove the above
 agreement - then Dfdr. was sworn before the Court
 in the usual manner & declared upon oath, that he
 never knew that Gibbs held such a note of him
 that he had never received such a note nor anything
 else from Gibbs as a consideration for paying the
 Judgt. Tucker had obtained aft Gibbs - In consequence
 Just. was given aft Gibbs she was obliged to pay the
 money -

Paul

Paul Whitney, is Just. Peace - Senr. Jos Baker, who is a com^r. for trial of small causes at Dunham was present some time last fall in that Court when he administered the oath to Def^t. in a suit between him & Gibbs - Gibbs stated that he had paid the debt & stated how he had paid it, but the Com^r. considering the work not complete he left it to the oath of Welsh - next Count Welsh came in & was sworn, and declared on oath - on being asked if Gibbs had delivered up a note to him of \$3. 2. 6. he answered he had no recollection of it - upon being asked by the Com^r. if he had not rec^d. a certain note or other paper in compensation on account of Gibbs - he s^d. he had rec^d. no other paper than a receipt which he produced - he was asked again whether he had not received a note or any thing due from Gibbs to cancel the debt paid on his acc^t. - the Def^t. said he had not - upon this Def^t. was given in favor of Def^t. of Gibbs -

That answers of the Defend^t. were taken down in writing, but cannot say whether the questions were put down in writing - that one Stephen Baker is Clerk to the said Commissioner - that it was at the desire of the Com^r. & of Welsh that Defend^t. was required to give a positive answer to last question put to him. -

Lefence

Defence.

William Whitman - Mr. Mc Gibb - has heard from him & Walsh, that they were at variance - Defend^t has always dealt honestly wth W^m - & he has had considerable dealings wth him for some years past, would have no hesitation to trust him -

Whipple Cook. - proves signature of Gibb's & instruments on it - 9 July 1817. note for £12.50 - pay. 1 March 1820.
Knew one Robt. Buck -

7.5
6.5

13.10

Lives on about a mile of Gibb's house -

Garret Missiner Mr. Walsh from childhood - she has always conducted herself as an honest man as far as he has known - Mr. that difficulties existed between Gibb & him - Does not think that he is a man who would wilfully commit perjury.

Lessard Laforge - Mr. D^r for upwards 2 years - Mr. Gibb's & his family, that about 2 years ago he worked for Walsh & asked for his money, & he had none, but Gibb owed him for an obligation & he w^d get his money from Gibb & pay him - that Gibb came to house of Walsh when Walsh asked him for his money - Gibb said he then had none, but that he w^d pay him as soon he could get money, but that one Tucker had sued him and almost ruined him - understood that it was to return the money of Walsh had paid to Tucker on acc^t of Gibb -

Denis Downing Mr. P^r & Gibb's family, has heard
Gibb

talk a good deal about Walsh -

That he always considered Walsh to be a fair honest man. -

Edward Cooper - That last fall after the sitting of the Court of Oyer & Ten. he heard Gibbs say of Walsh, that he had in his pocket what would secure him, and that he had been at great expense, but that he would give all he was worth in the world to purge the province of such a damn'd & perfidious rascal as he Walsh was - This was at Rougemont, as Gibbs was on the road home, and from what was then expressed it appears to wit that Gibbs was actuated by a spirit of revenge -

at first was disposed from what he heard that Walsh was a monster, but from what he has since understood he considers him to be an honest man and not capable of committing the crime of which is accused particularly in so small a matter -

Verdict - Guilty -

Monday 12th May 1823. -

Present.

Justices Reid & Pyke. -

The King -
vs
Dan^l Wetherley }
}

On Conviction for Petty Larceny
Judg^t That the Pris^r be committed
to the house of Correction for three
months & be then discharged -

The King
vs
Archelaus Welsh }
}

The Defend^t being brought up for
Judg^t Mr Rossiter on his behalf
moved for a new trial, and stated as
the grounds of the motion, that the best evidence the
Case would have admitted of had not been adduced
inasmuch as the proceedings before Mr Baker the
Commissioner had not been legally proved, it appearing
in evidence that as well the questions put to the Defend^t
as his answers had been reduced into writing before the
said Commissioner, and therefore this paper ought
to have been produced and also the Commissioner to
prove the same - and the more especially as it
would seem that the Defend^t had been put under
some kind of restraint in being required & obliged
by the said Commissioner to answer positively to
the Interrogatories proposed to him, and therefore the
answers of the Defend^t could not be considered as
free and voluntary, and the verdict, if any, not
voluntary. -

