

District of } Criminal Pleas -
Montreal }

February & March 1827

Saturday 24.th Febr.

Pres^t.

Ch. Justice Reid

Justices Toucher & Uniacke.

The Grand Jury being charged they retired to consider of the bills laid before them - and there being no business before the Court it adjourned to 2 o'clock in the afternoon to receive such presentments as the Grand Jury might have to lay before it. -

Monday 26 February

Coram
Ch. Just. Reid & Mr Justice Uniacke

Dome Rex }
Alex. Johannet }

On indictment for stealing above
the value of 40/- in a dwelling
house -

Lazare Beauvais, dem. au sault St Louis, en Octobre
dernier, il étoit dans une Cantine tenue par un nommé
Williams, il avoit environ 60 parties dans un moment,
pour

Pour payer du hom. il a prit un billet de 20
li'arshes & un de 5 piastres & les a attache' dans un
mouchoir qu'il a mis derrière lui - et a payé
les hom. & apres & trouvé que son mouchoir &
argent manquoit - et a été à la recherche, apres
les informations qu'il a receu d'un petit garçon
& a été à un coin de rue & a vu le P^e & un autre
petit garçon, qu'on disoit être la personne - ils
se sont saisis - et il a poursuivi apres - & enfin
les a reportés pres du bord de l'eau, & sur la personne
du petit garçon qui étoit avec le P^e on a trouvé
le mouchoir qu'il avoit perdu qui valoit un
cheleni -

Louis Doney, lives in town - was present at a search made
by last Mr for a hkf he lost about 7 Oct last.
Beauvais s^d he suspected that a little boy or some
one had stolen a bill, one of 20 & another of 5 doll^s
that on going to Casswell's he s^d a ^{little} man had been
seen to change a 20 dollar note - pursued after
came to back of Masonic Hall saw the P^r boy
sitting near some wood as if hiding themselves - W
took hold of boy & asked him when the money was
he had stolen from the Indian, ~~and~~ he pulled
out the hkf from the boy's pocket - & found some
coppers tied up in it - the P^r began to get saucy
& asked what was his business then - That Beauvais
came up & recognized the hkf to be his - & on
questioning the boy he s^d in the presence of ^{the} boy
That

that it was the P^r who gave it to him and the P^r himself said he did give it to the boy - he is the same boy who is now in Court -

Geo: Stanley, In Oct. last, Beauvais came to W. said he wanted a Constable to make search for a man who had robbed him - W went with him and found the P^r and a little boy - he arrested the P^r but found no money on him - the bkf was found on the boy and the P^r said he had given the bkf to the boy - it is the same bkf now produced, as it has been in his possession ever since -

James Carswell - a grocer in town, his P^r recollects that about the beginning of Oct. last about 4 o'clock P. M. the P^r came into his shop with a 20 dollar note to change - was in a hurry to get change - & he would take a part of it in goods - told him to go to his other shop - he had not been gone above 3 minutes when the P^r Beauvais drove Indians who told him he had lost his money - a W suspected P^r to be the person -

The Prisoner called no witnesses. -

Verdict. Guilty. -

The King
or
Frank Cadoret }

On Indictment for stealing above
the value of \$15 - from a dwelling
house -

Marie Lee Crete, widow of Geo. P. Baker - keeps a tavern - had
a bag wth money in it in her bar - in Nov. last
she had occasion to pay for a box of soap, & put down
her bag ^{a table in} on the bar - the P^r came in & she asked
him to put the box of soap into the bar - he did so,
that the second day after, she had occasion to put
some money into the bag - & found it gone -
she remembered that no other stranger had gone
into the bar besides the P^r - There was in the
bag about £15 - 3 or 4 French Crowns - 5 or 6
Sp. Dollars - about 4 or 5 French of Crowns - 10 or 12
20 sols - 30 shillings in silver - there were five bank
bills of 5 dollars each - 3 bills of one dollar each -
there was a counterfeit bill of 50 dollars in the
bag besides - gave notice to the Bank of such a
counterfeit bill was presented there to stop it, as
it belonged to her - As the bill now produced
to be same she lost from a spot of ink on it -
& from its having been torn - She was notified
by the Bank that the bill had presented for
pay - some days afterwards - She is mistress
of the house where the money was taken & has a
Plan of it in her own name - The bag was of
black velvet & is worth 1/ -

