No 4.

Indictments found and remaining for trial.—

March Term 1828.—

Dom^s Rex.— vs Jocelyn Waller & Ludger Duvernay	Indictment for a Libel— found at Court of Oyr & Termr in Novr 1827.—
Dominus Rex vs Jocelyn Waller & Ludger Duvernay	Indictment for a Libel found as above.—
Dom^s Rex.— vs James Lane	Indictment for a Libel found as above.—
Dom^s Rex.— vs Jacques Viger	Indictment for non-feasance and neglect of duty as Surveyor of highways.— found as above.—

Dom.s Rex
v.s
Stanley Bagg

Indictment for a Nuisance
found as above -

Dom.s Rex
v.s
Louis Marcoup

Indictment for Subornation of
Perjury. — Found as above

Dom.s Rex
v.s
Rosalie Smith

Indictment for Perjury. —
Found as above

Dom.s Rex
v.s
Nich.s Buckner

Indictment for Perjury. —
Found as above. —

Dom.s Rex
v.s
Louis Allard

Indictment for Perjury. —
Found as above. —

Dom.s Rex
v.s
Ant.e Aussant

Indictment for Perjury —
Found as above.

Dom.s Rex
v.s
Jn.o B.ta Cantara

Indictment for Perjury —
Found as above —

Dom^s Rex
Ant^e Paul Hüs
otherwise called
Ant^e Paul Cournoyer

Indictment for Perjury
Found as above.–

Dom^s Rex.–
Jos: Claprood

Indictment for Perjury.–
Found as above–

Dom^s Rex.–
Joseph Allard

Indictment for Perjury.–
Found as above.–

Dom^s Rex
Eloi Lavictoire
Etienne Beneche
otherwise called
Etienne Lavictoire
Jos: Constantineau

Indictment for an assault on a Constable having a prisoner in his Custody under a warrant of a Justice of the Peace and rescuing him.–

Dom^s Rex
Jos: Constantineau
Eloi Beneche, otherwise called Eloi Lavictoire–
+ ~~Etienne Beneche, alias~~
Augustin Lauriau
John Woolscamp
Louis Piccard–
Louis de Chantal
John Mc Donell
+ ~~Joseph Barsalou~~

Indictment for a Riot obstructing by force & violence the due course of an election for electing two members to serve in the assembly of this Province and assaulting & beating the Returning Officer–

= Nobill at^t Et^e Beneche & Jos: Barsalou

Dom^s Rex v^r John Caldwell & Eliz^th Petre	Indictment for Grand Larceny.
Dom^s Rex v^r John Caldwell	Indictment for stealing a Cow
Dom^s Rex v^r George Patrick	Indictment for assaulting and beating one Thomas Cliffworth an intention to murder him.
Dom^s Rex v^r Pierre Tetrau & Ducharme	Indictment for Sheep-Stealing
Dom^s Rex v^r Pierre Tetrau & Ducharme	Indictment for Sheep Stealing
Dom^s Rex v^r Geo: Bradford	Indictment for Larceny.
Dom^s Rex v^r Nathan Pierce Miranda Whitney	Indictment for Burglary.

The King
v
Dr. McNaughton

On Indictment for a libel on two Commissioners for the trial of Small Causes in the Seigniory of Argenteuil — found in Septr 1828. —

Not a hundred degrees removed from idiocy more than your Honor.

Not a single question to your friends son —

Finding there something Rotten in the State of Denmark you did not wish to probe the matter closely

If he could exchange situations with your most particular friend the Pluff, the favor would be granted without any scruple

a little brief authority is more dangerous —

Sorry to believe there was any thing preconcerted between you & the Pluff — Yet am at a loss to conceive &c

Indictments found

Mon

vr

No 5.

Criminal Court.

Sept 1877. to Aug 1878.

Before Justice Reid.

Criminal Court – Septr. 1827.

Saturday 1st Septr. 1827

Prest.

Ch. J. Reid & Justices Foucher & Pyke

The Stat. which gave five additional days to this Court, having expired on the 1st May last, and not having been revived by any subsequent act of the Legislature, the sittings of the Court are now regulated by the Judicature acts of the 34th Geo. 3. ch. 6. —

The Grand Jury being charged they retired to consider of sundry bills laid before them, and the Court adjourned till one O'Clock in the afternoon. —

Monday 3d Sept. 1827

Prest.

Ch. J. & Justices Foucher & Pyke

The King
Antn. Dubreuil
the younger

On Indictment for stealing above the value of £15 — in a dwelling house —

André Dom. Pambrun de Vaudreuil J. P. que dans la maison de Jn Bte Deguire, Notre a Vaudreuil — il y avoit certains effets & hardes de la fille du tems la femme de Ls Marcien Guillm. Dubreuil — que ces effets étoient dans un armoire fermée à clef — qu'il gardoit —

un chapeau de castor	£3
un voile de soie noire	. 15
1 Redingott de drap olive	7 10 —
1 do de drap bleu	9 —
1 Robe de soie	. 15
1 do de Crepe	. 15
1 do noir	. 15
1 pr. souliers satin	. 10
1 pr. bas de collar	. 1. 6
10 Draps de lit	. 10 —
2 do Courte pointe	1 - 10 —
1 Miroir pas dans l'armoire, dans la salle	. 10 —
1 tapis	1. —
1 Couverture d'Indienne de Sopha & 2 coulleurs	. 10 —
1 Cabaret	. 5

Dans

dans le mois de Juin dernier, il a fait fermer l'armoire a clef - 15 jours après il a trouvé l'armoire ouverte & les effets emportés - il a pris un warrant de recherche - & a trouvé une partie de ces effets dans la maison de Mr Jn Bte Deguise a Vaudreuil - dans un coffre fermé à clef au second etage - il y a trouvé le chapeau, le rotin, les redingottes & plusieurs autres effets -

X

Que l'onde du Pr restoit dans la maison de Jn Bte Deguise dans ce tems, le Pr restoit comme clerc avec lui - Que le gendre du temoin s'est enfuit du Pais - & alors il a mis Sa fem., la fille du temoin en pension - Qu'il n'a pas de connoissance personnelle que ces effets etoient dans l'armoire comme le chef lui a été remis par sa femme - ce n'est qu'après avoir été informé que les effets etoient volés, qu'il fut à la recherche des effets - Que l'on lui a dit que le Pr couchoit dans la ~~maison~~ chambre ou les effets etoient trouvés -

Que il a fait venir le Pr chez lui, & lui a demandé pourquoi il avoit disposé d'armoire & pris les effets le Pr lui dit, qu'il avoit trouvé l'armoire ouverte

François Vincent - dem. à Vaudreuil - etoit au service de Mr Deguise - la femme de Mr Marcen Dubuc y a demeuré dans le tems & occupoit 3 appartemens - elle renfermoit ses hardes dans une armoire - le tem. a vu

vu en la possession de Madame Dubreuil les differens effets mentionnés en l'Indictement — les Courtes pointes n'etoient pas renfermées dans l'armoire — il y avoit aussi un miroir, un tapis. & autres effets dans la chambre — Apres le depart de Mr Dubreuil Madame a resté à la maison, jusqu'à ce que Mr Pambrun l'a mis à pension — & dans le tems. Madme Pambrun ~~[illegible]~~ a mis ces differents effets dans une Armoire à clef — & a emporté la clef — quelques effets, comme le miroir, cabaret ont restés dans la chambre — Que le tem. a vu le Pr venir quelques fois dans cette chambre. il a essayé d'ouvrir l'armoire avec les clefs de Mr Deguire, & n'a pas pu reussir — alors il a defoncé l'armoire, & a pris les effets qui etoient dedans et les a mis dans le 2e etage de la maison — Que le Pr lorsqu'il n'a pas pu ouvrir l'armoire avec les clefs, il a dit à Mr Deguire & sa dame qui etoient presens, defonçons l'armoire, ce qu'il a fait —

Que le Pr restoit avec son oncle le mari de la fille de Mr Pambrun — son oncle avoit deja parti 3 fois du Pais, & le tem. a entendu que c'etoit le Pr qui veilloit à ses affaires apres son depart —

Defence

Jos. Am. Charlebois — le Pr est neveu de Mr Marcus Dubreuil

Notre

Notre & depuis 3 ans il reste chez son oncle — qu'en 1825 Mr Dubreuil est allé dans les Etats Unis, & il s'est absenté encore une fois — que pendant son absence, le Pr paroissoit agir pour son oncle — que l'ecrit maintenant produit est de l'ecriture du dit Mr Dubreuil, Notre (being read & contd. a power of Att3 to act for & recover debts due to his uncle) —

Con. le Pr l'a toujours connu pour de bonne conduite & de confiance —

Jn Bte Hilaire Deguire, Nre de Vaudreuil, que c'est chez lui que Mr Dubreuil s'etoit retiré depuis environ un an — pendant ce tems il s'est absenté 2 a 3 fois — que pendant son absence c'etoit le Pr qui veilloit à ses affaires — & ce d'apres les ordres de son oncle, que l'ors de son depart il a quitté sa dame dans la maison du tem. Que la femme du Dubreuil a eté mise en pension apres le depart de son mari

Il n'a pas connoissance des effets qui ont restés dans la maison apres le depart de Madme Dubreuil le Pr s'est toujours bien comportés — n'a pas vu mettre des effets dans le haut de la maison —

Verdict Not Guilty

The King
Jos: Sinclair

On Indictment for Burglary

The Defend- on his arraignment pleaded, — Guilty — and being questioned by the Court if he was aware that the charge against him would affect his life and that he ought to be advised as to the plea to be made to it — he said he was aware of the nature of the accusation, but that he was guilty, and was desired to plead accordingly The Court thereupon ordered his confession to be recorded, and appointed Mr Ryan, as his counsel to enquire if any favorable — representation could be made for the Pr

—

The King
Edward Blaiken

On Indictment for Sacrilege —

Louis Cause — Curator of the Church of Lavoray — there was a silver plate in the Sacristie belonging to the effects of the Church and used in the ceremonies of the Church — it is worth 40/- shillings — about the 24 Augt last he found the plate was missing — he had seen it in the morning of the same day — the last on this pursued after the Pr — upwards about 3/4 of a league — where he had some information respecting him — went to the house of Mr Lesage where he found the Pr and

also

also the plate qt. was in the hands of Mr Lesage — That Mr Michel Bezeau is Curé of the parish of Lanoraye and that the plate in question was taken out of the vestry of that Church on the 24 Augt —

That Wr is beadle, opens the Church door at 5 O'Clk in the morning & shuts it again at 7 O'Clk in evening and all persons may between those hours enter the Church — Does not know by what means the plate was taken from the vestry nor by whom —

Marc Bourdon — habitant of Lavaltrie — met the Pr in Augt. last at Lavaltrie — he was at the house of one Lesage, tavernkeeper, he was very much in liquor and the people of the house requested of Wr to put the Pr out of doors. qt. he did, and on this occasion he observed the Pr had in his bosom a silver plate & some bad coppers qt Wr took from him & gave to the people of the house —

Antoine Lamoureux, was at the house of Lesage of Lavaltrie on the 24 Augt. last, — heard the landlady of the house to turn the Pr out — qt he did — the Wr observed that the Pr had a quantity of money on him they had better take care of it — the woman then requested to take care of the money, the money being bad coppers was taken from him, & at the same time he saw a silver plate taken from his person — qt. with the money was delivered to the landlady of the house — does not know

to

to whom it was delivered —

The Evidence close —

Verdict Not Guilty

The King
v
Mary Fraser

On Indictment for burglary —

Paul Castle — lives in Montreal, is Carpenter lives in Griffin town where he owns a house — on the night of 5 Augt. last — between 2 & 3 o'Clock in the morns — he heard a young man call out that they were robbing his house, got up, and went to a window up, & jumped out, & found the Pr. wt something in her hand — he laid hold of her — she sd. there was a man wr. her but Ws could find no person — ~~he afterwards~~ he gave the Pr. in charge to the watchmen — when the Pr. sd she had effects in a bag under the fence they went there, & found the bag, the Pr was present.

Is certain it was the Pr. who was escaping from the house, when he jumpd out — found a Silk Shawl — value 5/ — a comb 5/ — a boys coat 5/ — and a trunk, qt — was thrown over the fence — value 10/ — the Pr. sd. that the man drew up the window and drew out the trunk — That night it was warm & the window was left open about 6 inches

high

high, but when he jumped up to go to it, the window was raised high enough for a person to pass through it — Wm. slept about 4 feet from this window, & the boy who waked him slept in another room —

The articles above mentioned, a shawl, comb & coat were in his house the night before and he found them in the hands of the Pr. when he got up —

Eleven Hutton — lived in house of last Wm. in Augt. last, about 5 Augt. last in the night he heard a noise & got up, and went into Castle's room & cried out that they were robbing his house — Mr Castle got up and jumped out at the window & Wm. after him — that ~~Castle~~ the window was raised about 6 inches when he called him & Castle raised up the window in order to get out — thinks that the Pr. must have raised the window in order to take out the articles — and drawn it down again — they came upto the Pr. who had a shawl, a comb, & a coat of a boy in her hands — the Pr. o. there was a man wt. her who had helped to raise the window & get out the things, and Wm. understood from the ~~Wm~~ Pr. that she had got into the house & was assisted by this man — she had no shoes on, that she had pulled them off so as not to make a noise in the house — & that the shoes were afterwards found in a bag under the fence — Verdict of Grand Larceny —

The King -
vs
Adelaide Vezina

On Indictment for stealing privately in a ~~Dwelling~~ Ware house. -

Edward Griffin, Clerk to Mr Bridge - who keeps a Shop in Montreal - In June last he was ~~speaking~~ shewing Mr Nimmo about some linen who asked Wm if he saw a person go out of the Shop & if he missed any thing - on this Wm followed the Pr and found a piece of linen wrapped up in her apron - One ~~Gordon~~ Corbeau who was wt Wm where she got the linen, she and she had bot it at Mr Cuvilliers - Wm recognized the piece of linen he found to be one of the pieces of linen he had been shewing to Mr Nimmo the linen was subsequently deposited at the police office, and when he made ~~the~~ his affidavit he put his initials on it, & is the same now shewn - values it at 7 dollars & is the property of Mr Bridge. - the place where it was taken is the place where goods are exposed to sale and where sales are made -

Antc Lafresniere - is one of the Constables - & as such was called to take the Pr into custody for stealing, he found the Pr at Mr Cuvilliers - when at the Police office the Pr s. that she had taken the linen, but that she had been advised to do it by her father, & was a little in liquor at the time -

Guilty of Petty Larceny

Tuesday 4th Septr. 1827

Prst

Ch. J. & Justices Fowler & Pyke

The King
Joseph Edge } On Indictment for Perjury —

John Deblois, Clerk of the Peace, on the 17th Febr. last a Summons was sued out agt. one Donegany on a complaint of his for not erecting the Cabots before his door, returnable before the Justices of the Peace — produces the information & Summons and proves the same, which were read —

17th.

This Summons was returned before the Justices on the 20th Febr — the Defendt appeared in person and was assisted by Mr Driscoll his attorney — he pleaded not guilty — on this evidence was heard — Mr Bury. Hart was heard on the part of the prosecution and the Defdt. Jos: Edge was sworn as a Witness for Defdt — he was duly sworn — by Wm The Defdt swore, on that occasion, that he knew the Defdt house in Bleury — that on Saturday he was in that Street, and that neither on the 16th nor 17th Febr. were there any Cabots in the front of Donegany's house in that Street at any time of the day — that he Defdt had been employed to level the Cabots about a week & a half before the 17th that he passed there on the 17th — and there were no

Cabots

Said on his Cross-examⁿ - that he is a painter & worked for Donegany - that he had not worked on the foot path -

Jean Ph. Leprohon, one of Just. of the Peace for this District - that he was one of the Magistrates before whom Mr Donegany was prosecuted on the 20ᵉ febʳ last for not levelling his Cahots before his property in Bleury Street - The question before the Justices was whether Donegany had neglected on the 16 & 17 febʳ last to cut down his Cahots - The Dfᵈ. Edge appᵈ as Mᵗʳ in the Cause - and swore that there were no Cahots before the house & emplacement of Mr Donegany on the 17ᵉ febʳ last

Samuel Gale. ~~Presidᵗ.~~ Chairman of Q Sessⁿ - in febʳ last there was a suit prosecuted agᵗ J. Donegany for not levelling his Cahots - it came on the 20 febʳ last before the Justices - the Mᵗʳ & Mr Leprohon - that Dfᵈ. Jos. Edge appᵈ as Mᵗʳ for Donegany and was sworn - he swore - that he was well acquainted wᵗ Donegany's ~~house~~ emplacement in Bleury Street - had been there the 17ᵉ & that there were no Cahots there either on the 16 or 17 - Had been employed to cut down the Cahots on that place about a week & half before that

was

was then in the employ of the Defendt —

Benjn Hart — Mercht in Montreal — was called as a Ws in the pros: agt Donegany before Magistrates on 20 feby last — was present when Defdt appeared as a Ws for Defdt — he was sworn — he swore that he had been ~~there~~ in that street on the 16 & 17 feby and that there were no Cahots before the house & emplacement of Donegany in that street — he also said, that he knew the property, that St Germain was the neighbour on one side, and Mr Kimbert on the other — on this Mr Gale asked Ws if he meant to speak to that property, he said he did — & this from the circumstance of Edge swearing directly contrary to what Ws had done — Edge said that he had been employed by Donegany to keep down the Cahots there & that there had been no Cahots there during the Winter —

Says he owns a property in Bleury Street, in the beginning of Jany went there & found 3 Cahots of great depth before Donegany's lot — he requested him to cut them down, qt he did — from that time up to the 17th feby about 12 & two o'Clock these Cahots were of that depth that no loaded carriage could pass — he complained to the Hgh Constable — & that Jos. Edge in swearing

that

that there were no Cahots before the lot of Donegany in that Street on the 17th feb's last swore falsely - and this knowingly and wilfully,

X.

By emplacement he means a lot or emplacement to mean all a mans property on which he lives - that Wm. has 4 Emplacements adjoining each other - knows of no enclosure that separates the lot or emplacement of Mr Donegany - thinks that Donegany's lot may contain 40 or 50 yards on the Street - that he will not take upon himself to say exactly what may be generally understood by emplacement. -

Jos: Robreau Duplessis - lived in Bleury Street in feb's last - that upon about the 16 or 17 feb's last about one half of the front of the property of Mr Donegany in that Street was in very bad order, there were 2 or 3 cahots in it very deep - and saw one loaded carriage broke in the Cahot & remained in it, it was so deep -

That

That he does not consider the property of Mr Donegany as an emplacement — that an emplacement may be of different dimensions. That Mr Donegany occupied all the ground himself — but he has known the lot on which the house of Donegany is built was leased to persons who had no right in the Verger — That Edge was in the employ of Mr Donegany last March — & that he was employed to cut down the Cabots upon the lot — & at the time he made his oath — he must have known the state of the road in front of Mr D's property —

Xd

Understands an emplacement to be a building lot — that there was a fence separating the lot on which the house is built, from an adjoining verger — That a verger cannot be considered as an emplacement — it contains generally an acre & half more or less — but a piece of ground of the extent of the Mr Donegany's verger, he would not call an emplacement — it is separated by a board fence —

That on the place where the house was erected & to 30 or 40 yards beyond it the road was in

very

very good order.

The Defend^t. general character is good

James C. Grant – was in Court when the prosecn was heard agt Donegany – that in the course of the Cause, the property of Mr Donegany was designated by the neighbours on each side, but he cannot say at what time –

X –

Understands an emplacement to be a lot of 50 or 100 feet, more or less – but not to consist of a large extent on which an orchard may be planted –

Adolphe Delisle – High Constable – in Feby last he found it necessary to institute a prosecution agt Mr Donegany for not levelling the cahots before his property in Bleury Street – he conducted the prosecn before the Justices – ~~Mr D~~ & Mr Driscoll appd for D – and Edge was produced as a Wit. & swore that there were no Cahots before the house & lot of Donegany – there was such contradiction between this evidence and

that

that of Mr Hart, that Wm asked Edge the names of the neighbours — he said, it was ~~Mr~~ Dr Kimbert & Mr St Germain — does not mean to say that Mr Edge meant to say there were no cahots in the whole extent between these neighbours, he thot so at first, but after the conversation he had immediately after the Court wt Edge and the manner the complaint, & on reflecting, he thought Edge did not mean to say so. —

That in the quest. proposed to Edge it was asked, what he meant by the lot of Mr Donegany and to describe the neighbours of the lot in regard of which the complaint was then before the Justices Edge said the neighbours of that lot were Dr Kimbert on one side & Mr St Germain on the other — Knows the space of ground between Kimbert & St Germain, all qt belongs to Donegany on the Street Bleury, and is all included by one fence without interruption on the Street & may contain 1½ acre. x

The house of Dr is at one side of the lot & is divided from the Orchard by a fence, and the house makes part of the fence —

Does not remember particularly the expressions he made use of when he asked Mr Edge the neighbours

of

of Mr Donegany's property —
always heard, that Mr Edge was an honest man. —

Mr Gale called up again says — the difference of the evidence given by Mr Hart & Mr Edge was so great, that Edge was called upon to give the extent of the ~~terrain~~ limits in question — and from the designation given by Edge it was evident that Edge spoke of the same lot although their evidence was so great —

he did not make any minute of the ~~lot~~ question put to Edge —

Mr Duplessis called up again — the neighbours of Mr Donegany's property — are Mr St Germain on one side & Dr Kimbert on the other — that the distance between these 2 neighbours may be about 2 acres, qt. includes all Mr Donegany's property in that ~~property~~ Street & is all included in one fence on the Street —

Defence —

Henry Driscoll — was employed to defend the Suit brot. agt. Mr Donegany — Edge was called as Wits for him — he put the questions to him,

he

he thinks in french, from using the words, maison & emplacement — his questions were bounded to that point — but his client told him the Cabots were in front of an orchard, but not in front of the maison et emplacement, and that as the maison & emplacement was divided & separated from the house & lot that they were quite separate things — the Wr was of this opinion, & gave him that opinion in presence of the Defendt — and the Defdt always directed his answers to the maison & emplacement but thinks that there was something of a lapse in his testimony from a question proposed to him about the limits — but at that time the questions were proposed & answered with rapidity and heat, & there might be a deviation in the answers of the Defdt —

X

understood that a question was put to Defdt I comprehends the whole of Donegany's property, when the Defdt gave his answer as to the neighbours — means by emplacement, a piece of ground without subdivision, enclosed & destined for building on it —

John Donegany — was prosecuted for not levelling the Cabots before his house & lot in the Bleury Street he has a house & lot there fenced off from an orchard & separated from it by a fence & without communication, & the house is rented separate

from

separate from the Orchard — was present at the trial of the Case — the answers of Mr. Edge were limited to the maison & emplacement

Knows Depd. for 15 years — is a man of good character —

Pre Piccard, was present in Court when Edge gave his evidence — Gives Edge a good character —

Franc. Aumier — was present when Edge gave his evidence gives him a good character —

Joseph Donizani — Knows Edge from age of 7 years always considered him as a confidential character

The Jury retired to consider of their Verdict which they did not give till next day.