London, 12th May 1853

Dear Sir,

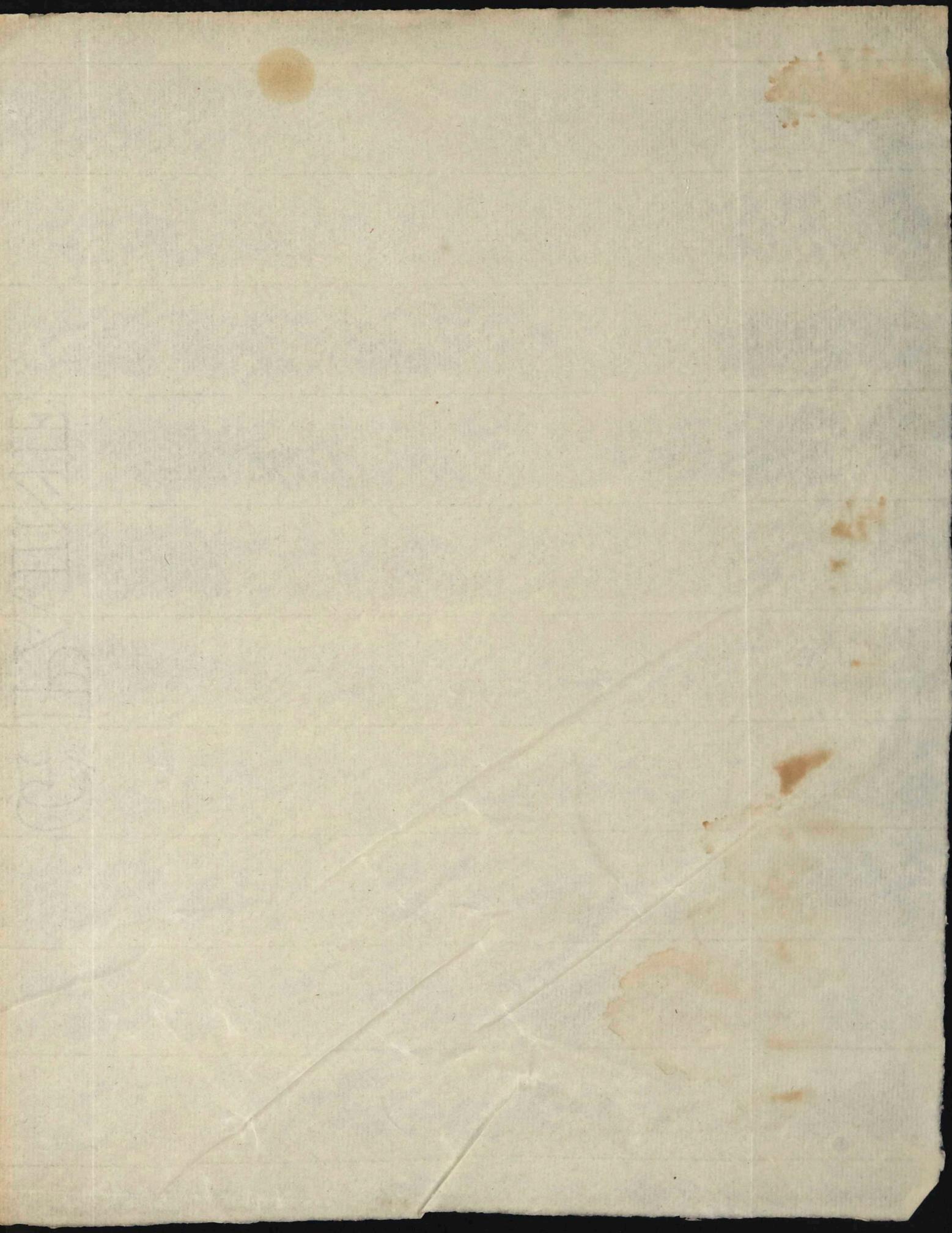
I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above mentioned subject. I have the pleasure to inform you that the same has been forwarded to the proper authorities for their consideration.