She kept the bag usually in the drawer of the table
she had left it that day on the table after paying
the soap - her house is frequented by a good
many people - She had 32 dollars in hard money
& the rest in paper money - when ~~she counted~~ ^{the money} was
stolen

stolen - she counted her money some time before
the same day - That her children also go into the
bar as well as herself - she has three of them who
are grown up - she has no strangers in her house -
The counterfeit bill was in her purse the day her money
was stolen -

Virginie Chevalier - about 3 months ago, the P^r made her
a present of a bill of 5 francs - that 2 or 3 nights
after he came to the house when she rec^d another
bill from the P^r - it was a little torn, she repaired
it, & gave it to ^{the daughter of} Madame Prault, ^{who gave it to her mother} to carry to the bank
to get changed - the bill was repaired by her being
a little torn - she put her name on it - & believes the
bill now shown to be the same she rec^d from the P^r -

Sophie Prault - about ~~the~~ beginning of winter her daughter
got a bill from Virginie Chevalier a bill of 50
dollars to carry to the bank to get changed - she
was delayed there till 11 o'clock when was sent for, who
claimed the Bill - That her daughter received
the bill from V. Chevalier in her presence - The
persons who gave her the bill did not know whether
it was a bill of 10 or of 50 dobs -

Sophie Prault, the daughter - That Eugene Che gave her
a note in the presence of her mother & gave the note
gave to her mother to go and get changed -

That when P^r gave ^{the} note to V. Chevalier he
D. it was a ten dollar bill - it was in possession of
V. Ch. some days

Genl^r Holmes, is one of the officers of the Bank of ^{Baker} Montreal - was informed by a young man, that he had been robbed & that there was a 50 doll counterfeit bill - 2 or 3 days a woman ^{Made Prault} came to the Bank wth such a bill, he questioned her where she got it - her answers were not satisfactory - he suspected this was the bill w^{ch} had been stolen - sent for Baker, who came there - believes the bill now shown to be the same bill - the bill he gave to Baker who claimed it as having been stolen - it is a counterfeit bill -

That the bill he rec^d from the Old woman he delivered to Baker, he put no mark on it she believes it to be the same -

Louis Baker son of first W^r about 'big', if wanted his mother lost some money & among it a counterfeit bank bill of 50 dolls - he went to the Bank to notify this in case such a bill should be put there to change - some time afterwards he was sent for to the Bank & found M^r Made Prault - asked her M^r Holmes showed him a bill of 50 dolls w^{ch} he counted same as that lost - went wth M^r Made Prault to a Magistrate - on the way the 2 women the daughter of M^r Made Prault her daughter came up

up and said they had given it to Mad^r Pruebe
& that they had got it from the P^r the W. gave
the note to his mother who recognized it to be hers -
that he had seen the bill in the hands of his mother
& recognizes it from the spot of ink on the back
of it -

James Pratt, clerk in the Police office - when Madame
Prater made her deposition, she gave him the bill
now produced & he annexed to her deposition -

Mari Joe Crite brot. back, says, she received the bill
from her son Louis who brot. it from the Bank
and she carried it immediately to the Police office
and gave it to the last Meluiss -

Dyence

Joseph Warner, lives in S. L. Sub - is sublinter -
the P^r is a sublinter - he was brot. up by his
grandfather - he has a good character - never
heard anything of a kind - he is a married
man -

Ellis Rollard - his P^r - he has worked for W^r 3 or 4
diff. times - gives him a good character -