The King
v.
Auguste Moses
&
Pierre Millette

Ou Indictment for stealing privily from the person. —

Thomas Leach, is a painter, & lives in Montreal, on 13 July last was seated on Champs de Mars — he had a hat on his head — he was tired & sat down to rest, fell asleep there & was wakened up by the Sentry & found his hat gone — he saw the 2 prisoners on the

bench

bench at the time he sat down on it, at the distance of about 3 yards from him — on the other side at a greater distance there were other persons seated — values the hat at 20/—

William Beattie, soldier in 71st Regt. on 13 July was sentinel on Champs de Mars — saw last Ws seated on a bench there about hf past nine he saw the 2 pns near him on the bench, Leach appeared to have fallen asleep — saw the two Pns run off wt his hat, it was the Pr Moses — Ws went to the extent of his post to stop them — he then woke up Leach stold him that his hat was stolen — is positive that it was the Pr Moses — it was a warm evening — he saw them distinctly —

X

Verdict — of Guilty agt Auguste Moses — Pierre Milette not guilty —

Wednesday 5th Sept. 1827

Prest

The Ch. J. & Justices Fowler & Pyke

The King
Nord. Schriver } On Indictment for Grand Larceny.—

George Butler, lives in Montreal, is a furrier in April last he employed the Pr— to dress some Seal Skins, the Pr— worked for about 2 weeks in a building in the S. L. Suburbs where the Skins were— when the Pr. said he had occasion to go to Quebec. & went away — after his return to Quebec he went to work again, when a deficiency was found on a certain kind of Skins which were considered the most valuable— The Skins were transfered into a house of Mr Watsons where the Pr. waked about 2 weeks more, & went away to Quebec again, but had not quite finished the work — he came back & in 2 or 3 days he completed the work when the Pr counted the Skins &c. he had delivered to Pr— a quantity of them was missing — he reproached the Pr w.th this, but the matter went over, & the Pr. set to work upon other things — Some time after this the

Wm

Wr. went to Mr Chirrien & saw some cases made wt. Seal Skins, qt. he knew to be his Skins, and on enquiry was told that the Skins had been bought from the Pr. — He was afterwards told by Mr Trudeau that he had bot. 16 or 17 Seal Skins from the Pr. There was one entire Skins and the cuttings out of about 29 more were found & carried to the Police office. — On enquiring of the Pr. where he had got the Skins he sold to Trudeau — he got from a Mr Harris at Quebec, & the number he sold to Trudeau did not exceed 9 — That after the Pr. was committed he went to the house of the Pr. and there found 3 more Seal Skins — qt. Wr. knew to be his Skins — The Pr. is a common labourer.

xd

The Skins were not counted by Wr. before the Pr. began to work — thinks the Pr. counted them after he had begun to work — the no. was ~~counted~~ carried into a book — & whenever he brot. in Skins they were counted & marked in the book — and when he brot. the last Skins, the Wr. told Pr. there was a defficiency — That Wr. attached himself more to the value than the no. of the Skins — when they were brot. in he made allowance for some that were damaged, but he never had

the

the exact number of the Skins — that some skins were damaged, but were not included in the same account with the rest, but kept separate, being dyed, & the others were not dyed. That the skins he delivd to Pr — were dyed and finished in a particular manner by the Wits and such as is not customary in Canada —

Does not recollect the exact number of Skins which he delivered to the Pr — the aut. kept was to ascertain the No of Skins the Pr brot. back finished to him. —

There were several hundred skins ~~were~~ delivered by Ws. to the Pr — but cannot at present swear to any particular number without having reference to his papers —

Cannot say how many Skins were carried to Mr Watson's from Baggs' Store — there was another man who worked at the same skins with the Pr

Franc. Trudeau — deals in furs — the Pr came to his house about 8 a 10 May, he came from Quebec & sd he had brot the skins w. him — he offered the seal skins for sale — there 5 a 7 skins gt. Pr brot. & he agreed to give a dollar a piece for them — some days afterwards he came back wt. a No of Skins, it was about the beginns of June — & Ws bot. them — the Pr came a third time, & asked Ws if he wd. bring more skins,

the

the Wr then asked the Pr if he stole the skins, he sd. no, that he gained them, by his labour & could shew the man from whom he gained — that the Wr in all bot. from Pr 31 or 30 skins — The Wr understood, that the Pr was working for Butler & when the Pr said he gained the skins the Wr understood that he had them from Butler — The Wrk gave these skins to Cherrier to make up in Caps for him & that it was in consequence of the information

×

Has known Pr for several years & has employed him for 5 a 6 years — he has often confided him to prepare skins for him & never had any fault to find wt him — the Pr has sold different kinds of skins for several years past to Wr

Always observed the same appearances on skins he bot from other persons — & when well dyed, should they come from 50 houses they must all be the same in appr — and those he purchased from the Pr had the same appr — That one Butler when he came to this Country about 3 years ago, was accustomed to give the skins a blue colour, qt is diffl from the common — but those he purchd from the Pr had not this blue tinge —

Hyp^le — Cherrier, Dealer in furs — he recd from Mr Trudeau a number of skins in the months of May & June

last

last ~~from Mr Trudeau~~ to the amount of 30
to make up in Coats — That Butler came
to town of 10th in May last, and on seeing
the Caps, he thought he knew the skins to be
his, & asked the 10 where he got the skins
who told him he had them from Mr Trudeau.
Butler then claimed the skins as his property
& had them stopped, & they were taken to the
Police Office — Trudeau & he had red the
skins from P — 10 has red skins from
Butler also to make up in caps — the
skins he so red from Trudeau were similar
to those he used to get from Butler — &
the 10 suspected they came from Butler's

Louis Marleau, keeper in the Police Office, says the
skins now produced are those he red from
Butler —

Capt Currier called up again, & have up the skins
now produced, says, the skins & caps are the
same that he red from Mr Trudeau & which
~~he~~ was claimed by Butler — the reason qh
made Butler notice the Caps was because the
lining of them was of a different colour from
what he used to employ in Butler's Caps —

+ 5 —

That Butler on opening the skins, & he thought they
were his skins — and appeared surprised when

he

he saw the skins, but did not complain that he had lost any —

Mr. Pr. has employed him, & never had any cause of complaint of him — has been long in the habit in dealing in skins, but is unable to know skins which have been dyed, without some particular mark put on them — Has never bot. skins of the Pr. ~~at diff.t times~~

Is in the habit of dyeing & dressing skins. —

Franc. Truedeau — brought up again — says, he never gave other skins to Mr Cherrier, ~~than those he had~~ in april & may last than those he rec.d from the Pr

Paschal Farmer — In May & June last the Pr. lived in the same house w.t him — 1st. when Pr came from Quebec — he saw no skins of the Pr. then brot. out him — The Pr. went back to Quebec a 2d. time. when he had some skins with him — such as seal skins dyed — qt. he had in bag. the Pr. said he had worked at diff.t places and had gained them here & there for his work — knows that when the Pr. was apprehended 3 seal skins were found under his bed — was present when Butler recognized those 3 skins as his property —

x. —

That it was before the Pr. worked at Butlers. that he saw the first skins in his possession — that before this when he lived in the 2d L. Sub. he saw similar skins in the poss.n of the Pr — The Pr. s.d he had

bot

brot. home them skins to finish them at his leisure. —

George Butler brot. up again says — the Pr. began to work for the Wr. about the middle of April last, thinks the Pr. told Wr. that he came from the Solomons & had been at work there. —

That the Wr. always pd. the Pr. for the work he did for him in money. —

Has no doubt but that the skins were produced on his property —

Defence —

Moses Davis — the Pr. for 3 years — employed him last winter — he left him in Jany. last — he went to work for Henry Solomon — he never had any cause of complaint of the Pr. — he is a practical dyer of skins — That there is nothing particular in the dye of the skins now shewn — he dyes the same & it is impossible to know skins after they are dyed — The skins are not always stretched out in the same way — the Pr. when he had no employ — bot skins & dyed them himself — he has brot. skins to Wr for sale — & when Pr. worked for Solomons — he brot. skins to Wr for sale —

— When Pr. left Wr the Pr had about 4 or 5 dollars in money. —

Peter

Peter Merckle — Wit the Pr — who has worked for him at diffr. times for 2 years — has given skins to Pr to dye — never missed any of them — W has been for many years a furrier & dyer — That he could not identify skins by the colour alone — there is no way of knowing the skins after they are dressd & dyed, but by a private mark —

Verdict — Guilty. —

The King }
vs. } On Indictment for Grand Larceny
Robert Gibbons }

Sophie Mercant, wife of Mr Lapierre a conductor of balloons — about the 19 June last she lost — the different articles mentd in the Indictment & of the value stated were in wrapped up in a bundle to be sent to be washed — she missed them next day about 9 o'Clock in the morng — The daughter of the Pr was in the house & she enquired of her if she knew of the bundle, she denied it — The Wit was told that the Pr had been seen coming down stairs with the bundle — she sent for him, but W. did not see him till he was brot to the Police Office with all the effects on him except a few which he had disposed of, & which she knew to be the same which had been stolen —

X-

W. was absent from her house the greater part

f

of the day — The articles now produced are her property — There were 8 women who lived in the whole same house — it is a tavern — and there are several people going & coming — the room was not locked where the above articles were kept —

Louise Chretien fem. de Wilbrenner — ~~The P. came~~ a stranger came to her house about the 29e June wt a bundle of cloaths for sale — she thought the things stolen, as they were dirty, on her suspicions agt this man he was — arrested by one Labelle —

She recognizes some of the articles now shewn to be the same, or similar to what was offered to her by this man for sale — she did not at the time examine them all — the apron & gown. she exam^d —

Verdict, Not Guilty.

The King
Asahel Brown } On Indictment for maiming and wounding a mare —

Charles Grahames, lives in T. of Stockley is a farmer — in June last, the Ws had a mare, gt he values at 50 dollars, she was at pasture in the night of 12 June last, & next

day

day he ~~found~~ saw the mare wounded by a discharge of shot between the shoulder and hip — she was much injured by this means — does not know by whom the wound was inflicted — he heard the report of a musket on the morning about sun rise in the direction where the mare was feeding & where the Pr usually worked, as he was neighbour to the W —

The fence between the land of W & Pr — was open in some parts —

John ~~Graham~~ Neiland — The W was requested by Mr Q. to ex. the mare —.

Warrant Serjeant, was called to ex. the wounds of the mare —

Jedediah Cook, saw mare about 8 days after the wound was inflicted — He has heard the Pr say, that if Mr Graham would not keep ~~both~~ his horses out of his Pr's field, he would not hesitate to put a charge of shot into them —

Chester Cook — has heard Pr say, if Mr Graham did not take care of his Cattle he would put a charge of shot of them — that they had already trespassed several times on his property —

Joseph St. Armand, knows that Mr Grahame had a mare wounded — heard the Pr. say that if Mr G's cattle trespassed on his land he would shoot them — That he was one day wt Pr. who sd. he did not know what prevented him from shooting again at Mr Graham's mare — This was about 20 days after the mare had been wounded — Wt understood that Pr. spoke of Mr Graham's as he never heard of any other mare having been wounded in that neighbourhood —

xd

The words used by the Pr. were, that he had a good mind to go & shoot the old mare again —

Antoine Martin — lives in the neighbourhood of the parties — has heard the Pr say if G — did not keep his cattle from coming into his fields & injuring him he would shoot them —

Verdict. Not Guilty —

The King

The King
v.
Joseph Edge

The Jury which had been confined since yesterday, came into Court and in their verdict ~~they found~~ the Defendt. not guilty.

The King
v.
Patrick Gillespie

On Indictment for stealing to the value of 40/- in a brig on a navigable River

Franl Blanchard, one of the watchmen, he was called by his comarade to assist him to arrest the Pr they did so, they conducted him to the water side where there was a sail qr he refused to take up or carry saying he had not stolen it —

Augustin Belanger, one of the Watch. — saw Pr wt a bundle of sails on his shoulders he put it down & sit down on it — Ws went up to him & asked him what he had there — he sd it was his bed — the Ws found it was a sail — asked Pr to go to the Watch house — he refused — Ws wanted to compel him —

Verdict — Not Guilty

The King. }
Louis Grandpré } On Indictment for Petty Larceny

George Smith, Tavernkeeper in town. he lost a pair of leather reins & a bridle in June last they were in the Store where they were usually kept —, the Store was open — when he first saw them afterwards was next day at the Police Office — values them at 5 Shillings —

Antoine Demers — the Pr offered to Wr a bridle & pair of reins in June last — he asked for them 7/6 — said he got them from an Englishman to sell for them — Wr led him to the Weigh house being doubtful about the Pr being the owner — Wr had agreed to give Pr 5/ for the bridle — when at Weigh house Wr asked Pr again to give the bridle belonged as he would not pay him till he had the owner of the bridle — Pr said he had it from an Englishman the Pr escaped from Weigh House but was retaken —

Jn Bte ~~Portugais~~ Dasilva de Portugais — the Pr offered the bridle reins to Wr for sale & asked 5/ — ~~to Pr that~~ he Pr. that he would tell them who gave him the articles for sale — he would buy it — on this the last Wit came up — the Pr. Pr. he did not know from whom he

he

he got the articles — that he was a little in liquor at the time — they carried him to the weigh house & there the Wr run off — and was taken —

George Smith trot. back identifies the bridle & reins to be his property & the same that were stolen —

Verdict. Guiltz ...

Thursday 6th Septr 1827. —

Prest

The Ch. J. & Justices Foucher & Pyke. —

The King
"
Augustin Goyette } On Indictment for stealing above value of 40/ — in a dwelling house —

Antoine Groux, maçon St Eustache — en Juin dernier le 10 vers le matin son lard avoit été volé de sa laiterie — il a levé un warrant de recherche & a été à la maison du Pr — ont trouvé la fem. du Pr qui disoit qu'on n'avoit pas de lard chez elle — on a envoyé chercher le Pr — qui leur a dit de chercher — dans le grenier on a trouvé un pot contenant environ 20 livres — ont

demandé

demandé au Pr. s'il avoit acheté, il a dit oui — qu'ils ont gouté le lard & le tem, & tous ceux qui étoit avec lui ont été d'avis que le lard appartenoit au Temoin — le Pr. a dit que son fils avoit acheté ce lard d'un Anglais le printems auparavant — qu'il est certain que ce lard lui appartenoit — qu'il avoit environ 130 lt. lard lors du vol — et environ 80 lt. ont été volés — qu'il estime a 12 sols — que la laiterie est entourée ~~avec~~ par la meme cloture avec la mesure de demeure du temoin —

X.

Le lard qu'il a trouvé chez le Pr. n'étoit pas arrangé pour ~~arranger~~ conserver — Qu'il avoit levé la couagne de deux morceaux du lard, & ces deux morceaux on a trouvé dans le pot chez le Pr —

Julien Choquet, ~~de~~ il a été chez le Pr. avec Mr. Groux il a pris avec lui un morceau du lard qui restoit — ont été chez le Pr — sa femme a dit qu'il n'y avoit pas de lard dans sa maison — Le Pr. arrive, & dit aux personnes de venter, disant qu'il n'avoit pas de lard chez lui — ils ont monté au grenier & derriere des quarts & dessous des linges il a trouvé un pot de grais plein de lard il a gouté le lard qu'il avoit dans sa poche — & il a été d'opinion que le lard que l'on a trouvé chez le Pr. appartenoit au Mr Groux — Que le Pr. a dit que son fils avoit acheté le

lard

Lard d'un nommé Bell — mais il n'a pas fait venir ce Mr Bell — Que le Lard ne paroissoit point arrangé comme pour conserver, mais avoit été jetté là sans precaution —

Narcisse Bellair, huissier à Ste Eustache — a été chargé le 10 Juillet der. avec un warrant de recherche pour chercher du Lard volé chez le Pr — le Pr étant au champ est venu a dit, faites la recherche — n'a pas entendu si le Pr a dit qu'il n'avoit pas de Lard dans la maison — Mr Choquet & Groux ont monté au grenier du P.r et ont trouvé du Lard dans un Pot que l'on regardoit comme le Lard de Mr Groux & Mr Groux l'a reclamé comme à lui — le Pr disoit, que son garçon avoit acheté du Lard chez Mr Bell à la Riv. du Chêne —

Le Pr étant chez Mr. McKay le Juge à Paix — il a dit qu'il ne savoit pas comment faire, qu'il avoit envie de proposer du paiement à Mr Groux pour son Lard —

x°

Que le Pr lui a dit de chercher par tout dans la maison —

Con. le Pr

Defence —

Frank Vassier. Con. le Pr depuis 10 ans, il a une terre il a toujours connu pour un bon homme jusqu'au mois de Juillet der. qu'on a levé une plainte contre lui

Michel Biroleau, etoit record avec le bailiff à la recherche chez le Pr — le Pr. est venu du Champ — et a dit aux gens de chercher — Que le tem. a trouvé le lard dans le grenier dans un pot de terre au fond le tem. l'a porté à la clareté & il y avoit un linge qui le couvroit, qu'il croit etoit pour le conserver de la saloprie — ne peut dire s'il etoit caché — le lard etant à la clareté Mr Choquet l'a examiné alors — il ne paroissoit pas caché mais le lard n'etoit pas en bon ordre — le lard de Mr Groux n'etoit pas de la meme couleur quoique de la meme epaisseur —

N'a pas entendu le Pr dire qu'il n'avoit pas de lard dans la maison —

Le Pr est un habitant qui a une terre, & peut bien acheter 20 livres de lard —

Qu'il a entendu des soupçons contre le Pr avant ce tems ici —

x3 —

N'a pas vu des quarts ni barrils du etoient le pot de lard —

George Phillips — con. le Pr depuis longtems — l'a toujours connu pour un parfait hon. hom. jusqu'au mois de Juillet dernier —

Qu'un hom. peut connoitre son lard —

Joseph Morand — con. le Pr depuis longtems. & il a toujours été considéré comme un honnete homme — Que le Pr a envoyé demander acheter du lard

chez

chez le temoin en Mai dernier — sait qu'il en a acheté — de 10. à 15 livres, suivant ses besoins — Que les habitans gardent leur lard souvent dans leur grenier —

Verdict. Guilty of Petty Larceny

—

The King
Alexr Fraser } On Indictment for Forgery —

ordered on Prs affidavit that the trial be postponed to Saturday next —

—

The King. —
Ambroise L'Abbé } On Indictment for Grand Larceny.
~~Petty~~

Charles Norway, was lately employed in a Durham boat in qt he arrived on Saturday last at Montreal — was then at the opens of the Canal — on Sunday evening after Mr Dodds boat was there — he saw a man on board Mr Dodds boat — & saw him going away from the boat with a bag on his shoulder — thinks it was the Pr — ~~the man~~ Mr & Dodds man crossed the bridge to meet this man, they carried him back

back where he had dropt the bag — but he said he was not the man who had the bag — The man he saw on board the boat w^t the bag had got out of his sight, and he cannot say it is the same man — altho' he saw no other man about there but one. That they took the man & the bag to the house of one Harris where Dodd the master of the boat was — thinks the bag was opened there — the man was left in the hands of the watch — Mr Dodd said the bag & its contents were his —

Pr is a stranger in town — he might be about 3 rods from the man when he had left the boat w^t the bag — it was then between 9 & 10 O'Clock at night — but there was moon light — Cannot say, that the Pr is the man he saw with the bag —

Joseph Dodd — his boat lies at the outlet of the Canal — he had a bag on board the said boat the different articles mentioned in the Indictm^t — saw them articles on Saturday night on the boat in a bag — this bag was brot to him on Sunday evening — his man Wm Johnson, & two

other

other men brot the bag to Mr ~~Harris~~ Herrick's about 10 O'Clock at night where Ws was with the Pr saying that they ~~had found~~ caught a man coming from his boat wt the bag on his Shoulder — the Ws recognized the property to be his, and ~~sent~~ delivered the Pr to the charge of the Police — articles same now produced —

It might be about 5 O'Clock on Saturday evening when he saw the bag & articles on board his boat — & afterwards on Sunday

Wm Johnson. was employed on board Mr Dodd's boat — after arrival of boat had charge of it on Sunday evening — he saw a man — coming from the boat and went round to meet him — there was then only the width of the Canal between them — only Ws was a little lower down — might be 6 or 8 rods from him — he lost sight of the man & when Ws came up to the Pr he d. he had been on board the boat, but it was another man who had taken the bag — the Pr was walking when Ws came up to him & towards the Ws — on this Ws passed on to see if

there

there was any other man, finding none, he came back to Pr who was then in the hands of the two other men — the Pr said he had been on board the boat & had been a fishing — they took the Pr back to the place where the bag was at a short distance from the boat — from the time he saw the man on the boat to the time he came up to the Pr there could have passed no other man besids the Pr — but will not be positive — conducted Pr & bag to Mr Herrick's — Pr denied having touched the bag — saw no other man near the boat but the Pr

xd

That the bridge might be distant from the boat about 10 or 15 rod — That while he was going round, it is possible some other men might have gone to the boat & taken the bag — but he saw none other persons besids the Pr

Deserve

Jas. Chs Grant, Attd at Law. Ses Pr for 18 years past while he lived with his brother in law he had occasion to know him particularly, and he

he then bore the character of a very honest man
she has never heard any thing of him since —

James Fraser — has known Pr. for 18 or 20 years
he was employed as a man of confidence &
always bore a good character —

Berthelemi Rodrei, one of the Jury — says
he has known Pr. as an honest man —

Bth Rodrei — same evidence —

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

Friday 7th Sept. 1827.

Present

Ch. J. Reid, & Justices Foucher & Pyke

The King
vs
George Henderson
& John Shields. — } On Indictment for Murder.

Elizabeth Kirkpatrick, lived a part of
last summ. in the house of the Pr. Henderson,
about 3 weeks — another girl lived with her, Eleanor
Hughes — That on a Sunday night the 19th

Augt. on Peter Keho, came there after night he was drinking wr. the Pr. — the Ws. was in her room, and heard a noise in the bar-room where the Prs. & Keho were — she went out to see what it was, & saw the D. & Prs. disputing that Shields struck D — and also Pr. Henderson & Hendn. cut his knuckles on the teeth of the D. by the blow he gave him — that they then wished to turn the D. out of Doors but he refused that then Hendn. took up a chisel of the Counter, & sd. he would soon settle him and struck the D. on the temple or forehead with the chisel qt. occasioned blood to flow they then succeeded in putting out the Pr. & shut the door — About an hour after the Pr. came back again wanting more liquor but they refused to give him any ~~& refused~~ ~~put~~ ordered him out again, qt. they effected in putting him out without difficulty — soon after the Ws. went out & saw the D. lying near the house of Pr. Henderson, & appeared to be overpowered with liquor — That about half an hour after this the Prs. H. & S. went out & Ws. saw them from a window go up to the D. & shaking him, said why do you lie here, if you have any money upon you, some persons will come

and

and rob you, and they searched the D but Wr. does not Kn. whether they found any money on D or not — they round him up and H struck ~~him~~ D in the back and he then fell on his face — the Prs then raised the D. up again and together pulled the D. along to the bank of the Canal, and here the Pr. came out of the house & went after them, and as she came to where the Prs were H — was dragging the D. down the slope of the bank towards the Canal, during this time Shields stood on the bank — Wr. was not above 1/2 yard from place where Shields was. The Wr then went back to the house & told the other girl Eleanor Hughes and Smith — That Wr. saw H put the D into the Canal into the water — & then she returned to the house & told Hughes & Smith that Henderson had thrown D. into the Canal —

A little after H. & S. came into the house and H. went up to his wife and said Kitty I fear I have done for that man# — on this his wife cried, but Shields appeared to laugh — Wr. went into the apartment & heard this — Eleanor Hughes was not there, & no other person was there but the Prs Mrs H. & Wrs —

or drowned him or something to that effect.

The Wrs next day observed the hat of D in the house, and told Pr. H — it was not right to have the hat in the house — on this H — took the

the hat & when he came back P. he had thrown it into the River —

On the Thursday morng after the daughter of P. H. came in & a man had been found drowned in the Canal — then W. went to see the man & recognized him to be the D — he was then lying on his back and his feet a little into the water W. came into the house, and told P. H — that the drowned man was the person he had put into the Canal — on this P. H — went down to see — & when he came back W. asked him what he thot. of it, he s. it was the same man — but advised W. not to speak of it, or it wd bring them both into trouble.