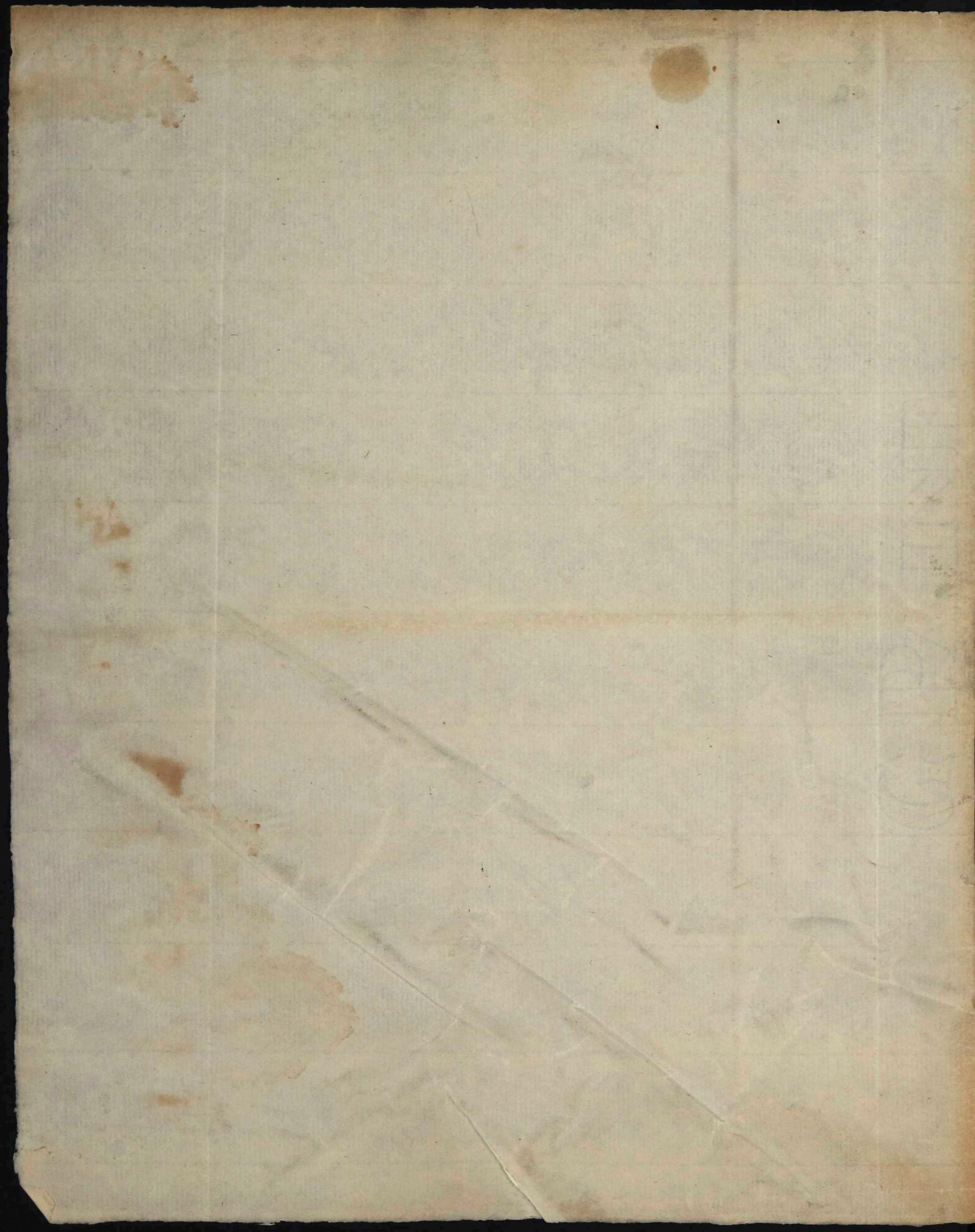
I am, Sir, very respectfully,
Your obedient servant,
J. H. [Name]

The enclosed papers will give you a full and complete view of the matter, and I trust will be found satisfactory. I am, Sir, very respectfully,
Your obedient servant,
J. H. [Name]

REVISED

G. P. WATKINS





et quelque chose dedans - Que vers sur les huit heures le lendemain matin il a su que Basile le frere du P.^r etoit mort - on pensoit alors que c'etait le P.^r qui l'avoit tue -

70 II

x²

Que Jos. Chartreux apres que le P.^r fut arrete lui a raconté ce qu'il avoit entendu dire par le P.^r sur la place - qu'il le connoissoit bien par sa parole, -

Que les chemins estoient assez beaux -

Andre' Leger, con. le P.^r depuis 4 ou 5 ans - en l'auver. a environ 1/2 lieue plus bas que le pont de Muesmore il a rencontré le P.^r vers les 7 heures, il descendoit la riviere - il a passé près du P.^r & lui a souhaité le bon soir, mais il n'a pas répondu - il etoit alors a environ a 20 arpens de la maison de Bante Leger, le Defunt - le P.^r etoit habillé en Capot de Couvent tint - ni a rien vu de la main, ni poche sur l'espaul - Que le lendemain il a su que le D.^r etoit mort, vers les 7 ou 8 heures Que l'on soupçonnoit qu'un hom.^{un passant} avoit couché chez le D.^r & qui avoit travaillé la deux jours qui l'avoit tue -

x³

A connu le Def. qui avoit dans l'habitude de recevoir toute sorte de personnes chez lui, & de leur engendrer chicane - Que c'etait quelques jours apres la mort de D. qu'il a entendu soupçonner

h

1024

le P^r — Il n'estoit point ceinturé lorsque le
P^r l'a rencontré —

Pre Doucet, con. le P^r la veille des Rois a environ
20 ans de la maison du D^r vers les 7 heures
du soir il étoit avec le dernier tem. et ont rencontré
le P^r — Il avoit un Capot de Couverte noir —
le tem. ne lui a pas parlé — le P^r avoit —
quelque chose sur l'épaule qu'il portoit
on peut dire si c'étoit une poche ou autre
chose — que le lendemain matin il a su
que Parise étoit mort — le P^r descendait
la rivière —

Art. Lalonde, con. Jos. Chartrand depuis 10 ans
c'est un bon, d'un bon caractère — et il
le croiroit sur son serment —

J^r B^{te} D'arout, habitant de St. Polycarpe, connaît
Jos. Chartrand depuis son bas âge, l'a
toujours regardé comme un honnête homme

a entendu dire que ² Chartrand avoit fait
un tour de Carole avec la fem. de son voisin —

J^r B^{te} Campeau — est huissier, qui conduisit le
P^r en prison — dit, tout ce qu'il craignoit
c'étoit le faux témoignage qu'il craignoit —

Verdict. Guilty —

Sentence was immediately pronounced on P^r to be
executed on the 8th inst. Kaplenwards resorted to 19th —