Verdict. Guilty of Grand Larceny -

Tuesday 27th Febr 1827

Prost

Ch. Just. Reid & W. Justice ^{Ymiraker} ~~Lawrence~~

The King
v
Mathew Verts

On Indictment for Burglary -

James M. Intere, lives in S. L. Sub. in a house
he leases - the premises run from street to street
there is a stable within the inclosure in which
the dwelling house stands, as distant about 20
yards from house - about 6 o'clock last he had a sow
and some pigs in the stable - saw them about 8
o'clock in the evening in the stable - he then opened
the stable, & fastened the door by a piece of wood
& a harp, the wood running through the harp -
next morning about 5 or 6 o'clock he observed that
the sow & pigs were missing - the stable door open
this boy called to Mr. that the sow & pigs were gone.
He found the sow & pigs ^{2 or 3 days off} in a house where the
pigs usually live in a kind of stable - the
pigs is considered as the master of that house - he
took the sow & pigs home & had p. arrested -
value of sow at 12 dollars & the pigs about
as much more -

cramped

The gate of the yard was shut with a cramped
staple - that one Mrs. Burdett to whom he
allows access to the back part of her premises thro'
the yard and premises of W. that she has
a person who shuts the gate after her when she

passes

passes thro' the gate at night is a careful woman.
That at the house where he found the pigs, he did not
at the time see the P^r, but a saw a parcel of women
in the house and always saw the P^r living there

James Smith, lived wth Mr. Inten in Oct last - that
Mr. I- had a sow & pigs in his stable, which opens
into the yard - the only commⁿ with the stable is
by the yard gate - There were a sow & five pigs - he
fed them in the stable between 7 & 8 (tho' the evening
before they were missed - the stable door was secured
with a staple & wood in place - the yard door was also
secured that night - The next morn^g about 5 o'clk
the sow & pigs were missing - 2 two days after
they were found in a house in the same street
did not see the P^r there - found the pigs & sow in
a back yard in a small building -

7-

Has seen Mr. Inten late out on Saturday nights, in
order to deliver out bread, being a baker - That before
this the pigs had strayed from the yard - & knows
that Mr. Inten was fined for allowing his pigs to stray
in the street - That there is a yard door which
communicates between the premises of Mrs. Bess that
& Mr. Inten - does not know whether that gate was
shut that night or not -

Joseph Desford, Sr. P^r who lives about 50 paces from
Mr. he leaves the house from Geo. Street - he lived
there in October last - The week when he saw Mr

Mr. Inten

Mr Intere in search of his pigs he told him to go
to the house of the ^{Pr} as he had seen pigs there -

That he was that Mr Intere's pigs have been found
in the street -

Defence -

Frank Mathurin, is Town Crier - he was frequently called
upon to give public notice by order of the ^{Pr} for
a sow & 3 or 4 pigs which he had impounded
this was about the beginning of October last - in order
to find out the owner - the ^{Pr} he had found in the
street - Mr. Mr Intere for some time past - ~~was~~ ^{has}
^{but was not} employed by him to make publication about the pigs -
Mr. that a person had been raised up ^{Pr} for stealing
pigs -

Martin Ferrier, In October last he saw a sow & some
pigs go into the yard of the ^{Pr} he had seen
them pigs in the street once or twice before -
but does not know they belonged to Mr Intere -
this was about 7 or 8 of the in the morning -

Angeleque Daverin - lived w. ^{Pr} in October last & in
same house with him for about 16 months -
the ^{Pr} is a day labourer & is seldom at home
in the day time - that several times she had
seen pigs in the street, before she saw the ^{Pr}
take them into his yard - the ^{Pr} had the
Pigs cured by the Town Crier - she heard the
^{Pr}

Dr ask for the imprisonment & the expense of
publication - & he should have the pigs -

Anglique Beloin - has Dr for 5 years - she saw the
pigs in the street, told Dr of it - who took them & put
them into the stable - Some days after Mr Intire
came

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

The King - }
Edward Kennedy } An indictment for Grand Larceny?