That an Inquest was held the same day on the body — H. wanted W — to go & hear what passed there — W. went there with E. Hughes but the Inquest was over —

That the distance of the house of H — from the Canal, is not the length of this room —

That Shiels assisted in bringing the D — to the top of the bank and H — drew the D down —

The D — was a young man & lived as a Servant to some Gentleman —

X

Had occupied one apartments for 3 weeks in the house of H — it was divided from the other room by a wooden partition — never represented himself

to

to Henderson as a married woman — the other girl is a Cousin of Wm — That a man used to come back & forward to see Wm — but she never let him in — That H — never ordered her to leave the house before this accusation ag^t him — did not move her effects into another room before she had said she would leave the house —

It was not a dark night — nor moon light the 19th Augt. that one Smith was in the room of Wm with Eleanor when D. came in — there were two other men there also, but they went away as soon as the quarrel between D. & P^rs commenced — these men were in the adjoining room the Shop —

There was a Candle in the room where the parties were, & also in the room of Wm —

That ~~the~~ when she went into the room there was a great noise Shield & H were abusing the D — and threatening to strike him he also was very boisterous & wanted to strike at them

That Shields struck the first blow on D — that the two P^rs had hold of D. and they were endeavoured to push D. out & D. would not go out — then H. struck him — thinks that if D. had had any mask on the temple before he was struck by H — she would have seen it — the chisel lay on the Counter — H. struck him w^t. it — saw blood soon after on face of D — after this D. was pushed out — she went to her room — remained there about 1/2 an hour — That about an hour after the D. came back — Wm came from her room & went into

the

the Shop — The D. wanted Spirits — This was refused — D. was put again — she went away — & the door shut — That after this Eleanor went to the door, and Wm soon after followed her — saw a man lying near the window, did not then know who it was — till Pss put him on his feet, when she knew the person to be the D — he was not above half a Yard from the house — That she could not see the features of D. at that time, but from his ~~feature~~ dress, and his size, she considered the person to be the same man — thinks D — wore a grey, or light coloured Jacket & trowsers —

When Wm went out after, the Pss had got the D. to the bank of the Canal, thinks from the light in the house the Pss might have seen her — She went not behind when Pss were — She did not go down to the side of the Canal, but H. went close enough to the Canal to push the D. into it — cannot say how near H. went to the Canal — saw H. push the D. into the Canal —

Smith went away soon after the Wm came back & said that the D. had been drowned in the Canal — When Pss came back, she followed them into the Shop to hear what they would say, — That Smith was then in her room with Eleanor, & Pss knew they were there — the Pr. H. told his wife, that

he

he was afraid he had drowned the man — That Shields appeard to laugh —

Henderson told her he had thrown the hat in the River was alone wt her at the time —

When she recognized the features of D. immediately on seeing D. when drawn out of the water, altho' the face got black after some time being exposed

That a day or two after the body was found, she thinks it was on a Saturday, she left the house of Prs she told the circumstances to several persons before she gave information to the Prs

Eleanor Hughes — In augt. last she lodged in house of P. Henderson, & stayed there about 3 weeks — had a room wt. last Ws — gt. they hired on the lower floor — Saw D. drinking wt. at the house in the Shop wt. Prs and Henderson's wife — first saw him about 8 or 9 o'Clock — she went into the room & first observed the D — some time after this she heard a disturbance in the Shop — there were some people in the room of Ws — but they went away — only Gw. Smith remained in the room of Ws — she did not see D. put out of the room but heard a noise as if he had been put out — heard D — come back to the door a second time about an hour or 1½ hour after — thinks he got in a second time, & was put out again, but she did not pay much attention to it — that after

this

this Wr. went out and saw a man lying down — between H.'s house & the next house along side of some boards — he was quiet & as if asleep — she looked at the man & knew it to be D from his dress — The ~~Pns came~~ Wr went into the house saw Pns go out — and H. say, you blood bugger what are you doing there, perhaps you may be robbed and ~~began searching him, as if~~ asked if he had any money about to secure what was on him — That in some minutes after H. & S. came in & H. sd to his wife, ~~we have~~ Kitty I doubt we have drowned the man, we have run him into the Canal — thinks that Shields laughed but said nothing — that Wr. cried at hearing this — That after the D was got out of the Canal, ~~she had~~ she heard that a hat which H. sd was D—'s he had thrown into the Canal —

She went down to see the body found in the Canal about 8 o'Clock in the morn — it was on his back wr. a cloth on his face — and she knew him to be the D — who had been in the house of the Pr. H — That both Pns asked if Wr. if it was the same man — She sd it was — on this H — went down himself to see and when he came back Wrs. asked H. if it was the same man — he said it was, but told the Wr to say nothing as it would bring

both

both of them to trouble — That on seeing that H. appeared to consider this lightly the observed the matter to him — he sd. they were fools to be uneasy about it —

The same evening after the body was found she mentioned the circumstance to many of her acquaintance

That there is a descent from house of H. to the Canal & the house may be at a greater distance from the Canal than the extent of this room — 'goods pass on that part of the Canal, but cannot tell the depth of water there

D. appd to be a young man — fleered complection & reddish hair.

Xd —

Had only one apartment in the house wt. Kirkpatrick

That when the D. came back the second time & was turned out, the three men who were in the room of the Wt. it was upon their going away. that she went ~~away~~ wt. them to the door, & saw a man lying sleeping near a pile of boards, very near to the window of the Wits. room — his feet near the window and his head from it close to the boards. Ws. went up to where the man was, & clarly saw the dress he wore, which was of a dark colour, it appeared to be a short coat — wt. a working apron on — knew him from his cloaths — his make and his shape —

The other Wits. looked out at the window, ~~said~~ she raised the Curtain — & sd. she saw a man — The Ws. gave a look out at the window, but could not

see

see any thing when she was —

That the other girl went and came back to say that the man was drowned — The W remained in her appartment until Henderson came back & s^d. to his wife — Kitty — we have drowned the man — She had not taken too much liquor that night — That W cried when she heard the circumstance —

She had never seen the D — before. he was a stranger to her —

She did not go into room of P^r. Henderson afterwards — but heard his wife cry & heard Shields laugh —

Did not see the hat said to belong to D —

Thinks D — had no mark about his forehead when she first saw him —

She immediately recognized the D — when she was drawn out of the water to be the same man she had seen in H^s house by his hair, his dress, & his features — which were not much disfigured —

Thinks it might be 8 or 10 days after the body was found that the W. left the house of P^r —

The colour of the coat on the body of the drowned man was dark —

George Smith — Stone Mason — was at the house

1

of the 19th Augt. last — went to see the two last work — it was about 10 o'clk at night — went into a room next the bar-room — remained there two or 3 hours — While there he heard some loud talking in the outside of the house ~~or bar-room~~ at a window between that in the room in which he was and the door — Saw some people on the outside door when he went in, but did not take particular notice, cannot say whether there were more than two persons — That about an hour after he went into the house he heard the girl Kirkpatrick say, that a man had been drowned in the Canal — Wm had been sitting up all the time — he continued upon his chair when he heard this without making any inquiry about it —

There was a table between him and the wooden partition where he sat —

That after this he heard people about the outer door cannot say whether they were coming in or going out — Did not hear the voice of Pr Henderson — that he could distinguish — heard people talking to Mrs H — but could not say whose voices they were cannot say, what they were speaking about. Has never said upon oath that one of the young women had been out and had came back and told him that a man had been drowned in the Canal —

The Wm was ordered to stand committed

on

on the motion of the Atts Genl —

X^d —

Did not observe there were any other persons in the room wt. these girls when he went in — cannot say, but some other men came in & went out again — cannot say how long they remained there — the candle was not lighted all the time he was there — There was one of the girls always in & out in the outer room — but cannot say how long she staid —

Did not see nor hear the Wk Hughes cry, when he was told that a man had been drowned — saw no one cry —

When the girl D. a man had been drowned in the Canal, she did not say how nor when. — believes the 2 girls to be persons of not very good characters, ~~cannot say whether he would believe them on oath or not.~~

Henry Clifford — lives in Montreal — knew D. by sight — found ~~his~~ a body about thursday or friday about 6 o'Clock in the morning in August last — about a fortnight ago — he took the body out the water leaving his feet in it — this was near the outlet of the Canal at the town — when he

dragged

drawed the body out of the water — he had a long blue body skirt coat on and grey trowsers — he had red hair — a florid complexion, & a young man — sent to give information to the Coroner — the place where the body was found is about 100 perches lower down the river than the house of Henderson the Dr — He saw Henderson come and look at the body — the father of the deceased came to see the body — and recognized it to be the body of his son — the depth of the Canal there is four feet and upwards —

Thomas Kehoe — is a labourer — has been 3 years in Canada — had a son called Peter who came with him from Ireland — I saw him last time at prayers in Church on a Sunday about 3 weeks ago — when he next saw him it was near the Canal, dead, on a Thursday, after the Coroner's Inquest had passed on him — & he was put in a Coffin for interment — Knew the body to be that of his son Peter Kehoe —

There was a mark on the temple of the deceased he had still his dress on — a blue long coat green waistcoat & grey trowsers —

When

when the Wt saw the D. at prayers he had no mark on his face—

He could not have recognized the P from his features—

Samuel Gale— The signature to the affidavit is his. That the signature Geo. Smith— he acknowledged it before the Wt and that the contents were true—

Barney Lynch— lives in the neighbourhood when D. was found— gave information of what he heard to Mr Gale— was directed to enquire for the young ~~men~~ women— he did so, heard from them that the man had been drowned— on this he went to arrest the Pt Henderson— found him concealed in a place like a Cellar in his own house—

He heard that Pt had been assaulted & his clothes almost torn off his back a little before—

Defence—

John

John Bromley – W. P. H. & where he lives. knows that on the day the Pr. was arrested he saw the Pr. brot. out by a man who had hold of Pr. and had his shirt much torn – the Pr. appeared to be much alarmed & had reason to be so –

John Castellow – Knew. D. saw him on the Sunday the day he was killed – he saw that the D. had recd. a small injury from a knife on the left temple about 4 O'Clock. P. M – this was immediately after the D. had received the injury –

~~Enoch Castellow~~ –

Charles Piccard – That thursday ~~8~~ 14 days the body of a man was found near the Canal in the water – he was drawn out of the water – the Coroner was advertised – an Inquest was held and sworn – ~~he was~~ the D. was dressed wt. a blue coat red hair with his face much swelled, and it was impossible to recognize his features – W. ripped up the sleeve of his coat & shirt saw no marks of violence on his arms – nor did he see any marks on his body – had the appearance of a scratch on the left side of the head – it might then be about 9 or 9½ in the morning –

The man who had found the man said he found him on the outside of the Canal – & that when he brot

him

him to shew the body was not then swollen nor the features distorted, but by being exposed to the sun it had become so—

Patrick Ryan. lives near Mr. Munn's Ship yard has known Pr. Mc— for upwards of two years— he is a Carpenter always considered him to be an honest & industrious man— also knows Pr. S— for six months has lived in same house with— Mc— and has a family was very industrious endeavors to support his children by that means—

Knew the late P. Keho— saw his body at the water side after he was drawn out of the water— knew the body to be his— particularly by a broken tooth he knew he had— & the color of his hair—

James Farrell. one of the Jury— knows Pr Shields for some years— he always had a good character as far as he knew— knows Pr Mc— also— knows nothing to his prejudice—

Thomas Madigan— knows Pr. Shields— for about 2 years— always considered as an honest & industrious man—

Verdict. Guilty, as to the Prisoner
Sentence was immediately pronounced upon them Saturday

Saturday 8th Sept. 1827.

Prest

Ch. Just. Reid, & Justices Fowler & Pyke

The King. }
Alexr. Fraser } On Indictment for Forgery.—

~~Joseph Donegani~~ -

Robert Armour - was present at the execution of the Instrument now produced, purporting to be a release and discharge from John & Joseph Donegany to the Pr. for the amount of the — ant. or bill of parcels of goods sold by said Donegani's to the Pr. — and for the forging thereto a receipt thereto in their names the Pr. is now indicted. —

Joseph Donegani - was in Copr. w. his brother in Nov. 1825 at Montreal, & then sold as such sundry goods sold by them to the Pr. — the ant. now produced is in his handwriting & is the same deld. with the goods on the 22d. & 26 Novr. 1825 — There was no receipt on the ant. at the time when it was so delivered — There never was any part. made by the Pr. to Wm or to any of his firm ~~with~~ to his knowledge of this ant. — An action was in consequence instituted agt. the Pr. for the recovery of this ant. in the Court

about a year ago — heard that Pr. had produced a receipt on the acct. to prove that he had paid it. That the receipt at the bottom of the said acct. is not in the hand writing of the Wits — nor that of his brother & partner — "Recd. payt. I. & I. Donegani" That neither Ws. nor his brother write their name wt. an a in Donegani, nor finish their name wt. a y, as stated in that receipt — and he is satisfied that the receipt at the bottom of that acct. is a forgery —

X —

He did send the bill of parcels ment. to Pr. that he never could disguise his signature in the way ment. in that receipt unless he did it in purpose —

That after the Sums. the Pr. came to the house of Ws. and agreed that all the acct. was right except some small articles, qt. Ws. was willing to give up — but did not pay — altho'. he seemed to have money upon him — Has no recollection that the Pr. called a second time — ~~When Pr.~~ Being asked, when he Pr. produced the receipt. to brother of Ws. that his brother said it was not his hand writing, & that he Ws. sd. it was his, c'est le mien, c'est le mien, Ws. answers, he never saw, nor heard of this receipt till after it was produced in Court ~~as~~ by the Defendt. in defence of the action — That a box of soap & candles had been charged to the

Pr.

Pr which had been paid without his kn. as it was mentd. pd. in the orderly book, & in consequence it was carried to Pns aut — & on Pns mentg this — the Ws. asked his brother about it, who sd. he had been paid, & in consequence credit was given for same to Pr —

— The Ws. does the business in doors. & his brother the outside — & when it is a matter of consequence they consult together. — That the Sent was — instituted by his brother's orders — Believes the salt was delivered to Pr as far as his recollection & books of aut. state —

John Donegani, brother of last Ws & was in Co. wt him before & since 26 Nov. 1825 — has no personal kn. of the delivery of the articles, but the Pr agreed wt Ws. for the sale of a part of them — & the Pr afterwards admitted having received them all. — That these articles are still unpaid, either to Ws or to his brother or to any other person authorised to receive it — The words — at the bottom of the aut. now shewed is not his handwriting nor that of his brother — vizt. words "Recd. payt. I & I. Donegany". — That their signature is not made in this manner, they sign. Donegani wt. an e & the last letter i. — is satisfied that these words & receipt. are a forgery. — That same time in June last he first had a kn. of this receipt — Our action was instituted an action agt. Pr — he came to the

house

house of Ws and acknowledge the amount of the aut except some salt & a box of soap & candles he offered to payt. & Ws. sd he would receive payt if he would give up the bon he had given him for 100 Mrs salt or an acknowledgt that it was lost — the Pr. sd he had not suffl money then on him but wd call in hf an hour he would call & pay it — The Ws remained at home for several hours after but the Pr never came back to his knowledge — When Ws saw the receipt in question it was in the hands of Mr Driscoll, & the the Pr & his counsel, McKoi, were present at the time, when Ws saw the receipt the Ws sd immediately that it was a forgery. — & directed his counsel to treat it accordingly — that Pr at that time had a perfect kn. that this receipt was produced as payt on his part, but said the receipt was good and that he could prove it. —

xd —

In May last Ws requested of Pr to come to his house to speak to him — the Pr came there with another man spoke about the ~~balce~~ aut. when Pr sd he owed only a balce of about £20 — saying he had receipts for the rest, and would prove it —

That he never disguises his signature — Has a kn. that Pr has recd receipts for paygs made to the brother of Ws on other accounts —

Never saw his name written in the way the receipt mentions — not written by him, nor by his brother — nor by any other person authorised to give receipts for them —

James

James Lavert — was once a Clerk of Donegans & is familiar with their handwriting — in looking at the words purporting to be a receipt at the bottom of the inst. now produced, is not the signature of either of the Donegans — remarks difference in the two letters a. & y which they never use in writing the name Donegan — it being thus written "Donagany" —

William Eidson. Has the Donegans — from his infancy knows their handwriting familiarly from having seen them often write — that the name subscribed to the paper now produced is not produced to either of the Donegans — and there is a difference in the orthographic appearance of the letters a & y —

Has seen the receipt in question — Does not think a person wishing to counterfeit the signature of Donegan would commit such a gross mistake as to write an a for an e nor a y for an i. —

William Spooner Phillips — has been Clerk to Donegans nearly 4 years — has often seen them sign divers their names. & was familiar w[ith] their signatures — & that the signature at the bottom of the inst. now produced is not in the handwriting of either of the Donegans. —

Wm Watson — has kn. the Donegans since his infancy — has often seen them write & sign their names — and that the signature to the receipt now produced is not in the handwriting of either of them —

John Mathieson – has known the Donganis for more than five years – & that the receipt now shewn is not written by either of them from the ter. he has of their hand wts

D. W. Eager – Merchᵗ. Wo. Dᵒⁿ – knows their handwriting by having often seen their writi & that the signature in question is not in their handwriting –

Robᵗ. L. Morrogh. is Prothᵒ of K. B. & as such has the custody of the Record in a Cause in qᵗ. the Donganis are Pltffs. and the Pᵗ. Defendant. This action for goods sold & delivered for the amount of £71. 13. 11½ – The Plea denies the debt – among other pleas, there is that of payᵗ – & that he owes only the sum of £19. 15. 9½ hours fᵗ the balance – There is a list of Exhibits filed by the Defendᵗ. the first of which is an account, stated to be an account receipted, and the actᵗ. & receipt now produced is the same referred to in the list of Exhibits so filed by Defendᵗ –

Francois Roi, attᵒ at law, he was the attᵒ for the P. in an action instituted by the Donganis agᵗ the Pᵗ – the paper now produced to him was filed as an exhibit on the part of the Defendᵗ – in the cause – and he had occasion to see the paper afterwards in the record – This paper he received from the Defendᵗ.

the

the Pr. at the bar — in support of the defence he made to the action —

x̄ —

Pending the suit, Mr Driscoll pltfs counsel made much exclamation on seeing the receipt the Ws had so filed, thinks it was in April & May — this Ws communicated to Pr. & he requested Ws to return him the receipt, in order that he might shew it to the Donegani's, & to other persons who had the handwriting of the Donegani's qt Ws did, and it was afterwards delivered back by Pr. to Ws and he put it back into the record.

xx̄

Thinks that Mr Driscoll spoke of the receipt being a forgery — and thinks he told the Pr. of this objection being made to the receipt —

~~Being asked by Pr.~~

Henry Driscoll — atts of Donegani's in Feby last in the suit agt the Pr. — the paper now produced was put on the record of one of the Defendt Exhibits — he first saw it some time after it was filed on 2d April 1826 — this paper was relied upon as evidence on the part of the Defendt — who was present with his counsel, Mr Roe about 17 & 18 May last — at the Enquete — That Jno Donegani who was present maintained that the Receipt was a forgery — & the Pr. maintd the contrary & was the signature of Jose Donegani — qt Jno denied. but Jno Donegani admitted another receipt filed in the cause to be his signature & requested the persons then present to compare the two together. —

x̄

That Donegani admitted there was two articles, soap

&

& candles for qt. P. had not rec. credit, & told Ws. to give him that credit —

The P. came to his house & objected to the object of Salt as not owing it —

Cypriere ~~Lepherin~~ Peppin — In Feb. Notary lives near the P. & ks him since last Winter — In June last about the 5th a beginning of summer P. told him there was an action pending ag. him in the Civil Court he requested of Ws. to come to Montreal w. him told Ws. that the sum he was sued for was £70 or thereabouts — the P. promised Ws a reward if he would be useful to him in that cause, to give him an emplacement at the belle riviere — the P. wished the Ws. to say, that being one day at D's he D — sh. have ask. where he lived, he sh. have P. at St Scholastique — on this that D was in proces w. P. & if he knew it. & that Ws sh. say — & that on this Dony's was to say, that if P. w. pay them about £19. & the half the Costs they would give him a discharge & withdraw the Costs — and that he was also to say, that he had seen P. in town & had deliv. the Message — That Ws. was to ask the reason why P. did not them — ~~was~~ & that D was to say

that

that it was because the D. had sued him a day too soon — and that the W should come & swear all this in discharge of Pr & on his doing so, he was to get the emplacement at belle-riviere — Pr spoke of a Receipt filed in the cause qt was to operate as payt. of so much, thinks the receipt was over £30 —

The Ws was then on the way at Montreal in company wt Pr — & it was on the way he made this proposal to him — they arrived in Town — and Ws knows that Pr made an application to the Court to have Ws heard as a Ws in the Cause & served a Subpoena on Ws to appear on 11th June — Pr came to his house on 10th to bring him to town to give his evidence on 11th — the W excused himself — on acct. of Sickness — the Pr came at all events, I am going to settle with the D — & the cause will not appear in Court The Ws came to town — & parted at St Ant Sub. in order to avoid suspicion as Pr. s. and Pr went to put up his horse at Boudreau's & Ws got out of the way so as not to appear Heard that Pr looked for him all that day, & found him next day in bed — Pr. s. he should not escape that day — breakfasted together. & Ws was brot. into Court to give his evidence —

he

he began his evidence but not on oath, & he did not mean to take his oath — on this the Wt went down stairs & asked Mr Delisle how he should act, as he had been sollicited to make that Declaration by Pr —

The Pr also said that he had procured two other men as witnesses for him in the same Cause — and as Wt understood, witnesses whom he had subarned — further sd that if those witnesses had not ~~been~~ made a mistake and mentd ~~fi~~ January ~~sen~~ instead of Feby he wd have gained his Cause —

Since being in Gaol the Pr has sent for the Wt he went there — when he reproached Wt that it was his fault if he was in Gaol that there was still a means for him to get off, that it was for the Wt to continue the declaration he had already made, and to say it was the Donegani's who had endured him to retract what he had said, by saying his deposition was false —

x

Has known the Pr since last Winter, & has had some transactions with him he made a sale from one Bazinet of moveable property — this was last fall — Wt has been at St Scholastique

since

since July last year —

He spoke to Wr. of a receipt he had filed in Court for about 30 £ wt. the D— sd was a forgery. — That Wr. understood that by Ms proving what Pr. proposed to him, the P. was to gain his Cause —

Defence —

Chas Simon Delorme, Ks Pr. for a long time, that he has answered for him to several persons, & he has always pd him & he knows nothing ~~but a~~ but a man of good conduct of character

He is realated to Pr —

Charles Roi — for 2 years past the Pr has had dealings w him ~~for 2 years~~ & never had any dispute wt him & he never attempted any fraud —

Gabriel Franchere — Ks Pr. for 10 years, he never had any dealings wr him but his son has had, & he understood that he always settled amicably with him — & Wr. considered him as an honest man —

Joseph Ouimet, has a Kn. of the affairs between Mr D. & Pr that one day went into Mr D. to ask Charity — that he went into the room, & that Mr

D

D. & Pr. were counting money — £38 — some shillings, this was on the 25 Novr. year before last — that Pr. then asked the receipt of Mr D — when D. took a sheet of paper, on which he wrote a receipt, folded it up, and delivered it to the Pr — That it was Jos. D. who gave the receipt that he was in that state of from liquor that he could scarcely stand —

x

Qu'il quete son pain — is now lodged in the lower part of the gaol — that he has had occasion to speak a little wt the Pr since he has been there — That the house of the Donegani has 3 Stories — in the St L. Suburbs —

That he knows the day, to be the 25 Novr. 1826 from the circumstance of his daughter having died the day before —

Defence closed —

Jos. Donegani brot. up again — That the house in qt they carry on trade is in the Rivollet Sub. it is three Stories high — he never lived in the St L. Sub — That there is one door qt opens from yard into the Kitchen — from that there is a door that leads into the Hall or passage, there is no door qt leads

leads into any sitting Room —

Has seen the last Wr at his Shop — on the 25 Novr. 1826 — no sum of money was pd to him by the Pr — nor any sum of money whatever since that date — nor did he give any receipt therefor to Pr —

+

There is a small room off the Kitchen, but into qh there is a communication from the Kitchen — in this room there is a soffa & bureau

Wm S. Phillips — while in the service of the D — never saw Jos. D. the worse of liquor during all the time he was in their service —

Adolphus Delisle. High Constable — Ks. Wrk. Ocumet, he is a drunken man, a beggar, & a vagrant, & generally passes 6 months of the year in the House of Correction —

Jn Ph: Leprohon — J. P. as commissary of the House of Cor. ~~has~~ it has been under his care — the ~~Pr~~ Wrk — Ocumet has been committed twice to House of Correction one in 1825 & one in Septr 1826 — many complaints have been made agt him as a dangerous character —

Antoine Lafresniere, Ks the Wrk. Ocumet — who is a man of bad character — he has arrested him several times & carried him to the House of Correction — he is not a man to be believed on oath —

Verdict. Guilty —

The King
v.
Edmund Burke } On Rule Nisi —

King
Max. Millar } Mr Grant for the Pr. S. that it was necessary that the identity of the person should be made out —
1 Leach —

Monday 10th Septr. 1827

Prest.

Ch. J. Reid & Justices Foucher & Pyke

The King
v.
Nathan Scoffield } On Indictment for maliciously & feloniously Shooting at one James Gardner. —

James Gardner, lives in Henchinbrook — That about the end of July last, he was at his house taking a drink of water, when he saw a man who told him there was a warrant out agt him for an assault & that he had better settle the matter, gt Ws. sd he intended to do, — that at this moment he saw a man coming out from among the corn with a gun in his hand, and on this suspecting he had a warrant, the Ws set off running, to escape from him. in order to get to the village to get bail,

on

on this the Pr snapped his gun, at him — the Wr still run, the Pr snapped his gun a second time — the Wr still run, but stumbling a little the Pr called out to him, stop, and find his gun immediately at him — which bro. Wr to the ground, is sure it was leaden shot, the gun was charged with, and struck Wr on the leg and side of his body he did not know Pr to be a constable, nor did he tell him he had any warrant of him —

Has heard that the Pr is a desperate man — When he saw the Pr coming through the Cour. he told the man he was speaking with, that if he was not a Constable, this is is one — Wr had run away from the Pr 2-3 days before having heard he had a warrant of him — There was a woman who lived in the house of Wr when he was running from the Pr who called to Wr to get his ax. —

Defence —

John Hunter — Lieut. of Peace for the District — on a complaint lodged w him by Peter ~~Marshall~~ Faubert of the Pr for stealing a Scythe — he gave a warrant to apprehend the said James Gardner, addressed to the Pr to execute it — the warrant being produced was read. The character of Jas Gardner, is not the most respectable — Wr delivd warrant to the Pr to execute it — Never heard any thing of the Pr —

The W. is considered as a man of desperate character — Has heard it said that Gardner had declared he would never be taken alive

Robert B. Hudson, was present wl Pr when he went to arrest Gardner about the 24 July last — Pr called on W. to assist in takg Gardner — he went first, & sd he would advise G. to relate business that he went up to Pr. & was speak's to him when Pr made his appn on this G — pushed the W. aside & run off. the Pr called to him to stop, but G. did not listen to him but run on — and gaining the woods. the Pr after having snapped his gun at him — & at last fired at time G was falls qt was the cause the shot struck the sd Gr so high —

That ws. told G — that Pr had a warrant agt him before Pr came up to him —

Never heard any thing agt the character of the Pr —

Had heard that G — had said he would not be taken alive —

Verdict. Not Guilty —

The following sentences were this day pronounced on the Convictions had before the Court during the present Term.—

The King vs Jos: Finclair } On Indictment for Burglary—
Judgt of Death was recorded, but not pronounced at the Pr.