The King

The King -
Rheisen Chambers }

On Indictment for murder

Daniel M^cGuzger lives at the Sweeney of St
Andrews. Knew the D^r was at the meeting at
Mc Inters at St Andrews on 28th Oct last, saw the
P^r there at work with the others - had known P^r
for about a year before - saw D^r knocked down by
the P^r - was about 3 rods from them at time - P^r
came up to a man & you have done nothing - man &
done as much as you have P^r & you're a damned liar -
P^r then laid hold of a Canadian lad & choked him by
the throat - and after this some words passed between
P^r and the boy when P^r began to strike the boy,
while he was doing this, Mc Intire come up with a
small switch in his hand w^{ch} he guided his open
and holds it in his hand and pointing it towards the
P^r did not hear what he said, the first thing he
saw was the P^r take a handspike with w^{ch} he struck
Mc Intire who fell senseless from the blow he rec^d on
the head - he lay there some time & was carried into
his house, but died in the course of the night, saw
him dead next morning - That when the blow
was given the people cried out, the man's dead,
the man's dead - the P^r said I intended it -

x²

P^r is a single man - saw Mc Intire come up with
a switch in his hand which he seemed to point towards
the P^r but did not see Mc Intire strike with, nor
was it of a description to hurt P^r if he had. -

cannot say ^{who} he was seen the P^r he was not in his sound senses, he always appeared to W. to have his senses, worked last year for W. about 10 days & did his work very well. —

Westley Hall, lives at Argentueil, has known the P^r for two years, never knew him to be insane, always heard he was a quarrelsome man when he was where liquor could be found — The wife was at a place called Shute row in the vicinity of Argentueil, at a logging business in October last and saw P^r saw him knock down M^r Tutin with a stick and kill him. That some of the people cried out he had killed the man, he said he was glad of it, and that it was his intention to do, and if any man would come forward to take his part he would serve them in the same manner — it was a handspike with which men turn logs with the P^r used in shute D — it was of beech & as thick as a mans arm — and the P^r is a very powerful man — The P^r had flogged a boy and made him cry. M^r Tutin came up & asked what the matter was, P^r they must not quarrel, as he would have no quarrelling there — upon this the P^r took up the handspike & knocked his brains out — That M^r Tutin had a small switch of. drove his open in his hand when he went up to P^r he held it up as people do when driving their cattle she did not see him strike the P^r with it —

Was born at Argentville - there might be 15 or 20 persons assembled altogether at the logging business - Did not see the P.^r have a quarrel with any one, - heard there had been a quarrel but saw none - The switch of Mr. Intire had was green and about three feet long - it might have knocked a man down - Mr. Intire was driving his cattle and we was not surprised to see the switch in his hand - very soon after the P.^r gave the blow - he heard Mr. Intire speak to the P.^r and trying to pacify him -

That the we saw P.^r yesterday in jail, but he did answer, he knew we very well - was told the P.^r would not speak to any one -

The we had been drinking a little that day and the D.^r also -

Horatio Griffins, was present at Mr. Intire's at the logging in October last, saw P.^r there - had known him a year & half before - he is a man of great strength and used to knock people about a good deal - he seemed disposed to have his own way at this logging - heard him say in the afternoon 2 or 3 hours before Mr. Intire was killed, that he had got a bad dinner, and if he did not get a better supper he would kick up some disturbance among the people there before he left the ground. We saw P.^r beat a Canadian lad there -

saw him cuffing & slapping a boy called Kelro
saw Mr Inten driving his team of oxen & as he
came opposite to P^r heard him tell the P^r to
be quiet, that he would have no disturbance &
told him to go to his work, upon this P^r took
up a handspike and knocked Mr Inten down
Mr Inten had a small stick w^{ch} he was
driving his oxen - saw Mr Inten carried into
the house, and we saw him dead next morning
did not see Mr Inten strike him - Heard
some one say to P^r he had killed the man
he said he was glad of it and would save
any one so who should come near him -

^{x^r}
Knew the late Mr Inten for about five
years - there was a number of persons assembled
at Mr Inten's that day - people had drank
some liquor that day - The switch which
Mr Inten would not in his opinion have knocked
the P^r down - when Mr Inten had spoken to
the P^r he saw him knock Mr Inten down -
Has seen the P^r since he came to town, he is
certainly much altered, but he cannot say
that he is insane. -

Willard Cole, was present at the logging at Mr Inten's at
Argentland - in October last - he had known the
P^r about 5 or 8 months before - he was at
work w. P^r when he told us that he was not
satisfied

satisfied with his dinner & if W. would stay to
the supper he would see some disturbance — he
gave a Canadian lad a shaking a kick wth his
foot — & s^d. if any one w^d take his part he was
ready for them — they worked on for some time —
while W. was at work he turned round and
saw P^r with a lever in his hand strike a blow
at the decedent and knock him down — some
one said, they believed he had killed the man,
he said he was glad of it, and that was his
intention, and that he would kill every Scotchman
on the place if they did not clear off the ground
and was shaking the lever about, &c. indeed
the wit^s to stand off at some distance —

2

Heard P^r say his dinner was not fit to give to
the hog — the people there had been drinking
but saw no person drunk — The stick of J. McIner
held in his hand was too small to knock a man
down, it was a small switch he used in driving
his team — when the w^{ts} first saw him he was
holding up this stick across his forehead & the P^r
in the act of giving the blow