John Torrance, milt in town - had in
Nov. took some wood under the Methodist Chapple
had the store was broken open in 12 Nov - and the
head of a hopthead of sugar broken open & some
sugar carried away - The Dr was at that time
in the employ of Mr McGeorge who occupies the
vacant lot next the Chapple as a yard, where
The Dr was usually employed - The W^r suspected
The Dr had a search made in his house found
some sugar in a hkf in a basket of the same
description & quality as that in the hopthead
of had been broken on - found in the chest of
The Dr a loaf of a sugar wth the paper off &
several loose pieces of sugar - In the store there

was a hkt found, of the wife of the P^r claimed
as belonging to her boy - That there had been
about 30 to 50 pounds of sugar taken and about
two gallons of rum - values the sugar at 15/-
and the rum of 5/- - on enquiring how the
P^r came by these things he sd they had been bought
by his wife from a pedlar whom he did not
not know -

x^d-

Believes the sugar to be his property -

Andrew Cowan, merchant in town - went wth Mr Torrance
in search of goods stolen from out of the Methodist
Chappel - a pane of glass had been broken &
while they were examining the place the P^r came
up & made some observations, Mr Torrance he suspected
that the P^r knew something of the business - on
this the P^r went home - they got a warrant &
searched the house found a quantity of
Muscovado sugar in a chest, and nearly two
loaves of white sugar - the P^r sd his wife
had purchased the loaf sugar from a Pedlar

x³-

That from the similarity of sugar & the mode
& manner in w^{ch} it was found, he suspected that
it was the property of Mr Torrance, & he himself
thought so -

Deference -

Martha McCrae, has serv. P^r in 2 years - as he was
a servant of Mr McCrae - he had 8 doll^s & months
and

and his wife used to go out washing

Jane Ogilvie - W. P. in upwards of 2 years - he was always an industrious man - he was employed by Mr McKenzie & had 8 dolls per month & his wife went out a washing - That she would not be surprisid to find a few pounds of sugar in the possⁿ of the P^r. Heard that robbery had been committed on a Thursday next when she slept in house of P^r. Thanks he was at home all night -

Patrick Kilbride - W. P. 5 or 6 years - he is a labouring man & usually gained 8 dolls per month - he was employed by Mr Macdonald at Mansion House as a confidential servant -

George Hughes - W. P. - lives wth Mr Macdonald McKenzie saw P^r there as a servant also - was there when he was arrested - had lived at 2 diff. times in Mr Macdonald's service - the last time for 8 or 9 months & was there when arrested - Mr. McKenzie seemed to have confidence in him - he had charge of the stable & harness, oats & hay -

Duncan Fisher - is intimate in the family of Mr McKenzie has seen P^r there he had the charge of the stable & Mr Macdonald appeared to be satisfied with him -

Verdict. Not Guilty. -

Dominus Rex }
Peter - Hart }

An Indictment for stealing above
the value of £15 from a dwelling
house.

William Cardly Wright, during last summer
had 2 apartments in Mr Bingham's house where
he lived as a servant - He went away from Mr
Binghams about 15 - 20 May to go to Philadelphia
and left locked up in his bureau in the rooms
he had, which were locked and the keys left
with Mr Bingham - specifies the different
articles stated in the Indictment and the values
as which they are laid - except the waistcoats
of the values at £3 - thinks there upwards
of 10 pairs of Silk Stockings values at 10/- each.
values the woollen stockings at 30/- The keys of
the rooms where these articles were left were delivered
by W to Mrs White as Mr B. directed him -
When W returned on 7 Nov - he found all
his things under seal of a Notary, and when
he came to examine them he found missing

1 Coat col'd Coat	£6. 10
1 Blue Surtout	1
7 prs. pantaloons	7
1 Suit grey cloth	8. 10
40 linen Shirts	45
20 prs Silk Stockings	10
1 pr Cotton do	2. 6
15 do woollen	1. 5
6 waistcoats	3
1 pr boots	1. 5
	<u>71. 12. 0</u>