—

The King vs Mary Fraser } On Conviction for Petty Larceny
Judgt 3 months Imprist. in Gaol.—

—

The King vs Adelaide Vezina } On Conviction for Petty Larceny
Judgt 6 months imprist. in Gaol

—

The King vs Auguste Moses } On Conviction for stealing privily from the person.—
Judgt of Death was recorded agt the Pr but not pronounced.—

—

The King vs Nodl Schriver } On Conviction for Grand Larceny
Judgt 6 months Imprist. in Gaol.

—

The King Ant.^v Goyette	On Conviction for Petty Larceny Judg^t — 3 months Impris^t in Gaol
The King Geo: Henderson John Shields	On Indictment for Murder — The sentence of death pronounced on the P^rs the 7th inst. was respited to the 21st
The King Alex^r Fraser	On Conviction for Forgery Judg^t Death — ex. on 19 Octr next
The King L^s Grandpres	On Conviction for Petty Larceny Judg^t 3 months impris^t in Gaol

March Term 1828.

Saturday 1st March.

Prest.

Ch. Justice Reid
Mr Justice Foucher

The Grand Jury having been sworn & charged, withdrew to consider of the bills laid before them. —

The Court adjourned to one O'clock in the afternoon —

And being again assembled at that hour the Grand Jury returned several bills of Indictment on which the Prisoners were arraigned. —

The King v Constantinau & al — } On certiorari to bring up Indictment from the Court of Oyer & Terminer found there agt the Defendants for Riot. —

The return having been made, the Defendts were called upon to plead — They asked for a copy of the Indictment, which was refused to them — they then pleaded severally, Not Guilty, and demanded to traverse — This was objected to by the Attn Genl on the principle that were proceedings are brought

before

before the Court by Certiorari, there can be no traverse allowed —

Mr Mondelet cites 1 Chitty. 486 —

The attys Genl. cited p. 487. of same book & contra

Monday 3d March. 1828. —

Prest

Ch. Just. Reid

Mr Justice Foucher. —

Doms. Rex. vs Constantineau & al — } The Court were of opinion that the trial of this cause could not be had until 15 days after the teste of the Venire —

The King vs Jerome Bisson } On Indictment for uttering Counterfeit money —

Emelie Tavernier, ks Pr — On the 5e Jany. last the Pr. brought her a half dollar in payt. for apples, at the time she observed that it was bad & told Pr. so — that she understood from her servt woman a counterfeit 4 dollr — the Ws. was on her guard & told Pr. it was bad — he sd. it was good & that he had got it from a man for sawing wood, she told him to go the man & bring him

him, he went out & returned saying, that the man had told him, that as he had taken the money he must keep it — the Wr kept the money & the Pr returned several times, saying he could not find the man who had given him the money — the Wr gave the 2 pieces of money to the Police office —

Having employed the man for some time to sell apples & he always conducted himself as an honest man — that at first the Pr said he did not know from whom he had got the money, but he afterwards sd he got it from our Charlay — Pr has lived in her neighbourhood since last fall & came from the Country — that these people are not not much acquainted with money & may be deceived —

Phœbe Charlaud, lived at Mad. Gamelin last Wr in Jany last — The pr came to Mrs G's to buy apples in Jany last — he owed 11 coppers, & gave Wr an ecu, & as Wr had no change & Mrs G. not being in the house, the Pr told Wr to keep it till Mrs G. retd — Mrs G. sd it did not appear to be good, but put it by with her other money —

The Pr was in the habit of buying apples from Mrs G — & pd for them —

James Prest, clk in Police office — produces the 2 hf dollrs deposited in the Police office by Mrs Gamelin —

Adolphus Delisle, Ch. Constable — ~~after~~ the day before the Pr. was arrested, he told Ws. he had got the two hf dollars from a man in the Recollects Suburbs for sawing wood, but could not find out the man — We asked Pr. if he had not ~~known~~ recd. the money from Charley, he sd he did, That Charley is a man of bad character & several 17 pieces of bad money have been taken from him about the time the Pr. passed these pieces —

Defence —

Hyacinthe Daigneau of the parish of St Constant the Pr. is from that parish, has kn. the Pr. for about 15 years — he has left the parish last fall — always considered the Pr. as an honest man — The Pr. is a poor man & he may be deceived in taking bad money, as well as many others — & this happens in the Market & in other places, that the people are often — deceived —

Jn Bte Nicquet. Hs Pr. for 10 a 12 years — always considered him as an honest man — has had dealings wt him — Thinks a poor man like the Pr. might be deceived in taking such pieces of money as that now shewn —

Jn Bte. Cazavan — is a mercht. or clerk for 9 years past.

That

That he has been in Shops when they took some Thous.d pounds in the year — he has been deceived in taking bad money, as well as many others —
That such pieces as those now shewn might easily pass in a Shop — & Country people not in the habit of viewing the money, might be deceived by it. —

P
Has not the least doubt but those pieces now shewn are bad — but he might take them if he did not ex. them —

Verdict. Guilty. —

Dom.o Rex
vs
Michel Ainse
&
Veronique Lesieux
his wife —

On Indictment for a misdemeanor in receiving stolen goods —

Susanne Lesieux, dem.e a St Cosaire — con. les pris.rs — vers les 15 ou 16 Dec.r der. elle etoit chez les Pr.s à la Pte Olivier — le soir vers les 8 ou 9 heures un nommé Jn.h Bte Fontaine a dit qu'il voulait voler des volailles chez Monat, la fem.e Pr.e a dit un mouton serait bien mieux que des Volailles — lad.e Fontaine est sorti & est revenu peu de tems après et a apporté un mouton qu'il a laissé à la porte & a dem.e aux Pr.s si ils voulaient recevoir sa chasse — alors les Pr.s & Fontaine ont tué le mouton,

alors le mouton a été débité, partagé entre les parties et le Tem. a eu part — qui Fontaine sachant qu'une poursuite se feroit, a cédé sa part au témoin — Que le tem. a été faire sa déclaration environ 3 Semaines après — Fontaine a dit avoir pris le mouton chez Pre Monat —

&

Le tém. est la Jour de la Pre — il restoit chez elle — ou elle étoit par charité — Est sortie de la vers 3 Semaines après — on a eu de difficulté ensemble — a été faire sa déclaration contre les Pres après être sorti de chez les Pres Pre Monat — dem. a la Pre Olivier — en Deux Der. les Pres Monat ses voisins — vers ce tems il a perdu un mouton, il a suivi les pistes — a soupçonné le nommé Fontaine — il l'avoit engagé pour 15 Jours a resté que deux Jours — il fut chez la Pre ou restoit Fontaine — a pris deux hom. avec lui a dit à Ainse la Pre qu'il a soupçonné Fontaine — a demandé a chercher chez le Pre le Pre lui a dit d'attendre après la Messe qu'il le prendroit pour faire la recherche avec lui — mais Ainse n'est pas venue — alors le tem. s'en fut avec ses deux hom. — a trouvé Ainse chez son beaufrere, qui a refusé de la laisser chercher,

2me

Que le lundi Fontaine s'est sauvé — Que ladessus le Pr ainse apres qu'il fut en prison, a dit au tem. qu'il auroit préfué avoir donné une vache & de le laisser tranquille — que c'etoit la faute de sa fem. s'il ne l'avoit pas avoué — la fem. a dit qu'elle vouloit que son mari l'auroit avoué le soir meme — que la dessus les Prs lui ont proposé de rendre la peau de la moutonne & la fem. lui a offert le savon qu'elle avoit faite de la ~~graisse~~ suif. —

X

Que le tem. etoit consentant d'arranger l'affaire si cela pouvoit se faire — croit fermement que les Prs avoient connoissance que le mouton etoit volé dès le moment

Pre Bluteau, ~~[illegible]~~ a arrivé chez les Prs vers le midi lorsque la Pre lui a dit que Fontaine avoit pris le mouton & qu'il etoit chez eux — le soir elle ~~ont~~ a dit qu'il falloit oter le mouton du puis ou elle etoit, & le tem. l'aidé & ils l'ont porté au grenier & mis dans la huche —

Verdict. Guilty ag^t both

Dom^t Rex
v.
Jerome Maillé

On Indictment fu Petty Larceny –

Pr Goguet, dem. paroisse St Marie – à la fin de Janvier der. il a perdu deux poches de toile, qui etoient chez Capt Roe – valant 2/ chaque il les a trouvé dans une traine ~~appartenant~~ ou etoit le P^r un nommé Montpellier & Ant. Gauthier ces gens avoient eté chez Capt Roe – il a perdu en même tems une boete à tabac, qui etoit dans la meme chamber, il a eté trouvé dans la poche du P^r – peu de tems apres – vaut 2/ –

Il a reconnu ses poches immediatement qui etoient visibles sur la traine ou etoit le P^r La traine appartient à Antoine Gauthier – Que le Kallin lui a remis les proches – La tabatiere a eté trouvé dans la poche du P^r

Antoine Gauthier – dem. à St Philippe – a connoissance que le tem. avec le P^r & Nic. Dupuis & Montpellier dans une traine qui lui appartenoit & le P^r & Dupuis demandoient l'aumone – le P^r a demandé l'aumone chez Mr Roe – etant la, Dupuis a dit au tem. d'aller a la traine querir une poche – non le P^r a dit j'ai deux poches la en montrant deux poches qui etoient sur le sopha – le tem a objecté, mais le P^r – les a pris, & les a mis dans la traine – & on est parti & s'est rendu

au

au village — ou Pr Goguet est venu reclamer les poches, & un boete à tabac, que le temoin a trouvé dans la poche de veste du Pr —
Le Pr n'a rien dit quant on a reclamé les poches & la tabatière —

Verdict Guiltz. —

Dominus Rex
vs
Luc Courville } On Indictment for Burglary. —

Louis Beauchamps, dem. a Ste Therese, est tanneur, a la une maison & hangard — le hangard est au pignon & renfermé dans le meme enclos avec sa maison — il avoit vers le 20 Oct. der. ~~en~~ environ 60 peaux, le soir il avoit fermé la porte de son hangard a cadenac, il n'y avoit pas d'autre overture dans le hangard que la porte, le mercredi auparavant le Pr est venu chez le Tem. pour vendre des peaux, comme on lui a rapporté, le lendemain matin il s'est apperçu que la porte du hangard avoit eté forcé, il manquoit cinq peaux de boeuf — un tanné valant 20/ — appartenant à Mr McKay — un autre à Franc Aubin 15/ — un a Desjardins valant 5/ — et deux appartenant au temoin un 16/ & l'autre 15/ — Que le mercredi auparavant le Pr lui avoit vendu 8 peaux, mais n'en a livré que 7 — dont un etoit reclamé par Seraphim Bastien — Que le samedi

le

nommé Fleurant est venu lui demander s'il avoit acheté des peaux du Pr. cette homme a dit qu'il lui avoit volé sa vache mais n'en a pas reconnu la peau — Le temoin fut à la recherche de ses peaux il a sçu que Mr Blondin avoit acheté du Pr. une peau, il fut chez lui & a reconnu un des peaux volés qui appartenoit au tem. — Alors il a fait arreter le Pr. ou il a demandé pardon au tem. & a dit s'il etoit riche. il donneroit 20 piastres pour rester tranquille — Que le Pr. a été reconnu pour la personne qui a vendu la peau à Blondin —

F. —

Qu'il avoit fermé son hangard vers les 6 heures du soir et faisoit jour alors — La peau de Mr Kay — etoit marqué. comme toutes les autres — & il les reconnoissoit —

Que le Pr. lui a dit lorsqu'il lui a vendu les qu'il etoit du nord — ce qui n'etoit pas vrai — Qu'apres que le Pr. fut attaché, il a commencé à pleurer, et a offert 20 piastres au tem. pour le laisser tranquille —

Guillaume Blondin — dem. à St Rose environ une lieue de chez Beauchamps — l'automne dernier le temoin a acheté une peau qu'il a offert a vendre au temoin — a demandé 2 piastres — le temoin lui a offert 7 francs — et

faisoit

faisoit alors la peau Gt — & enfin le ceda au temoin pour 7tt — Trois Jours apres Beauchamps est venu reclamer la peau, & en a depeint les marques — est bien certain que c'est le Pr qui lui a vendu cette peau —

Que c'etoit vers les 15 ou 16 Octobre der. que le Pr est venu chez lui vendre la peau —

Josette Viau, fem. de Constant — demeure au village de St Thurs — le Pr est venu chez elle en Octobre dernier le Soir — elle etoit couchée, & s'est levée — il pouvoit etre alors vers une heure du matin — elle avoit peur — elle lui a demandé son nom, ne se rappelle pas du nom qu'il a donné — il a couché la mais paroissoit en peine — s'est couché là, & est parti le matin vers les 6 ou 7 heures —

Jn Bte Joseph Labelle — dem. a St Thurs — à un arpent & demi distant, en Octobre dern. il a trouvé un peau tapié avec un petit bœuf dans sa grange enterré sous trois pieds de foin — c'etoit environ 3 semaines apres le vol, au tems duquel la maison du tem. etoit vuide — personne n'y demeuroit — que le Lendemain Beauchamps est venu reclamer la peau — et l'a reconnu —

Louis Beauchamps, brot. up again says — that up to the time he went to bed, qt. was about Ten O'Clock his hangard was not broken open —

Verdict, Not Guilty of breaking in the night, but guilty of Stealing as laid in the Indictment. —

Dom^s Rex
v^s
Gabriel Charron } On Indictment for Grand Larceny —

And^w Rainsford lives at Lapsaire. on ox about 16 a 17 Jany last his barn was broken open & about 18 bushels were taken — about 2 a 3 days after the P^r was brot. to the house of W^s as the person who had stolen his wheat, the P^r acknowledged he had stolen the wheat in the night time with another man they then carried him before the Magistrate — valued wheat at 2/6 — The avowal was made in French q^t — W^s does not understand but was told he had acknowledged the fact by one Berthelet — but understood enough of French to understand what P^r said. —

Cannot repeat the words used by the P^r that he employed Berthelet as an interpreter that he might be better apprized of what was said — Cannot say what passed before — there were a number of persons there ~~were~~ all talking together, — when P^r made this avowal — It was from what the P^r

said

said when at house of Wk. Lafleuvard at the house of the Magistrate, McKidd — That he thinks there was something of a promise held out to the Pr. before this to induce him to confess that one Ryan told Ws that he had told ~~him~~ the Pr. that if he would confess his guilt he would be allowed to go at liberty —

Jousse Beaudin — Sergt. milices a Chateauguai ou le Pr. demeure — a eu occasion de faire une recherche chez le Pr. en Janvier dr. pour du bled volé chez Jos. Poupard — Il y avoit chas Beaudin & Jos. Lemieux avec lui — Le Pr. leur a dit de chercher & s'il y avoit quelque chose à eux de le prendre — Poupart cherchoit sa marques de ses poches mais n'en a pas trouvé mais dans sa maison ils ont trouvé une quantité de bled, & on lui a demandé, se il avoit volé de le dire, — la dessus il a dit, oui, nous l'avons volé chez le Capt Rainsford, & qu'il l'avoit pris dans ses batimens — qu'un nommé Deprés etoit avec lui — qu'ils ont arreté Deprés, mais il a echappé après — le Pr. a dit que c'etoit un Jeudi à Soir — en Janvier —

Le Pr. leur a mené ou etoit le bled — a dit qu'il iroit à l'endroit d'ou il l'avoit pris, & qu'il rapporteroit chez le Capt Rainsford —

Qu'on a dit au Pr qu'il seroit mieux pour lui d'avouer ce qu'il avoit fait, et que s'il etoit dans le besoin —

Verdict, Not Guilty

Tuesday 4th March

Prest
Ch. Justice Reid
Mr Justice Foucher

The King
Franv Belleville
dr Flibotte —

On Indictment for Burglary —

Hyacinthe Amaranger, dem. a Vaudreuil, que dans le mois de Juillet der. sa boutique qui est distant à environ 3 perches de sa maison ayant fermé la porte de la boutique entre les 9 & 10 heures du soir — le lendemain matin la contrevent fut trouvée defoncée & ouverte, & un fusil & corne à poudre ont eté emportés — le fusil valoit 16 piastres & la corne à poudre valant 1/ — le fusil appartenoit au Sauvage Canon Dick — Le temoin a eté chez Groux qui avoit acheté le fusil & qu'il a reconnu etre le meme qui avoit eté volé de sa boutique —

Que le Sauvage lui avoit remis le fusil pour le

le racommoder – qu'il avoit resté environ 15 Sous entre ses mains – il reconnoit bien le fusil – il avoit le nom cassé. –

Franc Groux – de Benoit – En Juillet der. il a acheté un fusil du Pr avec la Corne pour deux piastres au bout de huit Jours un hom. vint demander si le tem. n'avoit point acheté un fusil, et deux Jours apres le Sauvage d'Amarangen & deux autres hom. sont venus reclamer le fusil, & l'ayant depeint, il leur a rendu – Qu'il a declaré le Pr comme la personne de qui il avoit acheté le fusil – le Pr disoit qu'il venoit de Quebec, & qu'il avoit reçu le fusil en partie paiement de ses gages –

Qu'il n'avoit jamais vu le Pr qu'une fois – auparavant, à la distance de dix mois qu'il avoit acheté une hache de lui – Qu'il croyoit que 10f. etoit la valeur du fusil. –

~~Olivier Racicot~~

John augustus Mathieson, Lieut. of Peace, lives at Vaudreuil – the took the exn. of the Pr on the above charge – his examination read –

The Pr was about 2 hours in the house of the Wr – while taken the dep: of the Wits – the Pr passed and was arrested – That Amarangen was the first man who gave his examination –

Verdict. Guilty of Petty Larceny

The King
James Lane
&
Walker &
Duvernay

On motion of the Atts Genl for a trial —
cites. 1 Chitty. 397. 398 — also 487. —
= 4. Bl. 265 —
= Bac. ab. vo Trial. —
=

Mr. Mondelet for the Defendts
The delay of 15 days must be allowed in all cases — a certiorari must leave the parties in the same situation in the Superior Court as they were in the Inferior. —

Mr. Walker for the Defendt —
cites 1 Chitty. 397. & 398 — cited refers to cases of removal by certiorari by Defendt — & not applicable here —

It is the uniform practice of the Court of K. B
4 Bl. 350. in all cases not to try any issue in Court or tremenal cases until after 15 days after teste of the Venire facias. — 4 Bl. Com. 350. — Id. p. 309. in notes.
2 Salk. 514 — Pleas & pleads — as to delay
Dickensons Sessions 104 —
Rex & Johnson. 6 East. 583. 1. Starkies 287. 288. Pleadings —
Hand's Prac. p. 4
Cr. Cr. Comp. p. 9. 14. 20 —
Com. Dig. tit. Justices of the Peace letter D. No 13.

2 Hawk

2 Hawk. book. 2 Ch. 27. sec. 83 — and 1 Chitty. 398 —
Com. Dig tit Iudge.
East P. Crown. p. 754. 755. — where right of traverse was taken away in particular cases —

The Ulr. 2 Hale P. C. p. 28 — to shew the origin of traverse — but never known in the K. B. —
The practice of the Court in England, peculiar to the Courts there, but cannot hold here —
According to the rule in England strictly held, there could never be any trial for a Misdemeanor, as the Writ of Venire must be tested on the first day of Term & the trial had ~~within~~ 15 days after — as the Term never lasts 15 days. —

The King
v.
Franc. Belleville
& Jo. Flibotte } On Indictment for Gr. Larceny.

Pne Lavallée, dem. a Regent, en fev. der. il a perdu sa Cariole, elle a été enlevée le soir, & apres les informations il a fait la poursuite, et a trouvé sa cariole à une maison ou etoit couché le Pr. il l'a reclamé en presence du beaufrere du Pr. et elle lui a été livrée — il a fait arreté le Pr. & il a avoué au tems que c'etoit lui qui l'avoit pris — c'etoit à la distance de 3 lieues & demi

qu'il

qu'il a trouvé sa voiture — estime sa voiture a £2.. —

Fran^s. Rose — a vu le P^r. arriver chez le tem. avec la cariole disant qu'il l'avoit emprunté d'un voisin de son endroit —

Verdict. Guilty of Petty Larceny

The King
v^s.
P^re. Tetrau otherwise called P^re. Ducharme

On Indictment for Sheep stealing

Gabriel L'heureux de S^t. Hilaire — En Octobre il lui manquoit 41 moutons, que etoit eloigné environ a sept arpens de sa demeure il a pris les informations & fait recherches pour ses moutons — un hom. de S^t. Charles lui dit avoir vu un semblable troupeau descendre en chemin — enfin il a sçu que ses moutons etoient à Sorel — il y a trouvé encore 19 moutons à lui appartenants entre les mains de Cousin l'huissier — Que cela etoit vers le 19 ou 20 Octobre qu'il a eté à Sorel — estime ses moutons a 10^tt. les uns portant les autres —

Ses moutons etoient marqué — le bout de l'oreille gauche coupé & fendu — ne peut dire combien il y avoit de blanc, ni de noir dans son troupeau.

Xavier

Xavier Paul — a con. de l'arrivée à Sorel du Pr — avec des moutons en Octobre der. il a acheté 19 moutons de lui pour 13 piastres — il pensoit dans le tems que les moutons étoient volés — le der. tem. est venu les reclamer — & les lui ont été rendus Il a amené le Pr chez un Juge de Paix —

Joseph Vernier, dem. à Sorel — a vu le Pr à Sorel pendant plusieurs Jours qui vendoit des moutons il en a acheté quatre — & a donné quatre piastres & demi pour —

Ne peut dire positivement que le Pr est l'homme de qui il a acheté — n'a pas pris garde s'il y avoit des marques sur les oreilles, à l'exception d'un petit — a acheté les moutons dans un parc pres du chemin du Roi, ou tout le monde pouvoit les voir —

Joseph Pacquet — que les moutons ont manqué l'automne dernier de chez le Capt Lesoux. —

Medard Crepau — a acheté 5 moutons du Pr a Sorel l'automne der. il avoit alors 46 ou 48 — le Pr lui disoit que les moutons venoient de Ste Therese & partie etoit à lui — si se nommoit Lafage — sait que le Pr a été arreté peu de tems apres — il est arrivé le mardi & a été arreté le samedi —

N'a pas examiné s'il y avoit des marques sur les

les moutons qu'il a acheté — Le Pr. est le même hom. mais ne l'a pas vu depuis ni avant —

Nicholas Galernau — Il a acheté 10 moutons du Pr pour 5/6 — et en a tué neuf & remis un après le vol declaré —

Il en a tué un qui n'étoit pas marqué & n'a pas pris garde si les autres etoient marqués —

Jn Bto. Rielle dem.

Emanuel Lemoine — Le Pr. est venu demander permission de mettre ses moutons dans son parc — le Pr. disoit avoir 40 & quelques — le témoin ne les a pas vu —

Ne peut dire positivement que le Pr. est la même personne —

Frans. Guyot — dem. à St Hilaire — Le Capt Leroux a perdu les moutons l'automne dernier & fut a Sorel pour le chercher — là on a retrouvé un certain nombre — et croit plus de dix — qui étoit entre les mains d'Xavier Paul — il a reconnus ces moutons pour appartenir au Capt L'heureux — & portoient sa marque, l'oreille gauche fendüe —

Verdict. Not Guiltz

The King
Franv Bissonet } On Indictment for a Rape.—

Marie Cusson, dem. à l'Isle Jesus, fem. de Jn Louis Gauthier— Le Pr dem. a un arpent à demi de chez elle & frequentoit sa maison— Que dans le mois de Decr der. avant Noel le Pr est entré chez elle entre les 8 & 9 heures du soir, elle etoit seule avec ses Enfans, qui etoient couchés & endormis— il a saisi le tem. et a levé ses jupes & a eu connoissance charnelle de son corps malgré elle, & de même maniere que son mari avoit coutume de faire, & ce malgré elle— qu'elle a essayé de crier mais elle n'a pas pu— ne soupçonnoit rien contre le Pr qui avoit toujours conduit honnetement envers elle— Le Pr est retiré après— Que son mari etoit absent dans le tems, & n'est revenu que le lendemain au soir— qu'elle ne s'est pas plaint à son mari qu'au bout de 15 Jours— Qu'il y a eu des propositions d'arangement de la part du Pr depuis— Qu'au bout des 15 Jours elle a porté plainte contre le Pr— Que dans l'intervalle de ces quinze Jours et avant qu'elle eut donné connoissance du fait à son mari, le Pr avoit coutume de venir quelquefois à la maison chez elle, mais pas si souvent qu'auparavant

Upon this Evidence the Court directed the Pr to be acquitted— which the Jury did accordingly—

The King
Emelie Gauthier } On Indictment for Grand Larceny.