Abner Rice, Doctor — examined the body of J. McIner in
October last at his own house in Argenteuil — he
had received a very violent contusion on the head
a little above the right ear — and of this contusion
he died

Defence —

Daniel Hatel, lives at Argentuil & has P^r at the bar, he was at different times in his service during last summer - has known get up in the night time and go & walk before the door of Witt - has known this happen twice in a week - never knew him insult or do injury to any person, - a boy told him that he had been abused by him soon that act. left the service of Witt. -

^{Dumber} William Selby, Medical attendant of the Gaol has seen P^r since 20 Oct when he came to Gaol - when he first came in he did not see him - ⁺ he was locked up in a room by himself and he has occasionally since that time been fastened by one leg to the wall - that his mind is certainly very much disturbed.

+ but was told he had behaved very violently to some of the persons in Gaol & he at one time attempted to hang himself, the W^r happened to be there at the time & aided to cut him down & to day he appears more rational than he otherwise he believes he would have effected his purpose what was said to him, but did not speak in consequence of much -
then master of disengagement

He appeared weaverly in his answers he gave to the W^r - at all times - that yesterday & to day he appears more rational than he has been for some time - generally comprehended what was said to him, but did not speak in consequence of much -

Verdict. Guilty -

Whereupon sentence of death was immediately pronounced upon the P^r to be executed the 8th inst. & afterwards repites to 19th -

The King

The King
Joseph Francis
Basile Bousquet

on indictment for stealing
an ox. —

David Coleman, lives in Duab. Sub. is a
labourer, in Nov. last he had 2 oxen in Mr Flaherty's
stable, on Saturday one of them ~~was~~ taken got
loose and got out of the stable and they left the gate
open he went out —

John Flaherty, butcher in Montreal, that Coleman
is his servant, he brot two oxen to house of W
from the States and put them at the Park house
for pasture — they were about 8 weeks at the
house of W — that one of them got loose
from the stable & got into the yard & the servant
got thinking it was a strange ox turned him
out into the road — the ox was brown — did not
observe any particular mark — This was on
a Saturday — the W had by directions of Coleman
agreed to sell them to one LaPrise, in case he
liked them at 36. dollars — this was in the market
and when W returned him he found if the oxen
was missing — on Sunday next day search was
made — on Monday Coleman came to town and
told W that he had heard that his ox had been
killed in Rod's butchering house by one Allen
Stevens — went to Rod's — saw a skin which
he

he thought was the skin of Coleman's ox
it was not opened out it being rather frozen
there was one of the horns still on the skin
the skin was bro't to the Court House &
from thence was taken back by Coleman
and carried to house of Wicks where it has
remained ever since -

No. 10th P^{er} who are butchers in the market
when he saw the skin, it looked very like
that of Coleman, but will not be sure as
he has been mistaken before and killed
others peoples cattle besides his own, and
other butchers telling him at same time
the cattle were the same -

It was about 10 or 11 o'clock when separated
from the stable

7

The ox had been grazing on the farm 8
weeks before - does not know whether the
ox was furious, but it happens when an ox
is separated from his comrades he will become
furious - the ox was brown - a very common
colour - That he has never known any
thing of the P^{er} except that they are a little
given to liquor - The butchers kill on Sunday
for the ensuing day

John Smith - tallow chandler - 111 P^{er} on 16th Nov
the two Defendants P^{er} came to his house to sell
tallow

tallow. The W^r bot the tallow, and paid the P^r
Bourquet, for it, it was rough tallow in the
way he usually receives it - This was on a Sunday
about 2 o'clock he told them to leave the tallow
then & he would pay them next day - It is very
common for the butchers to sell the tallow
immediately when the ox is killed as well on
Sundays as on other days - The tallow weighed
41 lb^s - and Bourquet on going out asked
for a dollar, of - we gave him - The other P^r
desired we not pay the rest to J^r Jos. Francis
which was 8/8 - They came back on Monday
when W^r told them he wd pay them when he
returned from Lafoir market - When he
returned from Market Lafoir told W^r that
W^r had killed an ox that did not belong to them
asked him if he had purchased the tallow he
said he had - The P^r never came back for
the balance of their money

It was between 1 & 2^o of lock when P^r came
to house of W^r - the P^r Bourquet had the tallow
carried it in his apron - that Jos. was very drunk,
& Bourquet not much better, it appeared to
them they had been making merry -

That Bourquet asked for the dollar in English

David Coleman, Allen Stevens told W^r that an ox of the
colour

colour he was looking for had been killed
the day before, and went along wth wits to
the slaughter house of Mr Roi - he went in
found the carcass hanging up and the
skin lying on the floor - the w^{ts} examined
the hide, there was but one horn on,
altho' it appeared the other had been taken
off, the hide was of a dark colour, but
brown along the back, and ~~there~~ ^{it appeared to him} that
the skin he saw there was the skin of
his ox - The skin the w^{ts} found there
he brot. to the Court house & Mr Beaudry
saw it there -