20 vol. books	_____	£5	_____
1 pr flannel drawers	_____	15	_____
12 Gravats	_____	1	_____
3 pr shoes	_____	1	10

He got a search warrant & searched the ^{Pr} premises, and the Constables found a number of the articles missing in his possession - We went & found his best coat - £6. 10 - 10 linen shirts worth £10 - 1 pr Casimir pant bloom £1. 10 - 1 pr silk trousers worth £2 - some silk stockings value 20/- - 1 pr Cotton stockings - 2/6 - one pr woolen drawers 2/- 1 woolen stocking - a Madras hker worth 10/- - a striped waistcoat 20/- - Marselles striped waistcoat 20/- these things were taken away by the Constables - The P^r was sent for, & when asked how he came by these things - he at one time s^d that Mr Bingham had given them to him at another time - that he had cut his finger & was to go to the W^s room & get linen for it - at another time he s^d that on a Sunday he was blamed for having dirty linen - he thought it was no blame to take one of W^s shirts, knowing where they were as he was given to understand they would never be claimed by any body - That all these effects were in the dwelling house of Mr Bingham in Montreal, when he went away in May -

x^o

When he returned he found all his things
under

£6. 10
10 -
1. 10
2 -
1. 10
2. 6
2
2 -
1 -
1

23. 14. 6

under seal, he enquired of Mrs Bingham why
his things were under seal, she told him he might
go to the Court and enquire - he heard that
the wife of the P^r had shown them things to her
neighbours saying that Mrs B had made her
husband a present of them - he sent a person
to see if he should see any of his things in the
posse^s of the P^r or his wife - he returned & said he
had found none of the articles beloud to W^r -

It appeared to W^r that the locks of his
Bureau had been forced open -

William Bingham, lives in Montreal, the whole of
the house he rents might be now better den
of he has lived since May last - the last
W^r occupied 2 rooms there - in May last
he went to the States - & left behind him
some of his effects in the house - Mr Wright
returned in the fall of the year - W^r never
authorised P^r to take any of W^r's effects -

W^r was at New York when Mr Wright
left Montreal to go to Philadelphia - he
saw him there & would see him to Philadelphia

Antoine Lafresniere - constable made a search at
the house of P^r for Mr Wright's effects - and
found in the house he found, in the garret
all the cloaths here produced - they were
covered up and appeared to be ~~concealed~~ ^{concealed}

in boxes having old rags & cloaths at the top
and their effects at the bottom of the boxes - These
effects were brot from thence to the Police Office and
are the same he found at the house of P^r that
the P^r was not in at the time, but came up afterwards
and on seeing the W^r he turned short off in order to
escape, but W^r was run after him & got hold of him -
he heard Mr Wright & P^r have some conversation
about the effects - he thinks he is that the effects
were exposed in the rooms where Mr Wright
lodged, that he had taken a part of them by the
directions of Mrs Bingham & that another young
man in the service of Mr B. had taken the
rest & that he was gone to the States -

Louis Marteau Police Constable - The effects now produced
were brot to him by Lafresnais & have remained
in his possⁿ ever since -

Benjⁿ Beaubien - Mr Bingham occupies the house of
W^r - The last time Mr Wright went from
Montreal in May and then left Mr Bingham
behind him -

Wm Bingham brot up, says, the room of Mr Wright
was opened after he went away in order to air the
rooms - The W^r never opened the bureau's of Wright
nor were they opened by his orders - nor had W^r any
ken. that the bureaux were broken open - but an
order of the Court was obtained under which the
bureaux were opened to get at some papers belonging

to us - That no person had any authority
to take any thing out of Mr Wrights room
nor the need the p^r. any authority from us
to this effect -

The Evidence being closed on the part
of the Crown, the P^r. was called upon for
his defence, who said he had no witnesses to
produce and submitted the case to the
Jury -

Verdict. Guilty. -

Wednesday 28th Febr^y

Present
Ch. Justice Reed
Mr Justice Umcke. -

The Sheriff having died this morning,
the Court was unable to proceed in any of the
trials before it, until another should be
appointed, and adjourned till to morrow
to receive such Indictments as the Grand
Jury might have to lay before it. -

Thursday 1st March 1827.