The King
Pierre Ledoux } On Indictment for stealing above the value of 40/ from a dwelling house —

Lewis Gugy, Esquire, is Sheriff, the Pr was in his service of the Wts about 20 Jany last stook the place of an outdoor servant — at that time & long before he was possessed of two gold seals qt he kept in his office attached to a ribbon — a day or two after the Pr left his service about the end of Jany or 1 Feby the ~~Wts left~~ Ws missed the seals — the Pr lighted the fires & cleaned the office where the seals were — these were kept in a small place which was visible to any person — the one cost him 3 guineas, the other may be worth 30/ — The first information Ws had of the seals, was from one Christie came to tell the Wts that two such seals as those described had been offered for sale in the presence of several persons —

Francis Perry is clerk to last Wts — knows that the Sheriff kept the 2 seals in question

in

in a pidgeon hole in the office — they were stolen — advertisement was made and in consequence the seals were traced —

William Christie. In the month of Jany or beginning of Febr last the Pr offered these seals now shewn for sale in his shop, for 15/— a person made an offer for them, but wd advised him not to buy, that there was danger of their being stolen — Has no doubt but the seals are the same —

Peter Toulan — is not certain as to the person of the Pr — but was at Mr Christie's when a person came there to sell two seals — several — persons made offers for the seals, all qt the Pr seemed disposed to take — the Wits offered him a price for the key & ring, qt Pr accepted & asked for the money, but he did not mean to give it as he wished to get them into his possession and to retain them —

Dugald McLellan, was at Christie's when Pr came there & offered 2 seals for sale wt a key & ring does not know what price he asked but considered it much below their value — believes the seals to be the same as those offered —

John ~~Bannerman~~ Lonargan — was at Chrisches when the Pr offered the seals for sale. the persons examd. were present — did not examine the seals particularly —

Verdict of Petty Larceny

Wednesday 5th March.

Prest
Ch. Justice Reid
Mr Justice Foucher. &c

The King
Ansoñ Church

On Indictment for Burglary —

David Smith, lives in Stanbridge. — In January last there were two fat hogs in an out house, this house was about 30 feet from the dwelling house but was enclosed within the same fence with the house — In the evs of 12 Jany last being a Saturday, the hogs were stolen — that evens the ws locked the door of the house a little after dark betwixt one & two o'clock in the morng he found the Store house door open — he was woke up by two men who enquired the road to the Mill, & then saw the door of the Store broken open — it appeared the padlock of the door was broken, and the hogs

were

were stolen — Went immediately in search of the hogs — he was told that there was stolen pork found at Dunham, proceeded there & found the Pr & one Allen, prisoners there — The Writ was told by Allen that one of the hogs was cut up and salted at his house — on the way to Gaol, Allen stopt at his house, & there the Writ exam: the head of the hog, and recognized it to be his property, particularly from the tongue being still in the head — this hog belongs to his son, & was one of those stolen — it was acknowledged so by Allen — In consequence of information he found at the house of one Batchelor ~~where he found~~ the other hog in his store house — this hog had also the upper lip slit up & the tongue in the head, before seeing the hog he told the magistrate he would describe the marks of it — a part of the lip of the hog eat by a Cat while in his store — and all these marks were found on this hog — this was one of the hogs stolen, and was his own property This hog might weigh about 250 lbs and is worth 5 dollars pr Ct — thinks the other hog to be about the same weight & value —

Shewed this 2 hogs, after he brot them back to Edmunds who called them & who recognized them. —

X-

There is no fence between the ~~house~~ store and the dwelling house, but the fence enclosed both the house & store all round in one yard —

— Believes the Pr to be ~~the same~~ one of the persons he found prisoners at Dunham — has never seen any hog w. upper lip so slit as those he lost —

— It was after one o'clock in the morning a between that and two o'Clock, when he found the out house was broken

open

Alphonso Smith — In Jany. last he had a hog in his fathers Store house, weigh about 250lb. worth 5 dolls ℔ Ct — on 12 Jany. last in the night this pork was stolen from the Store house — he went in consequence in search — in the neighbourhood — when he was told there were two stolen hogs in Dunham — went there & found the hog of Ws in the house of one James G. Allen, it was cut up, but the head still remained — there was a mark cut in the nose of the hog — and it had the tongue in the head — from this he knew his hog — The other hog was found at Batchelor's it was a Sow — it was cut in the house — & belonged to his father. —

By the Court — The Pr at the bar was one of the Prs he saw at Dunham. —

Robert Edmunds, lives at Stanbridge, Ks 2 last wits — Ks of steals of 2 hogs from house of Mr Smith — he killed the hogs & assisted in putting them into the Store — saw the ~~two~~ hog after ~~they were~~ it was found at Allen's & knew it to be one of those he had so killed — the other he saw at Batchelor's, and knew it also to be one of the hogs he had killed for the Smith's. —

Did not go to Allen's x̄ a Batchelor's to see the hogs —

Augustus Winchester, lives at Dunham — That Allen was arrested & carried before a Magistrate on a charge of stealg Salts, & there confessed having stolen

stolen hogs at Stanbridge with the Pr, and Allen went to the woods wr Wick where he said it had been left by the Pr and the other at the house of Allen — the hog found in the woods was brot to the house of one Batchelor a tavern keeper — The next morns he was there when Dd Smith was there & saw the hog — and heard David Smith say that was one of the hogs he had lost, and took it away with him. — That Pr Church was there when D. Smith was there, never heard him say any thing about the hog found in the woods. —

xd

James G. Allen, lives at Dunham — Ks. D. Smith of Stanbridge — has no kn. that any hogs were stolen from Mr Smiths at Stanbridge on 12 Jany last — was not there — Ks. Pr was in company wr him in Jany last — on night of 12 Jany last Ws drove a cutter under shed at Mr Jones' mill — went to sleep — when he awoke, his horse & train were missing & the Pr also — it might be 1/2 past ten or eleven o'clock at night when he went to sleep — was surprised that the Pr was gone — went in search to the public house — heard a sled coming on towards him — when it came up it was the Pr who had two hogs on the train of Ws Pr sd he had been 1 or 2 or 3 miles distant where he had got the hogs in an outer building — but would not understand where he had got the hogs — That D. Smith lived at the distance of 1 1/2 miles or more from that place — Pr asked Ws to take ~~home~~ the hogs home for him & he

wd

wd pay him, & Pr gave him the smallest of the two hogs for doing so — the other hog the Pr took into the woods — the Pr took it on his shoulder a short way & then told Ws to assist him — Ws sd he was able to carry it last night — Ws then assisted Pr to carry it a short distance & covered it up with hemlock branches — The Pr same day to house of Ws wt an ax and asked him to go into the woods for a train member, & Ws went to place wr Pr where hog was gt. they cut in quarters, carried it a little further & put it under the stump of a tree says he would carry it home next day. About an hour after John Church & Winchester came to house of Ws saying they wanted to see Pr — they went away — & soon after Ws went to see Pr — & told him that these two men had suspicions of Ws that he had been in company with Pr about some mischief — Pr sd they had been following his tracts in the woods — but that he had avoided them, and had taken away his bags that they should not find the pork in his bags — Understood that he & Pr had been suspected of Stealing Salts — when Pr sd he would keep out of the way so as not to be taken — Ws was afterwards arrested by John Church & Pr also & carried before Mr Whitney the magistrate, & being asked to state the circumstances as they happened, which

he

he did, and in the manner he has here stated

x

He met with Pr about 1½ mile from his house & went wt him to Dunham flats — got two bags from Whitings — That when Ws set out, he intended to go to Stanbridge to his brother's — & on the road the Pr came up wt him & asked Ws to go along wt him — There was about 100 or 150 rods from the beaten road into the woods where the Pr & Ws carried the hog —

Is now in Custody —

Jacob Whiting, lives in Dunham, ks Pr & last Ws that Allen called at his house on 12 Jany last & he got 2 bags from Ws he was on a train — the bag now shown is one of those he lent Allen — That when Allen went past the house of the father of Ws at the distance of about 40 rods from that of the Ws the Pr was there and went and joined Allen in the train and went along with Allen — they were there going in the direction that would lead to Jone's Mills —

xd —

Ws was at his own house on a wood pile — when Allen passed — saw Pr at house of his father, & saw him join Mr Allen — immediately after went to his fathers & enquired who the man was — & he told him it was Church, the Pr —

x xd

Says, that he knew Pr by his dress — & asked his father if it was not Church, the Pr & he said it was. —

Defence.—

Augustus Winchester — never heard much of allen's character as particularly good or bad — has no ground to dispute his oath —

Verdict. Guilty. —

—

The King
v.
Jos. Pierre
otherwise called
Jos. Anwelle

On Indictment for Grand Larceny.

Hugh McCallum, lives in Grenville ~~Dunham~~ is a farm, on 23 Dec. last his house was burnt down — he had built a crib consisting of logs and poles & covered ~~it round on all sides~~ so as to protect it — it was Indian Corn it was in the ear — thinks there were about 100 bushels — Pr was absent for 5 or 6 days in consequence of his house being burnt — There was a quantity of potatoes dug out of the cellar of — were still good, about 5 bushels — Pr found the potatoes had been carried off and all his corn except about 10 or 12 bushels was also stolen — Pr suspected the Pr & one Dubois, who were considered as suspicious persons — on thursday missed the corn — on sunday saw P going to Dubois' house w an empty bag & returned with it full — on monday Pr went to house of Dubois

Dubois & told him that he had had a part of his corn stolen — Dubois said nothing — The Pris^r having been arrested and under the charge of the W^t he enquired of him if he had taken his Corn, when he fell on his knees, and acknowledged that he had carried away the Corn in bags so frequently that he could not tell the number — values the Corn at 2/6 the bushel, thinks there were in all about 100 bushels in the ear, & two bushels in the ear ought to give a bushel of Shelled Corn. —

Verdict, Guilty of Petty Larceny —

The King vs Emelie Gauthier } On Indictment for Gr. Larceny —

James Scullin. lives in Montreal — on the 6 Febry. last sundry effects were stolen from his house.

2 Counterpanes	value 13/	
2 Shirts	— 5/	
2 gravats	— 2/	
6 Childrn Caps	— 2/	
1 Linen dickie	— 7½	1. 2 7½

These things were drying on a line, wc others & were stolen from thence — the Wk made search and ~~was told they were~~ found the articles in the house where P^r lodged; the next day — the P^r was present, did not hear her say how they came by them — at the time she had one of the Shirts upon her —

x

×

Saw a number of persons in the house where the Pr lodged — does not know whether the room where the Pr was belonged to her or not. Saw the same trunk in qe a part of the articles was found in the possn of the Pr in another house before that time — The Pr made no difficulty to allow us to go into

Antle Lafresnière. Constable — on 7 febs. last, he had a search want & went to house where Pr lodged, and there found a Counterpane in the Pr Trunk — Scullin had been there before him to prevent the effects or the Pr from eluding their search — the Pr was present, admitted the trunk to be hers and that the effects he

1 Couvre pied.
2 Chemises d'enfant
1 Chemise de Cotton blanc
2 ou 3 bonnets & chemises

ces effets il a remis à l'office de police — Le Pr lui dit avoir eu d'un jeune homme —

×

Qu'il y a plusieurs menages dans la meme maison, a sçu des personnes de la maison qu'elle avoit deux chambres la — la presn faisoit tout son possible pour se cacher & les effets, & n'a pas voulu se montrer — meme elle avoit une des chemises volées sur le corps

Il a entendu dire que la Pre ~~étoit~~ savoit

été

été folle –

Louis Marteau, gardien de l'office de Police – dit que les effets maintenant montrés lui ont été remis le 7 fev. dernier & il les a gardé depuis –

Flora Scullin – The night of the 5 Febr. last the articles now shewn were stolen out of her yard and belonged to her husband. –

Germain Rolland – Le 5e fev. der. il avoit vu la Pre dans les environ de la maison de Scullin – a sçu que Scullin avoit perdu des effets – ~~la Pre~~ il a été pour prendre la mesure de la Pre pour une paire de bottines, & alors a vu un paquet, dans la possn de la Pre elle disoit que c'etoit une couverte – il en a donné connoissance à Mr Scullin & ils ont été pour chercher la maison & n'ont rien trouvé, la Pre refusa d'ouvrir un coffre qu'elle avoit, disant qu'elle en avoit perdu la clef – mais on a ouvert le coffre & y a trouvé les effets – apres que les effets etoient trouvés la Pre a dit avoir acheté les effets d'un petit garçon pour un ecu – Que Scullin a trouvé une chemise à lui appartenant, sur le dos de la Pre

Martin Delaney, on the morns of 7 Febr. Rolland came & asked where the woman was who occupied a part of the house where Pr lived –

Defence

Defence

Jos: Constantinau, con. la Pre qui est comme une folle, et ce tout l'eté dernier — qu'il a eté privé d'aller la chercher, elle ayant eté dehors la journée entière sans rien manger — Il l'a vu souvent dans un etat qui montroit qu'elle etoit — derangée d'esprit, & tout le monde la considéré comme une folle —

Ne connoit rien contre le temoin Rolland mais entend dire quelquefois qu'il est un mal honnete hom — & qu'il tient une mauvaise maison.

Olivier Barré — con. le tem. Rolland — a entendu dire qu'il a une petite reputation — il passe sous le soubriquet Chninquez Rolland —

Joseph Prozeau reste à Montreal, con. la Pre qui a toujours parue comme une folle — et les gens du quartier la considéré toujours comme telle — Ne la pas vu depuis cet automne, quand elle paroissoit dans le même etat. —

A entendu nommé le tem. Rolland sous le soubriquet de Chenigué Rolland, & il a entendu mal parler de lui —

Edwd Holland called by the Atty General — Gaoler The Pre has been twice in his custody since last Summer — has observed something in her conduct that she is not sound of mind —

Verdict. Not Guilty

The King

The King. —
vs
Adelaide Roquebrune } On Indictment for Petty Larceny

William Streeter lives in Chatham — a Silk hkf & calico gown were stolen from his house in ~~July~~ Febry last one Skegel first came & told him that some articles had been taken — he then searched for the articles & found the gown & hkf on the Pr at Pointe Fortune — The Pr took them off, threw them down & told Ws to take them along wt him — never saw the Pr at his house, but saw her at his neighbours house in Febry last, about the time the articles were stolen —

The gown belongs to his niece, the Silk hkf belonged to his wife — There was a small hole in the hkf near the middle —

Julia Smith, lives in house & last Ws is his niece has a knowledge that in Febry last she laid a black Silk hkf on the bed, & it afterwards disappeared — Saw the Pr at Mr Skegel's with the hkf on her neck, this was about four miles from the house of Mr Streeter — The Pr came in to Mr Skegel's to hire as a servant but she was not hired — the Pr remained in the house about half an hour —

Has lived for 11 months at her uncle's —

Wm Streeter, called up again, produces the hkf which he says, he found on the person of the Pr —

Verdict. Guilty

Thursday 6 March

Prest
Justices Pyke & Foucher

Friday 7th March
Prest
Ch. Justice Reid
Justice Uniacke

The King
Gabriel Christin
& Dubois } On Indictment for Arson

Peter Devins, lives in Montreal, during last summer he built a house of 2 stories high, 42 feet in length & 30 in depth, in the St Lawrence sub — there remained only the plinthes & appui de chaines to finish it, with the painting, — The house was burnt on the 28 Augt between 7 & 8 o'clock in the evening — that evens he had been there till about 7 o'clock, when he came home & sat down

down to supper, when he heard the tocsin, went out & saw the flames — & in looking towards his house he saw it in flames — went there & by that time the whole was consumed. — When Wm. left the house he left the Carpenter Sires in it & Palk. Barker, who were at work in it — & also one Langhorne — saw no stranger about the house when he came away — There was no fire in or about the house at the time the Carpenters had their work bench in the far gable end of the house — there was one window on the gable end of the house facing rue Mignone there was a pane of glass broken in this window

F

He took every precaution to see his property was secure — there were shutters on the windows — but cannot say whether they were hooked or not — but cannot say whether that was closed that night, as he left the Carpenters in the house — & told them to secure every thing — This house stands by itself — & on rather a rising ground — The fire happened about 1/2 part seven in the evening. — That before this fire had been put in a chimney to dissolve the glue — 10. 12 or 15 days before this — has seen some of the workmen in the house smoke — that is Sires & Langhorne — The persons at work in the house that day, were the persons above named & one Desautels & one Lesiege was employed by him to clean out the Cellar — that he could there at all times, and there

was

was a trap door leading to the upper part of the house, but it is difficult to open — Thanks that Lesiège does not smoke —

Amable Sires — Menuisier & Charpentier — a été employé par Barker qui avoit été surpris l'ouvrage de la maison de Devins — il fut a la maison le jour qu'il fut brulé — Devins y etoit, il est parti environ 5 m. apres sept heures — Que Mr Barker & Langhorne & le tiers sont parti apres environ 10 minutes — person. n'a resté apres eux ils ont formé les portes en dedans sont passé par la chassée qui faisoit face à la rue d'en haut Il n'y a pas eu de feu d'allumé dans la maison ce jour la — et en partant de la maison ce soir il n'y avoit pas le moindre trace de feu la — Il y avoit les ripes de deux ou trois jours de deux ou 3 hom — il y avoit un carreaux de vitre cassée dans la chambre ou etoient les ripes — Il a été dans le jardin ce soir avec Devins, il a vu le Pr qui regardoit par dessus la cloture de Devins dans son jardin distant d'environ 2 ou 3 arpens de sa propre maison — Ils ont eté de la rue fb des Rec. quand ils ont entendu sonner le tocsin, environ 25 ou 30 minutes apres avoir quitté la maison de Devins — Il a retourné & a été informé en Chemin que c'etoit la maison de Devins — &

en

en arrivant la maison fut presqu'consommé — Il a été surpris de voir brûler la maison si subitement apres leur départ, quand tout était en bon ordre. —

X°—

Il y avoit quelques fois 4 à 5 ouvriers quelquefois 6 à 7 — qui travailloient là — Qu'il y avoit de ces personnes qui fumoient — surtout apres leurs repas — que le soir, en partant il n'a pas vû personne fumer dans la maison — ils ont fumé à leur à leur dîné — il y avoit un petit feu dans la rüe, que Mr Langhorne avoit allumé pour son dîné — que le vent auroit pu jetter un flameche dans la maison — mais que le feu avoit été éteint vers le 3 heures à Jour —

Le bas de la maison avoit des contrevents, qu'ils fermoient la porte en dedans & sortoient par la Chassée qu'ils fermoient apres par la volet casse ce personne que les ouvriers ne pouvoient savoir comme tout paroissoit alors clos — Le tout étoit bien fermé à Jour. —

Que'en voyant le Pre regarder par la Cloture il a dit a Devins, voila Dubois là — que Devins a dit, never mind — ne paroissoit pas regarder — Que le Pre paroissoit se promener dans la rüe —

Que Desiege travailloit ce Jour là dans la Cave — la tem, n'y ait pas été — il y avoit aussi des rats dans la Cave —

Qu'en sortant le soir, la Chassée par ou ils passoient, ils poussoient les contrevent seulement et c'étoit la chassée dans le pignon qui s'adonnoit sur la rue mignonne. —

Patrick Barker, is a Carpenter & Joiner, was employed by Devins to do the Joiner work of his house. had worked in the house from Spring to time of its being burnt — the lower Story was completely finished, except 'locks to the doors & to finish the Stairs to 2d Story — in the 2d Story, there were the plaintes & appuis de chaves — & doors to fix — He left the house the day it was burnt, about 1/4 after 7 — Sires & Langhorn left it at the same time — they closed it, by shutting the doors inside & windows — & went out by one of the windows in the gable end of the house there was a pane of glass broken in this window — There was then no fire nor appce of fire in it nor had any been used in it that day — Wts had only time to S Maurice Street near the College to hear the tocsin ring — Ws suspected the Pr had seen him standing near the fence of the garden looking in at the ~~pla~~ garden fence — he came there frequently, mornd noon & night — & it was difficult to keep him out — Some days before the P. came there & examd the

the house &c. it was impossible the Judge could inhabit it from its dampness. on qr the Ws observed it could make no difficulty that Judge Pyle then lived in a house of Pr when Ws came up to the house it was all in flames — saw the Pr after the house was burnt who was talking & laughing

x

That the Pr was often at the house when the workmen shut up the house at night — There was a work bench in the room near the window in question, & the shavings near it — Has been at other fires, and may have seen people talking & laughing at fires — Never heard any other person than the Pr suspected of having burnt the house

Made glue ~~in the Chimney~~ in the house at times in a deep chimney — has seen at times a fire made in the outside of the house in the Street — but never left the place without extinguishd it — Had cleared the house of shavings some days before — but there was a good deal of Shavings in the front room —

Has seen some of his workmen smoke in the house, & while at work — but that day he saw no one smoke in the house, ~~that day~~ — It was rather a dark night, but sufficiently clear to see people walking about — it is ~~a~~ rather on a rising ground & faces 2 Streets —

Table

Has seen persons passing in those streets –

That he understood that a man of the Prs was employed to clear out the cellar, had seen him there – There is a hatchway between the cellar & the upper floor, but they were closed down, but might have been forced open with some trouble –

By the Court – Is confident, from the care taken by him & his people that night, and generally every night that the fire must have been burnt by design & not by accident

Pre Lesieg de Lafontaine – dem. a Montreal, Journalier
con. Devins & le Pr Il a travaillé dans la Cave de la maison de Devins pour le nettoyer le Jour même qu'elle fut brulée – il l'avait quitté vers les 3 heures de l'apres midi – Sur entre les 7 & 8 heures il allait à la maison pour prendre une fille qui avoit resté dans la Cave, la pres de la maison de Tullach, il a vu le Pr pres du coin du pignon de la maison de Devins du coté de l'Eglise de St Jacques – il etoit pres des Chassis du pignon ou il y avait un carreau de vitre de cassé – il vit le Pr battre du feu – il en a vu la flambe, a vu le Pr etendre sa main par le carreau de la Chassis & a laissé tomber l'allumette allumeé, à

en

en retirant son bras, il s'est retiré à grands pas — c'etoit avec un batte feu & une pierre a fusil — a vû l'allumette en flamme — a vu son bras etendu par la chassée & a vû laisser tomber l'allumette dans les ripes — Que le tem. avoit eté dans cette même la chambre ou etoient les ripes et les a vû — ces ripes etoient bien seches — a vû le Pr. descendre la ~~mais~~ rue der. la maison de Mr Devins — et a gagné le petite rue de travers qui joint la rue Mignonne avec la rüe St Catherine l'a vû traverser la rue St Catherine pour ~~gagner~~ aller chez lui — il s'est rendu chez lui avant le temoin qui dem. chez le Pr. dans le tems — & ce de quelques minutes — le temoin a passé la rue où est le jardin de Tulloch devant la maison de Pitre — Le tem. etoit vis-a-vis le coin du jardin de Tulloch lorsqu'il a vû le Pr. mettre le feu, & il n'y avoit que la largeur de la rüe entre lui & le Pr. lorsqu'il l'a vû mettre le feu —

En entrant dans la maison, le tem. a vu le Pr. oter de sa poche le batte-feu & la pierre a fusil & le mettre dans ~~une~~ un boete a couteau dans l'armoire dans la Cuisine — ~~il~~ le Pr. a eté alors à sa porte se croiser les bras — & un moment apres il a entendu le monde crier au feu + — alors le tem. est sorti & a eté au feu, & a vu la maison tout en feu — Que lorsqu'il etoit rendu à la maison du Juge Pyke il s'est apperçu que le bas de la maison ~~que~~ ou etoient les

+ lorsque le Pr. a dit voila la maison de Pitre en feu.

ripes étoient déjà en feu —

Qu'il n'y avoit pas de porte à la Cave — qu'il n'y avoit pas de feu là, mais de l'eau, et des ripes mouillées — & il est impossible que le feu eut pris là —

Il n'a pas entré dans la maison pour prendre la pelle après qu'il a eu fait le Pre

Que lorsqu'il s'est rendu à la maison de Divins, il étoit impossible de sauver la maison, comme les ripes étoient toutes en flammes & la maison étoit de bois —

X

Con. le Pre depuis 3 ou 4 ans — qu'il n'a pas de sentiment de vengeance contre le Pre

Qu'il n'a pas juré vengeance contre le Pre pour avoir fait une poursuite criminelle contre sa Sœur —

Qu'il alloit prendre sa pelle dans la Cave comme il n'y avoit pas de porte ~~fermée~~ là — c'étoit après les ouvriers partis — il s'est rendu au Coin du jardin de Tullock —