Does not think the P^y ever saw the
ox before he strayed -

x

The ox w^{ts} lost was a dark black ox -
he might be over 400 or 400 or half - never
saw his ox do any mischief, on the contrary he
was "gent animal" -

That Allan told him that Mr Jo. had
come to him & asked him to assist in killing
the ox & he had refused -

Allan Stearns - went on Monday morning to
slaughter house of Roi to look at a
skin

skin of an ox that had been killed there, that
it was his - saw the Ox skull that ox on the
Sunday morning - said he wanted to kill the
ox that morn'g to prevent him killing any
person - was wth Ox^{2^o} when he found the ox
at Beaudry's in a field with 2 other oxen
belonging to Mr Beaudry - that after he
asked wth to tell him if the ox belonged to
Prendergrass - wth looked at him & he did
not belong to Prendergrass - upon this they
pursued the ox & after much trouble he was
driven into Mr Roe's Slaughter house - then
the wth told Jos, that he was going to get
himself into trouble for killing that ox
he said he did not care, the ox might
kill some one ~~and he would kill some~~
one and borrowed a knife from Mr Fay
and killed - heard Jos. tell the other,
that if the master of the ox did not appear
they would go halves - The ox when in
that field appeared very wild - That Jos.
said he would go to the market next day
and notify all the butchers that he had killed
an ox of that kind in case he belonged to
any of them - That there was danger in
leaving

leaving the ox in the field, as he was near
a common path where people passed

^F
That Mr Prendergrass had four oxen strays
before this, but none of them was wild
That Jos. had been drinking a little before
that time

Defence

John Jeffries - Mr. Jos. Francis - who was in his
service when the ox was killed - on the
Monday morning he came to house of Mr.
I told him he had killed the ox as he was dangerous

Verdict. Not Guilty

Saturday 6th March 1824

Present,

Justices Reid Foucher & Ryke

D. Rex

Thomas Pilon }

On Indictment for Compound
Larceny. -

Benjamin Swiss, dem. à la cote des
meiges, con. le P^e qui est au service du
frère du tem. et travailloit comme menuisier,

Dans
leur

Dans la maison

Que le témoin demeure dans la maison d'Austen
Tewis, son frere, et il y avoit plusieurs montres
volés en Decembre dernier, - Qu'ils ont perdu
6 montres qui sont la propriété du témoin & son
frere, les montres étoient disposées dans une chambre
au grenier - Le P^r avoit permission d'aller dans
cette chambre & dans tous les appartemens de la maison
Que le tem. a trouvé une des montres chez Thomas
Fessenden, laquelle est la même maintenant montrée
et lui appartient & à son frere - qu'il en a trouvé
deux de ses montres chez le nommé Farguinar
en connoit une pour une marque sur le Cadran
qu'il dessine - en a trouvé une autre chez le
nommé ^{le} Larty - estime la montre trouvée chez
Fessenden à 10/- celles trouvées chez Farguinar à 20/-
et celle chez Larty à 12/6-

x.

Que le printemps der. le tem. avoit vendu deux
montres, dont une semblable à celle maintenant
produite excepté que le Cadran n'étoit point peint
Que le P^r devoit à Mr Bertholat & le tem. lui a
donné une horloge pour le P^r & pour laquelle le
P^r a payé 14 piastres -

Ne se rappelle point d'avoir dit à Mr Lachapelle
qu'il avoit donné permission au P^r de vendre des
montres pour lui - Qu'il se rappelle avoir dit
à Mr Lachapelle, que le P^r étoit un hon. homme
jusqu'à cet affaire ici, mais pas qu'il étoit
un

un de ses meilleurs Ouvriers — Qu'on la
Chambre ou cloquant les montres n' étoit pas
fermée à clef. — qu'il y a beaucoup de
personnes au service de son frère, qui avoient
également accès par derrière — Qu'il en
~~des hommes qui avoit son frère~~ Qu'il ne peut
donner le N^o des montres — qu'il peut arriver
qu'on vend des montres semblables — mais
qu'il connoit la petite montre trouvée chez
Fessenden, & une de celle trouvée chez
Farguehan par le Cadran Lussé — Qu'il
n'avoit point de marque particulier sur les
deux autres montres, mais qu'il en peut trouver
de semblables —

Austen Swiss, has a son. that some watches were stolen
from his house in Det. last — found one
at Fessenden's a small watch wth a painted
face of double case — two were found at
Farguehan's, one of w^{ch} he thinks he had, but
will not be positive, altho' they have the
appearance of those he lost —

That he had a Calpstein from his house
about the same time, which says is some
now produced, he bro^{ught} it with him here, and
it was taken at his father's house, in a
particular manner, and in a manner
not known in Canada — found it in the
chest of the P^{er} in the house where he
then

then boarded, knew the Chest as the P^r had made it for himself at house of W^r out of wood he gave him & values the leather at 3/6—

^x
P^r has been in his employ since July 1821, he was a good workman, but at times was not satisfied wth his conduct— has given him provisions & wood in pay^t of his wages, at one gave him a pair of shoes he cut out of a Cowhide—

That his father tans leather principally for his own shop and seldom sells any—

James Place, Clerk in Police, the 4 watches now produced have been there since 13 Dec last, were bro^{ught} there by the Constable Ojilvie accompanied by Swiss—