Pres^t
Ch. Just. Reed
Mr Justice Umcke

The Court adjourned further to Monday the 5th
inst. at 10 o'clock -

1 Salk 152

Reg & Regina }

Warrington &c }

Monday 5th March 1827. -

Pres^t
Ch. Just. Reid
Mr Just: Foucher. -

The Court adjourned further by reason of
the absence of the Sheriff, until to morrow. -

Tuesday 6th March

Pres^t
Ch. Just. Reid
Mr Justice Foucher

The Court adjourned further till to
morrow. -

Wednesday 7th March

Pres^t
Ch. Just: Reid
Mr Justice Foucher. -

The Hon. Louis Guey having been appointed
Sheriff of the District of Montreal in the lieu and
place of the late Mr Ermatinger - he appeared
in Court, when his Commission was read, and
he was sworn in under said. post. -

The King
Benjⁿ Sansfaçon }

On trial of Indictment for wilfully
maliciously shooting at one Antoine
Variquette -

Antoine Variquette - the juron stated not being
the true name of the person shot at, the Presⁿ was
discharged of the Indictment by a Verdict of Not
Guilty.

The King
Joseph Moses }

On Indictment for burglary -

Donaventure Gervais, lived in Mr Provost's
service in Montreal - the house in which he lives
the rents from Mr D. Veyl - there is a remise
wh. is on one side of it joins the house & within
the Court yard & in some enclosure wth the house
on the 20 Nov^r last, he found the remise broke
open & the stable door open - this was between 6 1/2
& 7 o'clock in the morn^g a little after day break
the night before he left the house of Mr Provost
about 9 o'clock, he shut up the remise & stable
and put the keys in the house - the ~~stable door~~
remise-door was locked - the stable door was
not locked - when he left the house in the
ev^g. there were two complete barns - worth £2
the property of Mr Provost - these barns
were

were taken after he left the house in the evening
except money when he returned - he went in search
of the harness & found them at the Police office, a
short time after - he knew the harness to belong to
Mr Provost - the same g^t had been stolen out of
the remise -

Marie Josette Charbert, widow of Fr. Provost, rents a
house in town g^t - she lives wth her family -
there is a small remise in the yard g^t and
touches one of the ends of the house & enclosed
within the yard - in this remise was kept the
harnesses - a Calash - it was locked & no one
could enter it without breaking - the last W^{ch}
was in her service on 20 Nov^r last - that night
she was told the remise was broken open & the harness
stolen - the night preceding, the key of the small
remise had been put into her room as usual
these harnesses were her property & may be
worth about 12 dollars -

John Murphy, is one of bariffs of N. B. - about the
21 Nov^r last, he was going on the road on the
road over the mountain - he saw the P^r farther
than, the P^r had a harness g^t - he was putting
back into a bag when he saw W^{ch} who asked
him when he got it - the P^r s^d he had not
stolen it, but had got it for sale & that the
man

man who was w^t here could prove it - but
on this the other man walked off - the P^r was
about offering the harness for sale to a Canadian
Mr. told Ogilvie to take the bag from P^r when
P^r went away calling to the other man Bth
but did not return but walked off w^t
him - having marked the harness they gave it
in charge to ^{one} Mr. M^r Gayer - who put it in
a spare room & ~~gave the Wth~~ That next
day M^r Gayer bro^t the harness to town & deliv^d
them to the W^r who carried them to the Police
office & gave them to Lafresnais -