Qu'il étoit si demonté dans le moment, qu'il n'a pas pu avancer pour l'arrêter —

Que Mde Chartrand étoit dans la maison lorsque le Pre est rentré chez lui —

Qu'il a fait dulà il y a environ 9 Jours —

Que

Que le P. ne l'a pas jetté à la porte de chez lui — ni l'a tué frappé —

Que le contrevent du pignon n'étoit pas fermé — ce soir là

Basile St Germain — marchd — demeure au fb. St Louis con. R. Devins. de la Pre — sait que Peter avoit une maison qui a été brulée en Août dernier — il demeure dans une petite rue derrière la maison de Devins à la distance d'environ 2 arpens — Que de chez lui il pouvoit voir la maison de Devins c'est a dire, le pignon d'en bas, qui n'est pas sur la rue, — Que le soir que la maison a brulé il l'a vu — il est parti du marché vers les sept heures du soir — il a passé près la maison de Devins — il n'a pas vu le moindre apparence de feu dans la maison alors — en arrivant chez lui il s'est mis a souper — & les femmes de la maison ayant crié que le feu étoit à la maison de Peter il est sorti & a vu le feu il est parti pour y aller — le feu sortoit alors par les chassées — En s'en retournant il a rencontré le Pre qui descendoit la rue ou la maison de Peter consumoit s'il alloit chez lui, le témoin a remarqué que c'étoit de valeur que Peter vint a perdre sa maison, le Pr paroissoit le plaindre & etoit du même sentiment — Que le Pr pouvoit être alors à la distance d'environ un arpent de la maison

de

de Peter — Que depuis le moment qu'il avoit passé auprès de la maison de Peter en venant du marché jusqu'au moment qu'il a entendu corner au feu — il pouvoit y avoir un 1/2 heure ou 3/4 — et cela la surpris que cette maison vient a etre en feu si subitement. —

Augustin Tulloch Jr — il un emplacement vis-a-vis celui d'Devins divisé par le rüe — il a eté dans son jardin tout l'apres midi, & l'a quitté vers les 7 heures ou 7 heures passé — n'a rien vu de feu lorsqu'il est parti — Que peu de tems avant il a vu le Pr — près de la Cloture de Devins, à coté est de la maison — Le temoin est allé au fb. St L. lorsqu'il a entendu sonner le tocsin une heure & demi, ou une heure & 1/4 apres qu'il avoit quitté son jardin — Il s'est rendu à la maison & l'a trouvé en flammes, ce qu'il a beaucoup surpris —

Qu'il n'etoit pas surpris de voir le Pr. à la place ou il etoit — comme l'y ayant vu souvent auparavant — Le tems etoit beau & claire —

Alexis Trudeau — etoit au feu — une fille l'en a averti le feu ~~etoit~~ alors commencoit alors à sortir — c'etoit entre les 7 & 8 heures — y a vu arriver le Pr —

Lorsqu'il y est arrivé il n'y a vu que le Pr et le

Juge

Luge Pyke – le tocsin n'avoit pas alors sonné –

Jos: Montreuil – Il y a 5 à 6 Emplacements entre sa maison & celle du Pstre – il fut au feu – il étoit alors dedans & pas encore sorti – Mr ~~Gibeau~~ Guilbeau étoit allé avec lui – il a vû le Pr qui l'a aidé à retirer une planche – il n'y avoit alors que 5 à 6 personnes alors d'arrivée au feu –

Que lorsque le Pre est parti – & dans ce moment, il paroissoit que ~~il y~~ le feu avoit pris chez lui aussi –

Marie Comeau, fem. du Der. tem – a vû le feu – Que le lendemain – Que le Pre vint chez elle le lendemain & a parlé du feu, et lui a dit, que la maison étoit presque consommée avant qu'il en eut eu connoissance comme il est situé derrière de grande maison – a demandé si on savoit comment le feu avoit pris, elle a dit non – mais que cela paroissoit extraordinaire le Pr. a alors demandé si son mari avoit été au feu, il a dit oui – & avant partir a encore répété la même question. – Que le même Jour ayant affaire chez son voisin Guilbeau – & en parlant du feu, elle a répété ce que le Pr. avoit dit qu'il n'avoit pas connu du feu qu'après que la maison étoit presque consommée – Mad. Guil. a dit que le Pr se trompoit parceque son mari lui avoit dit que le Pre étoit un premier rendu –

Joseph Guilbaut, a con. du feu — etoit un des premiers rendu au feu — sur les cris qu'il a entendu, il y a vû le Dr & 4 ou 5 personnes — le feu n'avoit pas encore sorti par les ouvertures —

Dr Desroyers, dem. dans le Jardin de Tulloch — Est un des premiers qui a vû le feu — a vu sortir la boucanne du coté du pignon d'en haut — Qu'etant rendu il y a vu 5 ou 6 pers. parmi les quels etoit Mr Dubois le Dr —

La boucanne sortoit du coté qui passoit sous au jardin de Mr Tulloch — ne peut dire si le contrevent du pignon etoit fermé ou non —

Hon Ludop Pyke — Il etoit present lors du feu — une personne est venüe frapper à la porte chez lui Lorsqu'au feu — il a sorti & s'est apperçu que tout le bas de la maison etoit illuminée — il y fut & alors 4 ou 5 autres personnes — il y a vû le Dr — mais ne peut dire en quel moment — si est etoit la avant lui ou peu de tems apres — le tem. a empiré alors la maison du Dr. et etoit à la veille de la quitter entiere en celle de Devins — Qu'il etoit entendu lorsqu'il a loué la maison au Dr — que c'etoit pour un peu de tems & jusqu'a ce que la maison de Devins fut preparée —

X°

Que la maison du Pr. avoit pris en feu, & toute son attention y etoit portée. —

Julie Monjeon — elle demeure à trois ou 4 arpens. de la maison — elle fut ce soir pour se promener, et a vu le Pr. descendre la rüe derriere chez Devins pour ~~entrer~~ aller chez ~~lui~~ — que 4 minutes apres qu'elle s'est rendu chez elle elle s'est apperçu du feu qui etoit dans la maison, & elle en a averti Mr Montreuil & Mr Guilbault — & qu'elle a mis deux minutes pour rentrer chez elle —

X°

~~Que c'etoit 4 minutes apres qu'elle s'etoit rendu chez elle qu'elle a vû le Pr. venir — & el~~

Qu'elle est presque vis & vis la maison de Devins et pouvoit ~~voir~~ aisement le voir — ~~Que lors~~

Qu'avant de voir le Pr. elle ne s'est apperçu d'aucune apparence de feu

Jos: Monjeon — Qu'il etoit apres souper, ~~que~~ lorsqu'il s'est apperçu ~~du~~ que le feu etoit à la maison, il y fut, & y a vû le Pr. et d'autres personnes s'y rendoient aussi — mais n'y a vû dans le moment que le Pr.

Susanne Godin — est voisin de la maison en question. dans la rue qui monte de chez Devins & du même coté entre la rüe Ste Cath. & la maison de Devins — On etoit a souper — entre les 7 ½ ou 8 — on crioit le feu, & en sortant

on

on s'est apperçu que le feu etoit à la maison mais elle n'avoit pas sorté encore —

Que peu de tems avant elle a vû le maître de la maison sortir de la maison lorsqu'il n'y avoit pas apperence de feu —

Defence.

Jn Bte Joannet, il dem. vis-a-vis du Pr. en Aout dernier — se rappelle du feu — l'a vu vers les 7 1/2 — alors il y avoit une demie heure qu'on se parloit — le Pr. etoit dans la porte de sa Cour & le tem. à sa porte — est certain que la conversation avoit duré 1/2 heure avant le feu —

Ce Jour la il y avoit des ouvriers dans la maison, et il y avoit beaucoup de ripes — le tems etoit chaud — & et est certain qu'en bien peu de tems le feu consommeroit une maison remplie de telles articles — Que le Pr. paroissoit surpris & de ne savoir ou le feu venoit — On a couru à la maison avec le Pr. avec des Sciaux d'eau & alors le monde commencoit a s'assembler & dans ce moment toutes les contrevents etoient fermés — un nommé Corbeil a voulu briser une porte pour entrer, mais on a trouvé qu'il y avoit trop de feu —

Que

Que ce même Jour il s'est apperçu que la cheminée dans cette maison fumoit —

Connoit le Pr depuis 7 ou 8 ans le considere comme un honnete homme —

Connoit le tem. Lesieze — qu'il y a eu quelques parloes entre lui & le Pr à l'egard de la femme du Pr & cela un couple de Jours avant le feu

*.—

Marie Daigneau — a resté chez le Pr depuis l'automne dernier — que le Pr avoit defendoit Lesieze d'entrer chez lui, à cause de sa fem. — que cependant Lesieze etoit dans l'habitude de venir chez le Pr quand il n'y etoit pas — & lesieze nonobstant ses defenses revenoit —

Que Lesieze disoit que si le Pr vouloit l'envoyer il devoit lui payer ce qu'il lui devoit —

Marie Hogue, En Decr dern. elle etoit servante chez Pr en Decr dern. le Pr a mis Lesieze à la porte & l'a même poussé à la porte, & l'a pris au collet

Basile Bellanger — con. le Pr depuis 17 ans — etoit au feu; les contrevents de devant de la maison etoient fermés — il y avoit 12 à 15 personnes rendües devant lui, et les flammes sortoient par la porte & les ouvertures — n'y a pas vû le Pr — le feu portoit sur la maison du Pr — Ne se rappelle d'y avoir le pere Morjeon —

A eté au service du Pr & qui s'est toujours bien comporté envers lui —

Chas Lepage — est voisin du Pr — se rappelle du feu a vû Loannet à sa porte qui parloit a quelqu'un du coté du Pr — mais n'a pas vu le Pr — Loannet a continué à parler comme cela environ une demie heure, jusqu'au moment de l'alarme du feu — alors il a vu Loannet partir en courant au feu — et peu de tems après il a vû le Pr le suivre au feu —

Connoit le Pr depuis 7 ans — s'est toujours bien comporté envers lui —

Que le même jour que le Pr a été arrêté Lesiege a dit au témoin, que le Pr vouloit le faire passer pour un crasseux, mais qu'il s'en souviendroit —

Alexr Quinten dit Dubois — Le Pr fut arrêté le 28 fev. dernier — Lesiege est venu chez le Pr a Soulanges — et a dit a Mde Dubois, qu'à la fin de ce mois ici je ferais de la peine à votre mari, ou bien je mourrai — Que ce même matin Lesiege est venu trouver le Pr qui lui a demandé pourquoi il venoit chez lui après qu'il lui avoit defendu sa maison, Lesiege a demdé de tirer de compte avec lui — sur lequel compte il etoit dû une petite balance a Lesiege — & le Pr lui dit, quand

In Reply

Patrick Barker – That the day the fire took he was in the house the whole of that day except when he went to his breakfast & dinner – That day there was no fire in that house, nor any smoke passed through any Chimney of the house that day –

Joannet.

Thomas Langhorne – was in the house at work the day the fire took place. from 5 in the morning to 7 in the evening, there was no fire made in the house that day to his knowledge – That day a piece of fire was brot. into the house between 2 Chips to light a pipe – this was between one & 4 o'Clock continued to work in the house till 7 o'Clock & there was nothing of fire in the house when they went away –

Amable Iris – saw no fire brot. into the house –

Thomas Young – was in the house about 7 o'Clock in the morng –

Peter Devens – went to his house about 3 or 4 in morng from that time till 7 when he left it there was not the least appr. of Smoke in the house –

Jn Bte Lafricain, old citizen – knows Desige who served in his house as servant, faithfully & without reproach he was mindful of his religious duties – & he had the utmost confidence in him – this was 2 or 3 years ago –

Pre Cadieux, marchd, con. Lesiege depuis 5 ans et l'a toujours considéré comme un honnete homme, & qui etoit rempli de sentimens de religion — il y a 4 ou 5 ans de cela. — & depuis il n'a jamais rien entendu contre ce Lesiege —

Charlotte Cochu — fem. de Jac. Robidoux de Panchaux con. Lesiege — ~~connoit~~ depuis 6 ans — il est de Lavaltrie — il est d'une famille honnete — et elle l'a toujours considéré comme un honnete homme — & auquel elle a toute confiance — ~~et~~ observé bien les devoirs de sa religion —

Le connoit ~~com~~ depuis qu'il est en ville —

Touss.t Dumas. con. Lesiege depuis 4 ans — l'a toujours considéré comme très honnete — & il lui ajouteroit foi à ce qu'il diroit —

Madc Robicheau — con. Pre Lesiege — ~~le~~ con. depuis sa naissance — l'a toujours considéré comme un honnete homme. —

Catherine Lefevre, fem. de Jos: Chartrand — elle a vu le feu — Ce Que ce soir avant le feu elle a vu le Pr s'envenir de sa Grande maison pour aller chez lui environ 10 minutes ou 1/4 heure avant le feu — elle etoit alors dans la maison du Pr avec sa femme, & il a passé dans ce

moment

moment, et a descendu plus, elle ne l'a plus vue — que lorsque on a crié au feu elle est sortie et a vu le feu du coté de la maison de Peter —

Verdict. Not Guilty

Saturday 8th. March.

Pres.t
M.r Justice Pyke.
M.r Justice Uniacke.

On Thursday last, and on this day — several trials and convictions were had in the Court held by the Puisne Justices, but no sentence could be pronounced thereon, inasmuch as the Provincial Stat. authorising any two of the Judges of K. B. to hold the Court, had expired on the 1st May 1827, and the trials so had were considered as coram non Judice

Monday 10th March 1828.—

This day the Prisoners who had been convicted were brought before the Court and the following Sentences were pronounced.

Dom.s Rex
v
Jerome Bisson

On conviction for uttering counterfeit money.—

Judg.t— One years imprisonment in the common Gaol, and to be set on the pillory on friday 7th april next.

Dom.s Rex
v
Michel Ainse
Veronique Lemieux

On conviction for receiving Stolen goods

Judg.t— To be confined 3 months in Gaol

Dom.s Rex
v
Jerome Maillet

On Conviction for petty larceny.—

Judg.t— To be confined 3 months in gaol

Dom.s Rex
v
Luc Courville

On conviction for Grand Larceny

Judg.t— To be confined 12 months in Gaol

Dom^s Rex
v.
Fran^s Belleville
otherwise called
Fran^s Tribotte

On conviction for petty Larceny
Judg^t To be confined 3 months in Gaol
a similar Judg^t was given agt
the Prisoner for a similar offence
on another Indictment.

Dom^s Rex
v.
Pierre Ledoux

On conviction for petty larceny.—
Judg^t To be confined 6 months in Gaol.

Dom^s Rex
v.
Anson Church

On Conviction for Burglary
Judg^t Sentence of death recorded
against him but not pronounced

Dom^s Rex
v.
Joseph Pierre
& Jos: Aswell

On Conviction for petty Larceny
Judg^t One month in Gaol.—

Dom^s Rex
v.
Adelaide Rocebrune

On conviction for petty Larceny
Judg^t One month in Gaol.—

Dom^s Rex
vs
Jacques Vigor

On an Indictment for negligence in Office.—

This Indictment was brought before the Court by Certiorari, from the Court of Oyer & Terminer held in November last, and to which the Defend^t had not yet pleaded, but had appeared in this Court on the first inst.— when called on his recognizance

The Defendant being now called upon to plead, moved by his Counsel that a copy of the Indictment might be granted to him before being held to plead, as questions of importance might arise from the nature of the Indictment— Mr. Mondelet for the Defend^t cited. 1 Chitty. Cr. L. 404. ch. 10.— 1 Starkie Cr. Pl. 293. Cro. Rep. Chas 483—

But the Court considered that it was not altogether a matter of right to grant to a Defendant a Copy of his Indictment before plea in cases of this kind— That in cases of misdemeanor every facility of communication of the Indictment is allowed, so as to enable the party to take either extracts or even a copy of the Indictment, and as this Court has never had any settled practice in this respect, the object was not to allow any unnecessary delay, unless some special circumstances

required

required it – That this was now the last day of the Court, and an unnecessary delay of six months must now occur if the Defendants motion were to be granted, and as it had not been denied that the Defendt. had received communication of the Indictment so as to enable him to prepare any plea he might have to make, the Court rejected the motion and ordered the Defendant to plead.

—

Domr. Rex.
vs
Jocelyn Waller.

On Indictment for a Libel. –

The Attn. General moved that the Defendant should give bail for his appearance at the ensuing Court of K. B – also that the bail given in this Case should be encreased, and that the Defendant be by his recognizance bound to the good behaviour. –

This was opposed by the Defendants Counsel who contended that as one of the Judges of this Court had already exercised an opinion as to the quantum of bail, the bail so given ought to be renewed and not encreased – That before conviction a party cannot be bound to the good behaviour on a charge of this kind, this may be made part of the Judge of the Court, but until it shall be ascertained that the Defendt. has committed the offence of which he

is

is charged, such an onerous condition cannot be attached to his recognizance – cited. 1 Russl Cr. L. 244– 13 Ac. Abr. Vo Libel. (C) –

The Court however considering the nature of the several accusations of the Defdt directed that he should give bail upon each Indictment in a sum of £250– with two Sureties in £125 each, and considering also that there were now before the Court three Indictments found by the Grand Jury of the Defendt for libels, published by him at different times, they directed, that it should be made a condition in the Recognizance that the Defendant should in the mean time be of the good behaviour. —

Three Rivers – Criminal Court –

Thursday 13th March 1828. –

Pres.t
Ch. Justice Reid
Mr Justice Ker. –
Mr Justice Uniacke. –
Mr Justice Bedard. –

The Grand Jury were called and sworn, and being charged by the Ch. Justice, retired to consider of the business laid before them. –

The Grand Jury having returned into Court presented an Indictment ag.t John Buck alias George Loney, for horse-Stealing –

Dominus Rex
v.s
John Buck
alias Geo: Loney

The Prisoner having been arraigned on an Indictment for horse Stealing pleaded, Guilty. –

Friday 14th March

Pres.t
Ch. Justice Reid
Mr Justice Ker
Mr Justice Uniacke

The

The King
v
Pierre Groudin
&
Edoward Groudin

On Indictment for stealing above the value of 40/ from a dwelling house —

Jos. Longval, dem. dans le ban. de 3. Riv. vers le 6 ½ du soir 15 Fev. dern. il a trouvé les 2 Prs chez lui — ils y ont soupé — il est allé veillé chez son beaufrere — les Prs ont dit venir de Ste Anne, pour faire un vdu — il leur a permis de coucher chez lui — ils se sont couché sans se dechausser — le matin vers les 3 ½ du matin — il s'est apperçu que les Prs etoient partis — on s'est apperçu le matin que plusieurs effets manquoient tels que — mentionnés dans l'Indictement — ces effets lui appartenoient & de la valeur y mentionnés — il fut à la poursuite des Prs Il n'a pas retrappé les Prs mais il a vu ses effets au bureau de Police, — le lundi à matin apres — le vole etoit fait le Vendredi avant —

Magdelaine Longval — Les Prs sont entrés chez elle vers les 5 3/4 & ont demandé le couvert ce soir, elle leur l'a accordé, ils ont dit venir de la bonne Ste Anne & qu'ils avoient fait un vdu — Ils se sont couché vers les 7 ½ dans la Cuisine — Elle s'est couchée vers les 8 ½ — Que vers les 6 heures du matin, on s'est apperçu que des effets manquoient dans la maison, tels que mentionnés dans l'Indictement — Les Prs ont été aménés

chez

chez elle; & on a trouvé en leur possession tous les effets — Ils avoient ce soir qu'ils sont venus chez elle ils avoient dans un chaudron quelque chose de pesant — Elle a vu oter d'une poche qu'ils avoient tous les effets —

Michel Hyacinthe Bellerose — il a été à la poursuite des Prs vers le 15 Fev. dernier — a amené avec lui un nommé Belval — il a été a Gentilly, ou il a rencontré la voiture qui avoit mené les Prs & il a su de la personne ou ils étoient — et les a trouvé à la riviere Gentilly, chez Beaulieu ils ont dit avoir eu la Centaine de Shawl à Montreal. et il a demandé a voir leur Sac — & enfin les a arreté — les a ramené chez Mr Longval, ou il a fait ouvrir leur Sac & a montré les effets à Mde Longval, qui les a reconnus. —

Basile Beaulieu — dem. à la riv. Gentilly — les Prs sont venus chez lui vers le 15 ou 16 Fev. der. — il a vu Mr Bellerose qui est venu apres eux — a vu qu'ils avoient une Casque de fem. & une poche

Jos: Doucet — dem. à St Gregoire — les Prs sont venus chez lui vers les 6h du matin le 16 Fev. a demandé de les faire mener à Gentilly — il est convenu de la faire pour deux chemins — en revenant a rencontré Mr Bellerose — il a déposé le 2 chemins chez Mr Kimbert J. Paix —

Fermin Babineau – connetable – a été à la poursuite des Pns il a vû Jos. Doucet qui venoit de les mener à Gentilly – il a été chez Mr Beaulieu à Gentilly ou ils ont trouvé les Pns on leur a demandé d'ou ils avoient la Ceinture, le plus grand a dit avoir eu à Montreal – a aussi tous les autres effets – ils ont ramenés les Pns chez Mad Longval, qui a reconnu tous les effets comme a elle appartenants – En chemin ils ont reconnus d'avoir eu la foiblesse de les voler chez Mr Longval –

Michel Hy. Bellerose – En revenant avec les Pns il a confessé d'avoir pris les effets chez Longval mais qu'il regrettoit pour son frere, comme c'etoit la premiere fois qu'il avoit été concerné dans une telle affaire –

Ne peut dire avoir vû les effets entre les mains d'Edouard Grondin – tout lui a été montré par le grand, Pn Grondin – d'apres ce que le Grand disoit, il a cru que c'etoit le grand qui les avoit pris –

Jos. Doucet – c'etoit le grand qui avoit les effets. lorsqu'il a eu les 2 chemises du plus grand – il a cru que les 2 chemises venoient de tous les deux, comme

le

le marché était fait pour mener les deux — le grand avait la poche sur le dos, & le plus jeune a pris le Sac — pour le porter dans la Carriole —

John C. Fearon — était chez Mr Kimbert lorsque les Prs y étaient, il y a eu alors des effets volés déposés là — les effets ont toujours restés en sa possession depuis —

René Kimbert — I. P. — Les Prs ont été amenés devant lui avec des effets volés, les quels effets il a fait mettre entre les mains de Mr Fearon —

Jos: Longval — brot up again — says effets now shewn are the same as those stolen this property —

Mad: Longval — recognizes the effects — to be same stolen & those found on Prs —

Verdict. Guilty. as both. —

The King. —
Michel Gobeille } On Indictment for breaking into a house in the day time no person being therein & stealg certain effects therein. —

Benoni Arsenault — Rue du Loup. l'été dern. vers le 12 Juillet. fermé la porte avec un cadenas — personne dedans, à son retour de la messe a trouvé un des crampes arrachés — et a trouvé 3/4 de savon qui manquaient — & une paire de culottes de Casimir, qui était en sa possn — valant 20s — il a été aux informations

informations, il a eu vente le Pr il l'a fait arreter, a trouvé les culottes sur lui - il y a environ 2 mois apres - il n'a eu les informations qu'dans ce tems - Que le Pr l'a dit avoir acheté les culottes d'un jeune hom. qui passoit -

Qu'apres que le Pr fut arreté le Pr a proposé de payer les culottes & les frais si on vouloit le laisser aller. -

x

Les culottes etoient dans son grenier dans un coffre il l'avoit visité 8 Jours auparavant - l'a considéré comme en seureté le jour qu'il est allé à la messe -

Jean Lapolice, il avoit mis des bardes, & parmi une paire de culottes de Casimir entre les mains du dernier tem. pour garder pour lui - a trouvé les culottes sur la personne du Pr lorsqu'il fut arreté -

Le Pr a fait des propositions d'arangement. -

x

a acheté les culottes dans un magazin à Quebec - Il y avoit un morceau rapporté dans le derriere qui est bleu -

Ignace Belan - Connetable - a pris le Pr dans le bois, ou il travaillent - arsenault a reconnu les Culottes sur le Pr

Defunct

Paul Gobeille - Le Pr a porté les culottes publiquement pendant deux mois -

Verdict, Not Guilty

The King
v.
John Shirley } On Indictment for Larceny. —

Verdict, Not Guilty. —

Saturday 15th March.
Prest
As before.