Thomas Fessenden, purchased a watch from the P^r about the 6th or 7th Dec last— the small painted watch, gave him 7/6 in money and 3 glasses of rum— this was at Gendlachs, he deliv^{ed} the watch to Ojilvie in the presence of Austin Swiss, who claimed the watch as his property—

William Farquhar, watchmaker in Montreal— bought 2 watches from the P^r on the 6th or 7th Dec. the same now produced, marked ~~one~~ them at time— finds marks on one of them but not on the other— delivered them to Ojilvie the Constable in company with two persons of the name of Swiss— is not sure whether Ojilvie or Swiss took the watches— he called a boy interpret between him & Wits— bot. the watches & P^r 4 Dollars—

x³

Never saw the P^r before he sold him the watches
Has seen watches marked like the one now
shown wth a broken part on dial plate, if he had
no other mark upon it than that, he could not
well recognise it -

It has seen several watches such as that of h^e is
painted, & would not distinguish one from another
by that mark alone -

Arch^d: Hy Ogilvie - W. Ferndun of Farquhar, he had
watches from them in company wth Swiss
which he deposited at Police office -

Charles Lorty - Qu'il a acheté une montre de son père
qu'il a remis à Ogilvie en présence de Swiss -

Amable Lorty - En tout dit. il a acheté une montre
au P^r - cette montre il a vendue à son père
qui l'a remis à Ogilvie - le P^r dit avoir
eu la montre en paiement de Mr Swiss son
bourgeois -

Defence

Pascale Lachapelle, con. le P^r depuis 4 à 5 ans -
il a travaillé chez lui - il l'a toujours considéré
comme un honnête homme -

Pierre Henrichon, con. le P^r depuis 5 ans. a travaillé pour
le tems il l'a toujours considéré com. un honnête hom.
quelques fois il se divertoit par la boisson -

Tourist

Toussaint Pacement de Larivière, con. le P. depuis longtemps
il a travaillé pour le tem - il l'a toujours considéré
comme un honnête hom. +

Amable Lutz - professeur le caractère -

Verdict Guilty of Petty Larceny

D. Rex

v
Ant: Sansouci

Or Indictment for Compound Larceny

Louis Durand, de Chateauguai - le 7 fev-
dern. le P^r vint chez lui & demanda à le laisser
faire un pair de souliers - on lui a permis de
Coucher à la maison - la mai on appartient au
terrain - Que le témoin s'est levé il a trouvé qu'
un capot^{25/}, deux paires de culottes^{15/}, un gilet^{15/}, deux paires
de chaussons^{2/6}, une paire de mullaines^{1/3}, deux paires
de souliers^{1/3. 2/4. 5/}, étoient parti d'une poche^{10/} - qu le
lorsque le tem. s'est levé la nuit il a trouvé que
le P^r étoit parti q'avoit emporté tous ces effets
que lendemain au soir il a vu le P^r pres de ses
batimens, ayant sur lui une partie des hardes
volés sur le corps et le reste dans une poche -
Que le P^r avoit un grand couteau d'une main
et un baton de l'autre - le témoin l'a accusé du
vol, il n'a rien répondu - Le P^r avoit un pair
de culottes sur lui appart^t au tem - une veste d'un
gilet - les effets maintenant montés sont ceux
qui

qui avoient été volés sont ou propriété -

x

Que le P^r est le Cousin du tém. et ne le connaît cependant pas beaucoup, - qu'il est venu quelques fois à la maison, ou lui a donné à manger, & une fois le tém. lui a prêté des hardes pour aller à la messe -

Thomas Aubert de Gaspé, con. le dir. tém. de P^r que le 7 février dernier un nommé Caron et quelques autres sont venus chez lui dans la nuit, lui demander de venir prendre un homme qui avoit un couteau & qui menaçait de tuer, & qu'il avoit volé les hardes de Louis Durand que le tém. fut chez Durand & y a vu le P^r qui étoit assis derrière la porte, la tête baissée avec un couteau dans sa manche - mais tranquille - qu'il dit au tém. que s'il avoit su qu'il venoit pour le prendre, ni lui ni toute la paroisse auroit pu le faire - Que ladessus le P^r fut amené en ville - le P^r n'a fait aucune résistance -

Etienne Caron - Qu'il demeure voisin de L^d Durand qui est venu le 7 fév. chez le témoin dans la nuit le réveiller, lui disant que tout son butin auroit été volé - Durand n'a voit rien sur lui que sa chemise, et a demandé des hardes

hardes pour l'habiller & faire la poursuite de
P^r qui le tém. s'est livré et a été chez Durand
mais n'a vu personne - Qui la nuit après on
est venu le réveiller disant que l'on avoit trouvé
les hardes, & ont prié le tém. de venir aider à prendre
le P^r comme il étoit armé - ils ont été chez
M^r Garpe & l'ont réveille aussi - & de là ont été
chez M^r Durand où ils ont vu le P^r assis contre
une fenêtre, ils l'ont arrêté - le P^r disoit alors
que s'il avoit su que l'on étoit pour le prendre
on n'auroit pas pu le faire, comme ils n'étoient
pas assez de monde pour le faire - qu' alors on
lui a ôté le couteau qu'il avoit caché dans
la manche de son habit - le P^r paroîtroit se
moquer de l'accusation contre le P^r en disant
que quand il sortiroit des prisons le témoin
& son fils & plusieurs autres leur vie ne seroit
longue -