Henry Arch^d. Ogilvie - was in company w^t last W^r
where they discov^d the P^r & another man w^t
2 bags, w^t a harness - & a Canadian looking
at them - when W^r came up the P^r began
to put back the harness in the bag - W^r
went up to P^r & s^d You have been at your
old trade again - P^r s^d that he had bro^t
the harness & that the other man could prove
it - this other man went away - the W^r
said hold of the bag when P^r went after
the other man calling Bth but went
off & did not come back - the 2 harness
were carried to Mr. Gayer's shop there after
having been marked - & Mr. Gayer afterwards
bro^t

bro. them to town & they were delivered into the
Police office —

Cante. Lafronnie, Comtable, at Police office — last
fall was present when Murphy & Ogilvie brot
2 harnesses ~~that~~ under suspicion of being stolen
he has kept them in his possⁿ: ever since, and
are the same now shown —

John Murphy, after look^d at the harnesses, says
~~that one of them is one of those~~ ^{that he found in the possⁿ: of the P^r.}
he found in the possⁿ:
of the P^r. about the end of Nov^r: last but
does not know the other — as it appears to have been
in use since —

Henry Arch^d: Ogilvie — some testimony —

Bonsaventur Gervais, the 2 harnesses now shown are
those he saw at the Police office & which were
robbed out of Mrs Prevost's house in the night
between 29 & 30 Nov^r: last —

Defence —

Josette Lagarde — that some time last fall, when she
got up one morning, when she saw the P^r. & one
P^r: Verdon with 2 bags & 2 harnesses which Verdon
asked P^r: to go with him to sell the harnesses — the P^r:
did not appear disposed to go, but at last went, &
same day ^{P^r:iam} ~~he~~ ^{he} the harnesses had been taken from
him — In the she does not know who brot. the harnesses
thru. she saw P^r: & Verdon together when she first saw
them

Is unmarried - gains his livelihood by selling apples -
The P^r came to the house some times to see his Cousin
who lived ~~at~~ in the same house wth W^r.

Vadict. Guilty -

The King
J^{nr} 3rd Rodier

On indictment for Gr. Larceny -

Joseph Ross is a cooper - about the
12th Dec. last, about 11 o'clk at night, he
saw a man steering a canoe down the Current
he followed him & he observed him put a
shore opposite the Staves of Mr. Fisher of W^r
had in charge - when the P^r had loaded his
canoe, he ~~for~~ went down to Loey pointe where
W^r still followed, he put ashore & threw the
staves on the shore - this was opposite to our
Gr. Archambaults - he woke up Archambault
told him what he had observed - Archambault
s^d the man had promised to sell him staves
& told W^r to stay till next morn^g as he would
be there to sell them - next morn^g the P^r came
to Archambaults & s^d he had a load of staves
for him, & had come from Boucherville, that
night & had worked like a horse - W^r saw
P^r deliver the staves to Arch^t - there were 55
pieces them at 20/- The wit

with - cannot say the P^r is the same man he
saw the night of 12 Dec. last - but is the same
he saw come into Archambault's saying he had
brought a load of slaves for him -

John Fisher - merchant in Dec. last, he had a large
quantity of staves on the beach near Mr
Ermatin's farm - & was informed that
some of them had been stolen -

Jos. Archambault, the P^r wanted for on St. Germain
& came sometimes to house of W^r - one day he proposed
to sell him some staves - & he said he picked up
in his fishing, which he found adrift in the river
he proposed to sell them at 5 Lbs each - this
W^r offered him 4 - & to bring them at that rate
W^r had 2 loads from him & he saw P^r buy
arrows from Bourcheville - about 15 Dec
last Mr Ross came to his house about 11 o'clock
at night - W^r asked where he was going, & he
he was in pursuit of a man who had stolen
slaves from the pile, and saw him land his
Canoe opposite the house of W^r - that he had
seen the same man go to a house some acres
distance & go into a house - Ross staid till
next morning when P^r came into house and
asked W^r if he would buy staves, this was
about 5 o'clock in the morning, W^r asked how
he

he came there so early, he s^d he had but a load
of staves that left to on board about 11
o'clk I had had great difficulty in getting across
we went to see the staves, & fr^s counted them
to no. of 55 - Ross requested of P^r to buy
the staves, that he might identify them - We
bought them - but did not pay P^r - The P^r
staid all next day waiting for his pay^t - when
Ross came with Lafresnere and overtook the
P^r