The King
v.
Antc Trottier } On Indictment for Forgery —

1 Count — making & forging — to defraud King
2 do — uttering — with knowledge &c
3 do — making &c — to defraud — Badeau
4 do — uttering &c wt. knowledge do
5 do — changing figure 1 to 2. —

Joseph Badeaux — il y a quelques années a été agent des biens des Jesuites — le Pr. étoit un censitaire de Sa M. — En 1813. ~~le Pr. a payé~~ il a reglé avec le Pr & lui a accordé le reçu maintenant montré le 11 Novr 1813 — il doit avoir une autre quittance en 1814 — La quittance est de son ecriture & signature, excepté le chiffre 2 qui a été substitué au lieu du Chiffre (1) — Il a cessé d'être agent en 1823, avant le 11 Novr. n'a jamais vû le reçu maintenant montré depuis — qu'il a reglé mais pas avec le Pr les arrerages que le Pr. devoit 1814 jusqu'en 1822, quand il a cessé d'être agent — Qu'il a fait une

14.26
7
44.8

une entrée dans les livres de la Seigneurie qui porte quittance jusque & compris 1814 —

Louis Guillet, de Batiscan, Nre agent de Sa M. pour les Biens des Jesuites depuis Novr 1825 — Qu'il y a eu un avertissement donné aux Censitaires de regler & prendre titre nouvel — En consequence le Pr a exhibé ses titres — le Tem. a demandé ses derniers quittances ce que le Pr fit quelque tems apres en 1826 — Il a rencontré le Pr qui lui dit avoir une quittance jusqu'en 1823 — et lui montra la quittance maintenant exhibée — le Tem. a dit qu'il ne pouvoit point recevoir cette quittance, parceque Mr Badeau n'etoit pas agent lors de sa date — Le Pr a dit avoir travaillé pour feu Mr Foy & qu'il avoit dit à Mr Badeau de lui donner cette quittance la — le tem. a dit qu'il ne pouvoit pas recevoir cette quittance sans parler à Mr Badeaux, s'il le recevoit, ou non — & lui a remis le recu — ayant vû Mr Badeau il a sçu de lui qu'il n'avoit reglé avec le Pr qu'en 1813 & 1814 — Et ayant vû le Pr apres il lui dit, qu'il ne recevroit pas la quittance, mais lui dit d'aller regler avec Mr Badeaux — La chose a resté la jusqu'en 1827, lorsque le temoin a fait un compte des arrerages — mais le Pr a refusé de payer que depuis 1823 la date de sa dte quittance — Que dans le livre de recette de la

Seigneurie

Seigneurie il n'a pas vu d'entré depuis 1824 —

x

Qu'il a reçu les arrerages depuis 1823 du Pr. & lui en a donné quittance —

Pre Vezina — avt. il a été chargé de faire une poursuite contre le Pr pour arrerages des cens & rentes qu'il devoit pour sa terre en la Seigneurie de Batiscan — a fait sortir un ordre contre lui refble en Aout 1827 pour £10 — pour arrerages depuis 1814 jusqu'au 11 Nov 1826 — Le Pr a plaidé avoir payé les dernieres années depuis 1823 & pour les autres paiemens a produit le reçu du 1823 — le tem. a observé au Pr que le reçu avoit été alteré, mais le Pr a persisté à dire qu'il etoit bon, & qu'il avoit toujours resté entre ses mains —

f

Le Pr a dit que ce n'etoit pas lui qui l'avoit fait, — mais dit le tem — vous saviez n'avoir pas payé — il a dit ~~que ce ne loit~~ ce bon, ce bon — & qu'on me le prouve de l'avoir fait —

Chas. Mondelet — En l'été der. il a été chargé de la defense d'une action intentée contre lui pour cens & rentes — le Pr le chargea de plaider qu'il avoit payé les cens & rentes, & lui donna la quittance maintenant montré, ce que le temoin produit —

W.

W. CH. Coffin – Le recu maintenant montré a été filé par Mr Mondelet avocat du Pr – dans l'action intentée contre lui –

Jos. Badeaux. brot. up again – dit qu'il est clair que le chiffre (1) a été changé en (2) –

The Prisoner adduced no evidence nor made any defence –

Verdict – Guilty. –

The Prisoners who had been convicted during the present Session, having been brought into Court, the following sentences were pronounced –

The King v Pierre Grondin & Edward Grondin } On conviction for Grand Larceny Judgt – That the Prisoners be confined in the Common Gaol of the District for the space of one Year –

The King v John Buck } On conviction for horse-stealing Sentence of Death recorded ag. him, but not pronounced –

The

The King
v
Ante Trotter

On conviction for forgery -

Sentence of Death was recorded agt
him, but was not pronounced -

A question was agitated before the Court
this day and yesterday as to the right of a
Prisoner on his acquittal ~~by~~ on trial by the
Country, and on a bill of Indictment being
ignored by the Grand Jury, to have a copy
of his Indictment -

At a Court of Oyer & Terminer & General Gaol delivery begun and holden at Montreal in and for the District of Montreal on Wednesday the 20th day of August 1828, and continued by adjournment to

Wednesday 20th Augt. 1828.

Present
Ch. Justice Reid
Hon. John Richardson

The commissions of Oyer & Terminer & General Gaol Delivery were openly read — also a Comn. appointing John Delisle clerk of the Court for these Commissions.—

The Grand Jury was charged by the Chief Justice.— and constables appointed to attend them—

The Select men were called.— and Witnesses under recognizance.—

The Court adjourned till one o'Clock in the afternoon.—

Wednesday 20th Augt. 1828.—

The Court met pursuant to adjournment

Prest.

Ch. Just. Reid

Mr Richardson

Two Indictments having been found agt Prisoners in Gaol — they were arraigned and pleaded Not Guilty — & their trial was fixed for to morrow.—

Adjourned till to morrow morning at nine O'Clock.—

Thursday 21st Augt

The Court met pursuant to adjournt.

Prest

Ch. Just. Reid

Mr Richardson.—

The King.—

~~Duncan McKinlay~~

v David McGregor

On Indictment for stealing privately in a Shop.—

John Brown, is a brush maker, lives in town — Mr had a suspicion that 2 long bundles of hogs bristles gt were on his shelves were stolen Mr sent a man to the place where Pr & our McKinlay lived — last Summr the Pr had worked for

for Wr in consequence of Arcan's informn he got a scrach warrt - & went to the Prs lodging & found 2 bundles of his bristles in a Cupboard occupied by Pr & MK - they were both present at the time - MK opened his trunk & nothing was found in it - the Pr delayed to open his trunk, & after opening it, Wr found in a drawer in it some of his bristles, apparently concealed there might be about a pound of bristles in the Cupboard - and from 36 to 40 lbs in the trunk values them at 57 ~~ff~~ lbs - found also about 2 lbs whale bone in the pr trunk, values it at 4/6 -

Xd -

It was about the 9th Augt - imt that he suspected the Prs having stolen the bristles - the Prs were in the habit of coming to his shop after they had left his employt - after Pr went away the Wr had 3 men who used to work for him -

Arcan worked for about 5 or 6 months in the shop of the Wr and knew his property - MKinlay worked in shop wt Arcan - ~~When he~~ The Cupboard was opened by Wr it was not locked - on opening the door he perceived the 2 bundles of bristles - the Pr opened his trunk himself the bristles were found under a sliding drawer in it - The Pr sd when the bristles were found

that

that he had brought them from Paisley — knows the bristles to be his property, being the only ones of the kind in the Country — he had them imported by means of Mr Peddie — there is no other brush makers in the Country, but Ks only one Master brushmaker on Waltham — besides himself — but there are several other men who work at that business. — Waltham's shop has kept an open ~~sp~~ about 2 years — there is no mark on these bristles — but were prepared in a particular manner, by his orders & were of the first quality — There are brush-makers in the United States who may be as good workmen as himself — These bristles were taken out of his work shop up stairs — in the house in qt. he slept He carries on a good trade in his way —

In Bt. Arcan. lived wt. last Wk as apprentice, & afterwards as a Journeyman — worked there wt. Pr. & MK. — & worked wt. Pr. at Waltons — was there when Brown missed his bristles — & about 3 weeks ago Brown told him he missed his bristles — was desired by Brown he might ~~to~~ go ~~there~~ & work wt. the Pr. in order to find out

out of his bristles were — there — Ws. went on a Saturday, & began his work wt. Pr. on the Monday & contd. till Thursday after when Mr Delisle came there — while there the Ws. on the Wednesday he saw some bristles qt. he thought was Mr Brown's — knew them to be his as he had seen them at Mr B.'s & were Russia bristles — they were in the Cupboard, & the Pr. took them out & cut them in two to mix them with others — on the evening of the same day he gave information to Mr Brown. next day was in the room where the Constable came there wt. the Search want. on coming in Brown opened the Cupboard — in Mr Kindley's chest there was nothd found there — that Mr K — told Pr. to get up and open his trunk — he appeared loth to get up — after being asked again — he got up & opened it, and among his cloaths under a sliding drawer there was found a quantity of bristles qt. Mr Brown claimed as his — there was also about 2*. of whale bone — Ws. had seen the same things at Mr Brown's shop — & from the quality of the articles & the manner in qt. they were dressed has no doubt but they were Mr Brown's property

x

That MB told him as he was not hurried wt. work, the wits might go and work for the Pr.

There was no particular mark on the bristles — but he knows that they were prepared & dressed according to the orders ~~he~~ Mr Brown gave to MK. — The whalebone was of same kind & quality as that in Mr B's shop — the bristles were tied up wt the same kind of binding as that in Brown's shop which comes from Russia — Did not hear the Pr say anything when the bristles were found in his trunk — Ks Walton a brush maker ~~in~~ this town — has a workshop for about 2 years —

That the Shoemakers make use of the best of Russia bristles — Has heard that Pr & MK. are in partnership —

Adolphe Delisle, Constable — was charged wt a warrt to search the apartments of Pr & our MK — about 10 days ago — went there the Pr MK & the last wits — Brown was wt him — told B — to search for his effects — as he did not know them — B. opened the Cupboard & found 2 bundles of bristles, gt he laid aside — told Pr & MK to open their trunks — MK went to a place where there were 2 trunks in gt — noths was

found

told P.r to open his trunk, he got up from his work and opened his trunk, Brown looked in & S. there was nothing, but W. told Lafresnay to take out the cloths, when they W. a Lafresnay took up a bundle of bristles — on this the P.r came & gave up what was in the trunk, wt a piece of whale bone which Brown claimed as his — there was nothing then said, except that one of the P.rs said, we shall see where they come from —

X —

The manner in gh the bristles were packed up under the drawer, seemed as if done as to conceal them —

Ant.e Lafresniere, constable — accompanied the last wit. at the search of P.rs apartments about gt. int — there were 2 bundles of bristles, gt Brown put aside without saying anything — there were 2 trunks shewn by Mrs — in gt noths was found they then asked P.r to open his trunk — he seemed not to attend, & was told if he did not open it they would break it open — on this the P.r opened it — Brown searched in one end & W. at the other when B. s.d he was satisfied there was nothing there — but W. came upon a hair brush & on searching further & taking up the cloths. they

found

found the knittes, q^t Brown claimed as his property — on this the P^r S^t we shall see about that afterwards. —

Defence

Wm Wilson. lives in Montreal for about 8 years. Knows the P^r since he came to the Country about 15 months ago — he lodged at house of Wm he always conducted himself as a quiet & honest man — & in whom he had great confidence — has left him in charge of his house — when he had access to money & other valuable articles in the house — & particularly at a time when there was a sum of money in an open drawer —

Knows Brown — was once in house of Wm there happened a circumstance happened which would induce him not to believe readily what he said — This was, that a Mr Ayde had left his pocket book in a room in q^t the P^r slept, & it was missing — and Brown & some other persons were in the house drinking, & when Ayde looked for his pocket book he could not find it —

Wm

Willm. Yule – Ks. Pr. for about 1 year – has lived in the same house wt. him at Mr Wilson's always considered him as an honest man – he had opportunities of being otherwise wd. Wr. if he had chosen, & might have taken money from him to extent of £30 – Wr would have lent him money if he had required it – & thinks that Mr. Wilson would have done so also – Wr. has seen the tools of his trade in his possession – and also some bristles, but no whalebone –

Duncan Curry – Ks. Pr. he is partner wt. McKinlay – has bot. articles of them – scrubbing brushes – cannot say whether there were any Russian bristles in them – always found him and considered him as an honest man – & that is his general reputation – has given him credit for groceries. –

x^d

It was about 12th of this month 5 doz. of brushes from the Pr. which was the only time he purchased any articles from him

James Reid. Ks. Pr. for 13 months, lived in the same house wt. him – & always had a good opinion of him – & had the opportunity of being dishonest had he been so disposed – wd. have lent him money –

Patk. McGregor, ks Pr. has had dealings wt him & always considered him as an honest man

Wm. Burnet ks Pr. since he was a boy - he always had a good character as an honest man - lived in same town wt Pr. till Ws left the Country about 3 years ago -

Catherine Burnet - wife of last Wr. ks the Pr. for these 23 years - never heard anything agt him - for about 10 or 12 years lived near where the Pr. lived -

Evidence by the Crown

Joseph Walton, is a brush maker - ks the Pr. he worked for Ws after have worked for Brown - the Pr. told Wr soon after he came to him that he had brot. no bristles from Scotland from him - has seen his box open but not a bristle in it.

Verdict - Guilty on the 2d Count in the Indictment. -

The King
vs
James Gillis } On trial of Indictment for stealing privately in a Shop.

George Gray, upholsterer, lives in Montreal In June last some effects were stolen from his Store - he was absent at the time, but was informed of it by his Clerk - one piece of Moreen of about 24 yards value 45/ to 50 ₰ piece - One piece of Calicoe 28 yds. 9/ to 10 ₰ yard & a remnant of about 6 yds same price - Saw the articles afterwards in the hands of John Orr his clerk there he knew to be his property - this shop is a place where his goods were exposed for sale, as well of this kind as of others -

Pierre Tessier - lives in Montreal, at Mr Cuvillers who lives opposite to Mr Gray's house - In June about 6 or 7 o'clk in evens - he came to Mr Cuvillers & offered a fur Cap for sale - asked 6d for it - but Ws would not buy it - offered it at Glass's - he then went into Mr Gray's Shop - & Ws saw him take from the Commode 'Chest of Drawers, a piece of Moreen & a piece of yellow Cambric & a remnant - he put them under his arm shut the door & went off - the Ws went into the Shop called the Clerk & told him what he had seen

and

and they run after the Pr. & brot. him back with the goods under his arm to the house & soon after Mr Gray came in & the Pr was committed —

John Orr, clerk to Mr Gray — In June last the Wt was stands on the Gallery at Mr Gray's house when he thot he heard the bell at the Shop door, went there & saw Mr Cuvellier's man, who told Wt that some person had taken something out of the Shop — Wt & this man run after the Pr & found him with a piece of blue moreen, a piece of yellow Cambrice & a cutting of the same they brot. him back to the Shop, and he was committed — these effects were lying on a Chest of drawers near the door of Mr Gray's Shop when they were taken and made part of the goods in it which were there exposed to Sale.

Verdict. Guilty on the 2d Count in the Indictment — recommended to mercy —

The King —
v
Joseph Paquin } On Indictment for Petty Larceny
The Prisoner on his arraignment pleaded. Guilty. —

The King —
v
Pierre Millette
Joseph Vaillancour } On Indictment for privately stealing in a Shop. —

over till to morrow

The Court adjourned till to morrow morns at nine O'clock —

Friday 22d Augt

The Court met pursuant to adjournment

Prest
Ch. Justice Reed
Mr Richardson —

The King
v
Pierre Millette, &
Jos. Vaillancour } on Indictment for privately stealing in a Shop

John

John Hundlow, clerk to Hyp. Perrault – about the middle of June articles were missing out of Mr Perrault's shop in town – the morns after the articles were stolen he missed – 6 yds Gingham – value 6/6 – Seven 1/4 do checks work 5/5½ – 41 yds check 30/18 – 17½ yds check cotton 8/6 – 29 yds do 13/3½ – 20 1/4 do worth 9/3½ & about 5½ do 3/9 for a pattern of a gown – these things he saw the evening before near the door on a trunk – the second day after he saw these effects at the police office in the hands of Marteau the police officer – that the place where these articles were was the shop of Mr Perrault, where his goods are exposed to sale –

Thinks There was a mark on the goods when stolen, but when he saw them again there was no mark on them – thinks the goods are the same, that he had a pattern of vest from one of the pieces, and resembled the goods stolen. –

Louis Robillard, dem. au chemin Papineau – les Prs sont venus chez le tem. ~~[illegible]~~ le 17 ou 18 Juin dernier, ils avoient chacun un paquet sur le dos – ils ont demandé a arranger le

butin

butin — et alors ils ont procedé a faire le partage des effets — il ont arraché les marques qu'il y avoit dessus — alors chacun a replié sa part — Vaillancour a demandé a laisser son paquet chez le temoin, ce qu'il a consenti — disant qu'ils alloient en ville chercher d'autres effets pour les porter en Campagne pour vendre, ils ont dit avoir ces effets d'un nommé Foretier pour vendre — Le tem. ayant soupçon des Prs en a donné information à son voisin, & de la a eté porté information à l'office de Police et les Prs ont eté arretés — la part de Millette et a emporté avec lui —

Maxime Lafresniere, connetable — a arreté les Prs et en entrant chez Robillard, il lui a remis un paquet deffets que les Prs avoient laissé chez lui ce paquet il a remis a Marteau —

Louis Marteau, office constable — that the last Wn delevd to him the effects now produced —

Hypolite Perrault — merchd in town — in June last some goods were stolen out of his shop & he gave information at the Police office — he returned there when the effects were brdt there and he knew them to be his —

+

He had a private mark on his goods but when they were brot. back to the Police office, the mark was not on them—

Denis Gaudrie — con. les prs en Juin dernier il a vû dans les mains des officiers connus comp devant la Cour — il a vû prendre les effets par Pre Millette chez Mr Perrault le der. temoin —

Verdict: ~~Defence~~ Guilty of simple Grand Larceny but not privately from the Shop. —

—

The King
Jos: v Corbeille } On Indictment for uttering counterfeit money —

Marguerite Labelle — fem. de Bte Delaurier vers le milieu ou 15 Août cour. elle etoit sur le marché avec des volailles a vendre — le Pr en a acheté 5 couples à raison d'un chelin le couple — le Pr a pris un peu de tems, et a souvent regardé son argent avant de la payer — à la fin il lui donné 2 pièces d'un ecu — elle ne les a pas regardé particulierement dans le tems mais les a serré dans son mouchoir,

la

le Pr est revenu peu de tems apres & ~~lui~~ a ~~donné~~ acheté une autre couple pour 1 chelin — Lalors le tem. s'est apperçu que ~~l'un~~ des ecus qu'il lui avoit donné etoit mauvaise, & a dit cela au Pr mais il a refusé, disant que ce n'etoit lui qui avoit donné de mauvaise monnoie, parcequ'il n'en avoit point — et a persisté a nier que c'etoit lui qui avoit donné cette argent — elle a quitté l'argent au bureau de police. —

X —

Demeure à St. Martin — connoit le Pr
Qu'elle a vu une piastre françoise en la main du Pr qu'elle croyoit qu'il alloit lui offrir parcequ'elle n'avoit point de change — mais il n'la pas offert — il a alors tiré d'autre argent de sa poche — lorsqu'il a donné les deux ecus au tem. il y avoit des personnes à l'entour.

James Prest, Clk Police Office — on the 18 Augt. inst the Pr was brot. there & the last wit. as complaint agt him — the last Wit. produced a piece of money qt she said she had recd from the Pr and was counterfeited — This piece has been in his possn ever since —

Amboise

Ambroise Lictore — asst. Clk Market — Ks that on monday last of the difficulty between Mr Labelle & the Pr about a piece of money gt. he had given to her — the woman shewed 2 hf dollrs to Wr — & sd one of them was bad asked her who gave her the money — she sd she did — & pointed out the Pr — the Wits charged him wl giving the woman a bad piece of money — but he denied it — on this Mr Lepsohon came up & directed Ws to convey the Pr to police office & the woman gave her declr — agl. Pr — Ks. Pr. for a huckster for 4 a 5 years — & he has ~~no~~ reason to believe he must be well acquainted with money — That the piece now produced it is evident it is bad. —

The Pr seeing Ws — going to him came forward towards where the woman was

James Prest — called up — says, that the mould from which this piece was cast was found in Gaol, where it had been used

Defence

Fredk Heeneman — Ks. Pr — for upwards of 2 years and

and a half – he is a huckster – he never heard anything of him she always considered him to be an honest man – Was surprised to hear of this present accusation of him –

Mad^e Marie Barbeau – le P^r est son voisin – a resté un an dans une maison de la sienne – il avoit toujours le caractere d'un honnete homme & un bon voisin – le connoit depuis 6 ans. – il paroissoit vivre assez à son aise. et elle a été surprise d'avoir entendu parler de cette accusation –

Pierre Marsville, con. le P^r depuis 3 ans – il travaille pour lui depuis printems – l'a toujours considéré comme un honnete homme. – il etoit surpris de la presente plainte contre lui –

Verdict – Guilty –

The King
vs.
Duncan McKinlay } On Indictment for stealing privately in a Shop –

John Brown – says. that he lives in Montreal – is a brush maker – had in his poss^n a quantity of Russia bristles. to the value of 1000 ℔ – about nine weeks ago he missed some

of

of the bristles, and suspected the Pr. of Sam McGregor and advised a young man in his service to go to work for these men — he did so, & came back wh information that he had seen some of the bristles there — got a search warrant & found in a cupboard two parcels wh about a pound — he then looked into the Pr. box — he was asked to open his box & he did it immediately — but there was noths there — in searchs McGregor's trunk, gt was locked, there was found under a sliding drawer about 35th bristles & 2d whale bone gt wh recognized to be his property as soon as he saw them — the Pr. of McG — were in consequence arrested — at the time he missed the article he had a part in the sale shop & part in the work shop the part he lost was taken from the sale shop — there was a particularly long parcel of 1½th gt he missed out of the sale shop — values it at 5/. $ lb. & the whale bone at 2/6 — The Russia bristles cannot be found here unless imported by order — The Pr. had worked wh Wm & had remained wh him till about 14 days before the theft was discovered, he had open access to all the goods in the shop

The

The Pr came once to house of Ws after he left his employment — he had no stock of his own to carry on his trade with —

X

Ws had other persons in his employ besides the Pr who all attended in the work & Shop. the Pr would sometimes work till 12 O'Clock at night & slept in the Shop where he worked and where the bristles were — as the Wts had no suspicion of him. —

Did not send Arcan to work for Pr he went voluntarily — he sent him as he was well acquainted with the goods of Ws & this the Pr must have known —

That Mr Peddie imported these bristles for the Ws and is certain that he has no more of the article — The Wts. pd Pr £2 some shillings as balance of wages coming to him at the time he left him —

That the Pr asked Mr Grigor to open his box when search was made —

Bte. Arcan, he worked for last Ws & was in his service when Mr Brown suspected that some of his bristles were stolen & suspected the Prs & told Ws as he had not work the

Ws

Mr might go to work for Pr in order to discover if any of his property was in their possession on the Wednesday, he saw some of the Russia bristles in Mr Gregor's hands & he took out of the Cupboard & sent for the work. they were carrying on — in consequence he gave information of this to Mr Brown & a search ward was obtained the Constable came there to the room where the P & Mr G. worked together, & on the Mr Debb read the warrant — on this Mr B — found 2 bundles of bristles in the Cupboard, & he laid aside — they then asked the P. to open his trunk & he did, but nothing was found there, — on this the Pr told Mr Gregor to get up & open his trunk — as Mr G. was not in a hurry to do so, he would break it open on this Mr G. opened his trunk, and in it there was found a quantity of Russia bristles about 30 # wt — and a panel of whale bone Brown recognized them to be his property. on this the Prs were arrested — They had worked at Brown's some time before and the Pr for about 8 a 9 days before this discovery was made — he had free access to everything in the house — while he

worked

worked for the Pr of Mr Geyer they appeared to be equally master of all the things in the shop in wh they worked —

The Cupboard was not locked — & there was no difficulty about finding the bristles which were there —

That the Pr boarded at Mr Brown's while he worked there & had free access to every part of the house as Brown appeared to have confidence in him — That Mr Geyer was in the habit of coming to the shop after he left Brown's employ

That it was Mr G — who gave the Pr the Russia bristles to work up, wh was mixed with other bristles of the country — and it was easy to distinguish the Russia bristles from the others —

Adolphus Selick was charged with a ward to search the apartments of the Pr on the complaint of Mr Brown — went there with B — found the Pr & two other men — told them he had a search warrant & was to search the house — told Brown to search — he opened a Cupboard — found 2 bundles of bristles, took at them & laid them aside — then told Pr & that they must open their trunks — the Pr showed his trunk in wh nothing was found — they then opened Mr G's trunk in wh a quantity of bristles was found wh Brown claimed as his — to amount of 60 lb —

from the manner in qt. the bristles were packed up in the trunk, it was the best manner of concealing them there — Mr Brown recognized them articles to be his immediately on seeing ~~them~~ —

x

All that was found was in Mr G's trunk of which he had the key —

Defence

William Wilson He bought a pound of bristles yesterday from Mr Peddie, for Russia bristles —

John Bennett — Ks Pr for 2 years — before this time he never heard any thing against his character —

~~James Mathews~~

John Mathews, Ks Pr for about 7 or 8 years — always considered him as an honest man & never heard anything to the contrary —

Thomas Parker — Ks Pr has seen him buy bristles for carrying on his business — one parcel from one Knowles & another from Mr Hart.

x

The bristles were bought & thrown loose in a Cart —

Witnesses for Crown —

Walton — The bristles now produced & bot by

by the Wilson + are shoemakers bristles, and not used in the trade of brush-making as they are too expensive —

John Brown, the bristles now shewn are not the same he lost & which he found at the P^rs —

Verdict. Not Guilty. —

The Court adjourned till nine o'Clock to morrow morning —

Saturday 23^d Aug^t

The Court met pursuant to adjourn^t

Present
Ch: Justice Reed
Hon. J. Richardson

The King
John Dolan } On Indictment for Petty Larceny. —

Sarah Mcdonell, wife of John Chisholm she came to market some days ago w^t a Cart, out of which she lost some articles — a gray cloth Coat. value 4/6 — a black scarf 5/ — a p^r of Shoes

vale

value 3/6 – these articles she had on the market place in the back part of the Cart – saw them about 9 o'Clock & at 11 she missed them – That next morns. the Clerk of the market delivered her articles back again, except the Shawl – these things belonged to her husband John Chisholm – +

+ The Coat & shoes she saw from Alberti on the same she lost out of the Cart –

x

Lives near the French burying ground – she did not lose these things on the road to market, as she saw them after she arrived there –

Alex^{r} Chisholm, son of John Chisholm, he came to market with the Cart about 4 in the morns – he had the Coat & shoes in the Cart, and the last wch came there about 8 & brot the scarf with her – he missed these things about nine o'Clock – next days saw the saw these things in the hands of the Clerk of the market –

From absence of witnesses, another Jury was impannelled to proceed in another case –

~~The King~~ John Welsh } ~~On Indictment for Burglary~~ –

Franc^{s} Alberti – on the 20 inst. he saw the Pr on the market about 6 o'Clock in the evening

he

he had the coat on & offered a pair of shoes for sale, being effects which had been stolen on the market place — the Wr. having recd. informn of the theft from Denis Griffith — he asked Pr. where he had got these things, but gave no answer whatever — he afterwards stript off the coat & threw it on a butchers stall — he delivered these things to Mrs Chisholm —

The Pr. sells articles in a basket on the market which he offered for sale — the Pr. carried the shoes openly in a basket for sale — When the Pr. was arrested, he did not appear in liquor, but after coming from Police office, he affected to be so —

Denis Griffin — on 20th. inst. heard that some effects had been stolen from Mrs Chisholm — Wr. knew what the articles were — in the afternoon of same day he saw the great coat on him & the shoes in a basket — in consequence gave information to Alberti who arrested the Pr.