Marie Claire. Qu'elle couchoit chez M^r Durand le y feroit
du. ils ont été réveille par les chiens du voisin
qui jappoient - M^r Durand & le tém. ont sorti
sur ce que Durand disoit qu'il craignoit que
c'étoit le P^r qui venoit pour voler son cheval
ils ont été aux batteurs y ont vu le P^r qui
étoit la ~~avec~~ on lui a demandé de venir à
la maison, & M^r Durand lui dit, venez avec
moi comme deux frères à la maison - qu' alors
ou

on s'est appercu de la poche fuses de la porte de
grener de l'étable, que le témoin a pris, elle étoit
remplie d'effets - que'ils ont entré dans la main
et alors le témoin a vu que le P: portoit des
trous de La Quercy, un Capot, une veste de
un pair de culottes - elle a vu le P: avec
un couteau, avoit dessein de le lui ôter, mais
n'a pas osé - le monde s'est ramassé & le P:
fut arrêté -

x² -

Que les parties n'ont pas d'arrangement pour
les effets volés, ni ne se sont pas donné le main
devant elle. -

Verdict Guilty. -

D: Rex
Michel Scott
principal -
Michel Scott
fils accessary -

Or Indictment for Grand Larceny

and
D: Rex
Michel Scott
fils

Or Indictment for Compound
Larceny. -

The parties were tried on these two
Indictments by their Consent, before the
same Jury. -

Frank

Frank Rochon, marchand de S^t. Philippe - con. M. Scott
 fils, qui l'autonne der. pour le tem. de tems en tems
 que des effets lui auroient été volés à S^t. Philippe le
 17 ou 18 Janvier dernier, v^{ix}. six chemises de femme
 de baliste. qu'il evalue à 20/- quatre chemises de
 toite d'Irlande à 8/- 12 paires chausson de laine
 à 12/- 8 paires de bas de laine 8/- une paire de
 mitaines . 6^o - un grand Chale 6/- une nappe
 de toite du Pais 5/- 8 chemises de Cotton 20/-
 2 mouchoirs de cotton 1/- 4 bonnets 10/- quatre
 paires de bas de femme de cotton blanc 10/- quinze
 brasses de ligne de bane 6/- deux robes de flanelle
 blanche 3/- 4 essuimains 4/- ¹⁷ 2/4 verges de
~~Cotton~~ molton blanc 25/- ces effets lui appartenant
 Que le soupçon s'est levé contre plusieurs personnes -
 Que le Jemoin a entendu dire que Scott fils avoit couché
 la nuit entre le Samedi de dimanche ¹⁷ chez Mad^e Douglass
 & qu'il avoit donné une paire de souliers en charge
 pour une paire de bottes avec le fils de Mad^e Douglass
 et le tem. a vu les pistes d'une personne qui partant
 de son hangar pour gagner le chemin du Roi -
 Que le dimanche entre les 6 & 7 heures du matin
 il a vu le P^{re} à S^t. Philippe - et est venu aussi remarquer
 les pistes - Qu'il est parti vers les 3 heures d'après
 midi pour avoir un warrant de recherche qu'il a
 eu le Lundi après - Qu'il a été à la prairie
 avec un nommé Douglass pour faire la recherche
 dans la maison de Scott pere, qui étoit la maison
 suspecte - ils y ont été. et ont trouvé la les
 deux P^{res} avec la femme du pere - Qu'il en
 prevenu

prevenu les personnes pour qu'on et venoit, &
que c'estoit pour chercher pour des effets. Volis - le
preu lui dit, qu'il estoit libre de chercher par tout
à qu'ils estoient des honnêtes gens - que dans
le coffre du fils il a trouvé une paire de gants,
de ligne de vase, qui avoit servi à étendre
le linge chez le témoin - ra trouvé une paire
de chausson de laine blanche dans la même
coffre - que pendant qu'il cherchoit dans la
coffre la même est venu se passer le témoin et
éteindre la chandelle - Mr Douglass a été
la rallumer & pendant ce temps la mère a
fait un paquet enveloppé dans une jupe
de flanelle, que l'on disoit elle avoit
fourré sous un armoire - le témoin l'a retiré
et y a trouvé 6 1/2 paires chausson d'enfant
une Caline de bazar - un mouchoir de
Cotton - une chemise d'enfant, trois petits
tabliers d'enfant & un jupe de molton d'enfant.
Il a retourné au coffre y a trouvé 1 1/2 veufs
de molton, & environ une aune de flanelle
bleu - Que l'on avoit volé de l'argent de
Mr Douglass, et on a retourné à la maison
pour chercher d'en avoir quelques nouvelles de ^{son argent}
le fils lui a rendu 2 autres paires de chaussons
et un Chale. - Que pendant que Raimond
le baillif arrangeoit en paquet les effets qui
avoient été trouvés, Scott preu est sorti de la