Verdict. Guilty. —

The King
Johnr. Welsh } on Indictment for burglary —

Joseph

~~Joseph~~ Isaac Beauchamps – en Juin dern.
il etoit au service de Mr Dezery au pied du
Courant – il y eu une paire de guide & un bride
harnois volés la nuit – il avoit fermé la
porte la veuille vers les 8 heures du soir –
La remise est distante à environ 50 a 60
pieds de la maison – vers les 5 heures du matin
il s'est apperçu que le Cadenac avoit été
ouvert – un harnois & selle valant £3 – la bride
7/6 & une paire de guide 2/– ont eté volés –
Il a ensuite trouvé au fb. St. Anne – la bride
volée – ces effets appartenoient à Mr Dezery

Joseph Jobin, dem. chez son pere – en Juin dernier
il a acheté une bride du Pr au vieux
marché – il a payé 1/8 – Que le lendemain
le temoin Beauchamps est venu reclamer
la bride, & lui en a donné les marques, &
il a en consequence rendu a Beauchamps

Estime la valeur de la bride est 7/6 –

Maxime Lafresnier – Le Pr apres qu'il fut arreté
& ayant eté requis pour le mener à la prison
le Pr lui a dit que s'il vouloit le laisser
aller, il lui montroit ou etoient les autres
articles

articles – qu'il étoit bien fou de n'avoir pas pris le harnois complet, comme il mangeroit un article –

Verdict – Guilty of Petty Larceny to amount of 7/6

The King
v.
Margaret Barry } On Indictment for stealing above the value of 40/– from a dwelling house. –

William Bell – lives in Montreal, about the end of May last he lost a silver watch & a silver goblet – on 1st June he missed them – saw both articles about 11 o'Clock the evening before in the same room in his own dwelling house – The next morns. he observed a window open. near qts. he had been sitting the eve before was open & the articles gone – values the watch at £20 – Str. & the goblet at £2.10 – The next day he gave information to the different silver smiths & watchmakers to stop the articles – about the tuesday afternoon Mr Hallowell sent to tell him that a person had offered the goblet for sale. He went there & found his goblet in possession of Hallowell –

Understands that name of Pr. is Margt. Barry

never

never saw her before to his kn. till she was arrested on this accusation — There was no person but his own family that night — his wife & 3 daughters — he did not go out of his house after dark. — He passed that afternoon & met one Hallowell & had a glass of bar wt him at one Russell's — this was before 9 o'Clock — he stopt there about 1/4 an hour & from there went home directly, & had no conversation with any one — he drank some gin out of the same goblet that evening, & went to bed about eleven o'Clock — the doors & windows were all closed before he went to bed — there was one window to gt there was no shutter — that he found open in the morning — that some parts of his fence about his yard is in bad order —

after he went home that evens he saw none of his family, they had all retired to their bed rooms —

John Hallowell, watchmaker — about the beginns of June last the Pr brot. a silver goblet for sale — he told her he knew the person it belonged to & that he had given him orders to stop it — the Pr. o'd that Mr Bell had sent her with it for sale — & he would go wt her to Mr Bell — & was preparing to go with her, when she ran off — he observed the house where she went to — The wit. deliv'd the goblet to a police officer.

x

x

It was about 2 or 3 o'Clock in the afternoon when the Pr called at his house — That he had no other conversation with the Pr than that mentioned — he had never seen the goblet before but was told by Mr Bell to stop it —

That on the saturday evening before he had passed about an hour wt Mr Bell at Mr Russel's — when they had a glass of beer — does not remember what the subject of their conversation — it might be about 10 o'Clock when the Wr left Mr Bell at Russel's — there were other persons there at the time who appeared also disposed to remain there —

The goblet weighs 2 oz. 13

Mary Brady, aged 11 years — Ks Pr has seen her at Mr McCoughan's Recollets Street — has seen her there frequently — she rem. to have seen her with the chain of a watch in her hand, but did not see the watch the chain was yellow — that John Davelin was present at the time —

Cannot say whether it was a necklace or locket she saw, but it was a chain

John Davelin has seen the Pr at one McCoughan's in the Rec. Sub — when she went sometimes — has seen a watch in her hand which he took for silver

as

it was white – it had a yellow chain, & a key without seals – One day on coming into the house he saw the Pr. standing in the room w the watch in her hand – cannot say whether it was Sunday a not –.

Jane McDougal, wife of McCoughan who keeps a grocery on Rivulets Sub – the Pr came there at times to purchase groceries – knows nothg of her – has seen a chain hanging from her breast, & she supposed it came from a watch thinks the chain was yellow – cannot tell when this was, but was about the early part of the Summer about the beginning of June – saw this chain but one –

John Geo. Degen – is a Constable – was charged with a search warrant & the arrest of the Pr – he got from Mr Hallowell the goblet which had been offered by the Pr for sale, & he remitted to Mr Lafrinier with the warrant – Mr Bell was present when he rec'd the goblet –

That Mr Bell told Wr that he had gone out of his room, when he was sitting & had left the goblet & watch, & when he returned, he found

he understood from McPhail

found the watch & goblet gone, & that he had been in company with a woman & that he suspected her to have stolen them — that when he left his room the woman was in it, & when he returned his watch & goblet were gone —

James Prest, clk to Police office — there was a silver goblet brot. to him on the charge made agt the Pr

John Hallowell — says this goblet is the same the Pr brot to him for sale —

Wm Bell — says that is ~~the~~ his goblet & is the same he drank out of the evening it was stolen —

John Hallowell — Wm Bell & Dezin were wt him when he went in search of the Pr & Bill told Wr & Dezin, that when he went home being thirsty he take some gin & water out of one of the goblets left it & his watch on the table & in the morning it was gone — that Bell never intimated the least that he was in company with a woman or had left a woman in his room when he went out of it & left his watch & goblet in it.

Cannot say there was any particular conversation between Dezin & Bill — was at a little distance at times —

Defence

Richd Dillon — Ks. Mr Bell stated to him that he had been drinking & chatting to a late hour, & that he had left the goblet & watch in his room, and when he got up in the morning they were gone —

James Prest — says nothing —

Verdict. Guilty of stealing from the dwelling house — value 15/-

The Court adjourned to Monday the 25th inst. at nine o'Clock in the morning

Monday 25th Augt. 1828

The Court met pursuant to adjournt

Prest.
Ch. Justice Reid
Mr Justice Foucher

The King
Pierre Matte
Hyacinthe Daigniau
Laurent St. Onge
Francois Camyré
~~Joseph Mathon~~

On Indictment for a conspiracy to persuade certain persons not to give evidence agt the said Pre Matte on an information agt

agt him for selling liquors without licence.

John Delisle, clk of the Peace for the District as such the information now produced was laid before him, proves the signature of D. Ross, Esq. the Attys for the informant, & also the signature of S. Gale Esq. the Magistrate who signed the writ of Summons issued in consequence —

The Information & writ of Summons were read. —

This informn & Summ were retd. 11 Sept. 1827 & Pr. Matte appd in person & pleaded not guilty —

Subpdna, produced, proved & read — addressed to Constant Vaudrin & Jn Bte Rousseau, as witnesses on the above prosecution — to appear on 11 Septr. — These witnesses did not appear on the 11th —

Constant Vaudrin, dem. a St. Constant — y demeurait en Aout dernier — en Sept. dr. il a reçu un ordre de temoignage pour l'~~aff~~ plainte de Reaume contre le Defendr. Matte — apres qu'il a reçu l'ordre Mr Matte l'a envoyé chercher par St Onge pour aller chez St Onge, c'etoit le 3 Sept. le Dimanche — il y a trouvé Le pere de Laur. St Onge Mr Tamyré y etoit — & apres Mr Matte s'y est rendu — le nommé Jn Bte Rousseau temoin

comme

comme lui s'y ~~est~~ rendu — Chez Mr Matta addressa them saying, mes enfans vous me rendez du mal — qu'il y avoit moyen de l'enter — leur a dit d'aller chez lui, Matta le lendemain avec Mr Duff, qui est le beaufrere de Matta — qu'alors Matta leur a demandé combien il leur faudroit pour aller dans les Etats Unis — ont demandé 15 piastres ℔ mois chacun — c'etoit pour pas paroitre pour rendre leur temoignage sur la plainte de Reaume contre Matta, et d'y rester jusqu'a ce que l'affaire fut finie — Que Matta est convenu de leur donner à raison de 12 piastres, et ce pour 1 mois, et tout au plus pour un mois & demi — Que sur la demande des temoins qui aura soin de leurs familles pendant leur absence, Hyacinthe Laisneau a dit que Mr. Matta en auroit soin et les nourriroit au pain et au lait — que sur la demande du tem. s'il leur arriveroit quelque chose Matta a dit, qu'il repondoit de tout. Que Campri leur a dit que s'ils venoient en ville ils seroit reçus comme des chiens dans une Eglise — Que la dessus sur consequence des promesses de Mr Matta, il a consenti d'aller dans les Etats Unis —

Que

Que le soir du meme Jour St Onge est venu avec une charette pour les mener dans les Etats Unis — il les a remontré en chemin Qu'il etoit convenu avec Matte qu'il les feroit mener en charette, afin que Madame ne pourroit les rejoindre en chemin — qu'ils ont reçu 6 piastres chaque à compte des 12 piastres — c'etoit Jos. Mathons qui les a payé comme venant de Matte — Que St Onge les a mené à un endroit appellé Sarenac ou Plattsburgh — chez Bte Betourné et les a laissé la, — Qu'avant de partir, Mr Matte leur a dit qu'il leur enverroit d'autre argent par St Onge, & qu'ils vinrent a rester la jusqu'a ce qu'il leur envoya ordre — Qu'ils ont arrivé à Plattsburgh le 5 — Que vers 3 semaines apres St Onge est revenu leur donner a chacun 3 piastres — et leur a dit, que s'ils revenoient ils seroit mis en prison — Que le nommé ~~Rousseau~~ Pr Vaudron & Bte Drolet sont venu de la part de Madme Reaume leur dire de revenir en Canada cela etoit envers 9 a 10 Jours apres — mais ils ont refusé de revenir crainte d'etre mis en prison — Que St Onge s'etoit rendu

devant

devant ces gens là, & avoit amené la femme du tém. qui étoit inquiette de son mari — Que pendant leur demeure à Sarenac, ils ont reçu une lettre de Mr Ross qui leur disoit de revenir & qu'il leur ne seroit fait — ce qu'ils ont fait en conséquence et ont donné leur tems — sans cette lettre ils ne seroit pas revenus — vû les menaces qu'on leur avoit faites —

Que tout ce que Camyré a dit étoit que s'ils venoient en ville, ils seroient reçus comme des chiens dans une Eglise —

Que lors de l'arrangement le Lundi chez Matte Daigneau y étoit & assistoit a faire l'arrangement

£-

Il n'a pas de maison & peu de biens —

Qu'il a été appréhendé pour avoir fait un faux serment — & Mr Ross a donné caution pour lui — l'accusation contre lui étoit pour un faux témoignage qu'il a dit on disoit il avoit donné devant un autre magistrat, mais il n'en a pas de connoissance —

Qu'il a reçu le subpœna en août pour paroître comme témoin, contre Matte, croit que c'étoit à la fin d'août — ~~avant~~ après d'avoir reçu cet ordre, environ

8 Jours, il a vu Mr Matte,

Que Campré n'a pas conseillé au temoin de s'en aller mais a observé que les gens qui se mettoient en pareilles affaires, meritoient d'être traité comme des chiens dans une Eglise —

Que Matte a promis leur donner 12 piastres & qu'il leur payeroit cela — Hyacinthe Dugueau etoit present dans le tems — c'etoit le 4 Septre chez Matte, le Lundi —

Que Matte est le premier qui leur avoit parlé le 3 Septre — ne peut dire s'il avoit connoissance qu'il avoit reçu un ordre pour paraitre comme temoin, mais il savoit qu'ils avoient été chez lui pour avoir de la boisson — & il leur a dit que c'etoit pour faire tomber la plainte faite contre lui —

Que Matte a envoyé chercher Matthons, & ce dernier leur a livrés les 6 piastres —

Que St. Onge est dans l'habitude de mener des personnes dans les Etats Unis — mais il n'a pas fait de marché avec lui — au contraire, que St. Onge savoit ou il devoit les mener dans les Etats Unis — & il l'a meme dit au temoin ou il devoit les mener —

Jn Bte Rousseau, Journalier à St Constant, connoit les Defendeurs — qui sont de la même paroisse — Quil a reçu un ordre de temoigne. vers la fin d'Aout ou com. de Sep. pour une plainte contre Matte — Qu'il devoit paroitre le Samedy mais il n'est pas bien sur — Qu'apres cela Matte lui a envoyé St Onge lui demander de aller lui parler — chez St Onge — c'etoit le demanche qu'ils devoit aller trouver Matte — il y fut avec Vaudrin — Il y a vu Mr Camyré, Mr Matte, Constant Vaudrin, Pre Vaudrin & St Onge —

Matte leur a dit, vous me voulez donc bien du mal — voulez vous faire un arrangement avec nous autres — voulez vous engager a moi pour aller dans les Colonies pour faire tomber l'action de Reaume contre lui — ils ont dit peut etre bien — ~~ont demandé~~

Qu'ils avoient reçu les ordres de Subpena le Samedy auparavant — que Mr Matte savoit qu'il avoit reçu l'ordre de Subpena+, et disoit qu'il repondoit de tout —

+ que le temoin lui avoit dit le demanche. —

Qu'il s'est rendu le Landi chez Matte, avec Vaudrin, Laurt. St Onge leur a joint & y est allé avec eux — Matte leur a demandé combien ils demandoient ~~pour aller~~ par mois pour aller dans les Colonies — il y avoit alors Denighiau,

un

un nommé Moquin, & Denau —
Que Malte leur a offert 12 piastres pour un mois, au bout de quel tems ils pourroit revenir & que s'ils restoient plus long tems ils seroient payé a proportion — & qu'ils alleroient son ordre pour revenir — Malte a dit a Vaudrin si sa femme avoit besoin de vivres, il seroit nourrie au pain & au lard — Qu'il devoit les faire mener ~~par~~ dans une charette, pour que Mad^e Beausne ne pourroit les rejoindre — le nommé P^re Mathons leur a donné 6 piastres à chacun ce qu'il a compris venoient de M^r. Malte —
Que l'on devoit partir le soir pour que l'on ne sut leur depart. —
Que Mr Malte leur a promis de leur envoyer d'autre argent dans les Colonies par St Onge —
Que Camyré leur a dit que s'ils venoient en ville leur donner leur temoignage ils seroient reçus comme des chiens dans une Eglise — & il comprenoit de la que Mr Camyré vouloit les engager de ne point venir —
Que lorsque Malte a proposé l'arrangement

avec nous, il ne comprenoit pas Mr Camyré qui n'avoit rien a faire dans l'affaire -

Et parti le soir le Lundi avec Mr St Onge et Vaudrin - & St Onge les a mené au fort de Sarenac ou Plattsburgh - ou ils sont arrivés la le lendemain le Mardi et ils ont arretés chez Bte Betourné son beaufrere - Que St Onge leur a dit de rester la jusqu'à ce que Mr Mathe leur a donne notice - Que vers 15 Jours apres, St Onge est venu leur donner a chacun 15 J - Leur a dit que s'ils revenoient ils seroient mis en prison - Vers 8 Jours apres il est encore revenu de ne point revenir, comme il y avoit deux hommes pour les chercher - Que ces deux hommes sont venu le lendemain, Bte Drolet & Pre Vaudrin qui venoient de la part de Madre Réaume pour les engager de venir donner leur temoignage - Qu'ils ont refusé de revenir avec ces gens, comme ils craignoient d'etre mis en prison -

Que

Que Madᵉ Reaume a parapres leur a envoyé une lettre de Mᵉ Ross son avocat, leur demandant de revenir — La lettre produite — & lu — sur cette lettre il est revenu en Canada avec Vaudrin et a donné son temoignage —

— Du tems qu'ils etoient dans les Colonies, Daigneau & Alexis Moquin sont venus la, et il a recu de l'argent de Bᵗᵉ Betourné, comme provenant de Daigneau — que Daigneau leur dit de ne point revenir, comme l'affaire n'etoit pas fini — que les Juges disoient, que la place pour les gens comme eux etoit les Prisons et une amende de 40 piastres — Que sur la demande de Daigneau ~~il~~ il les a méné au villap, ou il a tu du whiskey, au point qu'il ne peut dire s'il a signé un papier la, ou ce qu'il a fait —

— Que lors de l'arrangement il paroitroit que Daigneau etoit concerné avec Mathe — comme il leur a dit d'arreter chez lui en passant et qu'il payeroit 2/6 qui manquoit sur les 12 piastres que Mathons devoit leur payer qu'ils ont arreté & ont recu un pain & du Rom à compte de cet écu. —

+

~~Qu'il a~~ Que l'ordre qu'il a recu etoit pour paroitre

paroitre dans le tems de la recolte —
Que c'etoit dans la maison de Saint St Onge que l'on a parlé d'arrangement — que Mr Malte, y est venu — Que le lendemain ils ont eté chez Mr Malte, & l'ont vû dans son Magazin — ou l'arrangement a eté conclu — & Mr. Mathons a fait le marché au Presbytere & leur a payé l'argent apres —

Qu'il a eté arreté l'automne dernier, il sur une accusation de faux serment a Mr. Ross a donné caution pour lui — a compromis que c'etoit pour avoir fait un faux serment dans les Colonies —

Que Hyacinthe Daigneau leur a dit que s'ils revenoient ils seroit pour 3 mois de prison & une amende de 40 piastres. —

Alexis Moquin, de St Constant — en Augt last he rod a Summs. at instance of Chas Reaume for having sold liquors without licence — On his way to
29 Augt town — he called on Chas. Reaume to settle with him, as he was in fault — That he told Mrs Reaume that he would come to town on the friday & pay his fine — he met Saint St Onge, who told him

that

that Pr Matte asked for him — he saw him, & he asked him to come next morns — went there — wch his wife & another woman — Matte asked him why he had brot his wife Mrs Caillé as he did not want the women in this matter — on this Matte sd give me 3 dolls & you will hear no more of the matter — but Wr sd he had better settle the business — on this Matte sd that there was no fear — that on the first or second appearance of the Cause — Reaume & his wife would not pursue the matter further — & the Wit — understood that in giving the 3 dolls the matter would be settled & the Wr would be clear of the affair —

Before leaving Matte's house he saw the 2 Wits Rousseau and Vaudrin, whom the Wit. knew to be the witnesses of him the Wit — & he understood from Matte that he had been sued as well as the Witness — That Matte said that these two men were going away but he did not say where they were going — Wr understood they were going to the Colonies — and he knows they were absent about 2 months —

That

+ to send to the Wts.

That about a month after Mr Matte asked for 3 dollars more+, as he would make the Suit very quickly, this the Wt. also gave to Mr Matte —

That about 2 months after when he saw matters were going wrong he told Mr Matte that he would go and settle the matter on this Mr Matte told him if he confessed Sugt for the fine he would bring an action of damages agt him — The Wt came to town & paid the fine

+

Did not remark the time when he had this conversation with Mr Matte, thinks that it was about the middle of Sept — Cannot say ~~wh~~ for what the first three dollars were to be employed by Mr Matte —

That Wt. was arrested also with Mr Matte but became a witness for the Crown to get rid of the accusation —

Pre Vaudrin, dem. à St Constant — son frere demeuroit dans la meme maison avec lui en Aout dernier. Que dans ce tems il a seu que son frere avoit reçu un ordre de temogt — pour une affaire de vente

de

de boisson sans licence —

Que par après une Dimanche Leur St. Onge est venu dire à son fils de venir chez lui pour parler à M. Matte — a demandé où demeurait Rousseau — l'autre témoin — le tém. s'est rendu avec son fils à Rousseau à St. Onge — Les Matte leur a demandé quelle vengeance ils avoient contre lui pour avoir fait ce qu'ils avoient fait contre lui — ils ont dit qu'ils n'avoient pas plus de vengeance contre lui que contre les autres —

Alors Matte leur a demandé s'ils vouloient faire un arrangement avec lui pour s'en aller dans les colonies — leur a dit de venir chez lui le lendemain pour finir avec lui — et leur a demandé s'il pouvoit se fier à leur parole, ils ont dit oui — alors ils ont demandé s'il répondoit pour eux, il a dit, qu'il répondoit, corps pour corps — Que Lamyré qui y étoit à par après dit — que s'ils alloient en ville, ils seroient reçus comme des chiens dans une eglise — & il a compris que c'étoit pour engager les témoins pour ne point venir —

Qu'il a connoissance que son fils a été absent pendant 3 semaines — & il a été le

voir

voir à Plattsburg de la part de Mad^e Reaume — pour les engager de revenir — mais ils ont dit qu'ils ne pouvoient revenir que leur tems fut fini, & qu'ils ne pouvoient revenir — Et ils ne sont revenus que bien tart l'automne —

Jn B^te Drolet — dem. a St Constant — a con. que Vaudrin & Jn B^te Rousseau étoient absents a Plattsburgh en Sept. dor — il y fut envoyé par Mad^e Réaume — les a demandé de revenir pour donner leur tems — ont dit qu'ils ne pouvoient pas revenir que leurs tems fut fini — En chemin il a rencontré St Onge qui s'en venoit de Plattsburgh —

David Ross — was counsel for Chas. Reaume on a suit of q. t. on a suit ret. on 11 Sep. for selling liquors without licence — cause Vaudrin & Rousseau to be subpd. as Wit — they did not appear on the day — & having learned that the Witnesses had been put out of the way he had the suit put off from time to time until he wrote a letter to them at Plattsburgh when they came in and gave their testimony

In consequence of the non-appearance of the Wit he proceeded agt them and obtained a Judge agt them for the fine in such case —

F

That at the prosecution a man appeared who said he was a Magistrate from Plattsburgh — That he saw a paper which had been drawn up before this Magistrate stating that the two witnesses had appeared before him & declared that they had not got any rum from Mr Matt —

Defence

John Delisle, That on 27. ~~Sep~~ Novr. the Wits were examined before the Court, & they both swore that they bought & paid for Rum in the house of Mr Matte —

~~That on S~~

Daniel Salmon — was counsel for the Defendts Daigneau on the prosecution at them on the complaint of Madn. ~~Rout~~ Reaume — saw the 2 Witnesses appear there — they were examined —

That after what he has heard of these persons they are not considered to be of the best of characters & he would hesitate to believe them on oath in any cause which he would be concerned. —

Has heard speak of these persons by Mr Leblanc by Mr Dubord — besides the 2 Defendts Matte and Camyré —

Charles Archambault — Ks. the 2 Wits indirectly — they are not considered the most respectable in the

parish

parish – Ko Mr. Matte & Mr. Camyré for many years – who always enjoyed a good character – –

Norman Stewart – Ks. Matte & Camyré for some time. –

On part of the Crown –

Alexis Moquin – called up again – gives a good character to Witnesses Vaudrin & Rousseau –

JnBte Dupuis – has lived in the parish for 30 years never had any dealings with the Wits –

JnBte Drolet – connoit les temoins depuis 15 & les a considéré comme honnêtes gens

Verdict of Guilty, against
Pierre Matte
Hyacinthe Daignian
Laurent St. Onge. –
and of
Not Guilty agt. – Francois Camyré –

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