Antoine Lafresnere - is a Comtable arrested P^r
when the he arrested the P^r he asked him
if he was the person who had taken the
staves he said he was - that he found them
below the Current - that it was not the
first time, as he had taken staves from
that quarter three or four times before -

Verdict Guilty of petty larceny. -

The King
vs
Joseph Lavoisier

On Indulment for grand larceny in
stealing the property of a person unknown

Adolphus Delish, high constable, in February
last, he was told that one Jarriver had been seen
with leather - he pursued after, & came up wth the
P^r who had five dressed calf skins, knowing
the

The man had no means to get he sd. to J^r you
have taken this leather - he said he had - he then
asked him when he took it - the P^r said he might
search -

No man has claimed this leather - does not think that
the P^r considered that the W^r was in joke at time -
to the P^r who knew also the W^r at the time - the
P^r was then a little in liquor - but knew well
what he was doing & saying -

Antoine Lafresnere - a Constable - was wth last W^r in
Feb^y last, when they were told that one Janvier had
been seen wth leather under his arm suspected to
have been stolen - DeLorde pursued and came wth
P^r who had five dressed calf skins, he asked the
P^r - you have stolen that - the P^r said yes -
on this they arrested him - value leather at £2 -

This was in the day time - the P^r was coming out
of a house styling up his leather - he did not appear
to conceal the leather - he may have found it - he
was a little in liquor -

Verdict - Not Guilty. -

The King
v.
John Crocker

Indictment for Grand Larceny, in
stealing a promissory note value £16.10.10

Joseph Gervais - carpenter - had worked as such for
one Alex^r Young Ship-builder - owed him £16.10.10
when his aut. was settled - about 20 April he ceased
working

working for Young - and the P^r gave the W^b. a
note of hand for what Young owed him being
£16.10.10 - had this note in his possⁿ. In some
time - he took the note to home of Young in
Leiph. last & asked P^r if Young had money to settle
wth him - he was told it would be better for him
to get Youngs signature & asked P^r if he could
not get it - P^r asked for note - W^b gave it to
him, one Ryan was present - P^r s^d the note
was good, as the signature of the Clerk made for
his mark was suff^t. W^b asked if Rouse was
not present when the note was made P^r s^d
he did not know, but s^d he w^d go to another
room where Rouse was to show it - after
a length of time the P^r came back without
the note, W^b asked P^r where his note was - he
s^d nothing - but went out of bro^t. back another
paper of $\frac{1}{2}$ W^b knew not to be his note - and
asked why he ~~did~~ had altered his note - P^r
s^d that that as good - that the bal^u on the other
note was not right, as there was more due by
Young to W^b than the sum stated on the note
the P^r always refused to give back the note -
that the paper now produced he knows to be the
same as that he rec^d from the P^r instead of
his note, which he knows from the spots on it.
as he can neither read nor write -

Daniel Ryan - was present about 8 Sept. when Gervais
gave a note or memo^{um} he had rec^d. from the
P^r

P^r it was signed by the P^r but not as Clerk
to Mr Young - P^r asked for the note - saying he had
made it but had no right to do it - it ought to be
in the name of Mr Rouse the head Clerk - he
carried the note into the room - to show it to Rouse
he came back without the note - the W^r Gervais
asked for note, P^r gave him the same paper, but
the name & writing had been torn off - and wrote only
the words Due Jon Gervais \$16.10.10, but without
the signature of P^r - that Gervais perceived that
there was an allegation made to his note & complained
of it, but P^r said, that paper was as good in
that form as the other -

That Gervais has told M^r that he had been
settled the business wth Mr Young - Does not
think that what the P^r did was to deprive the
M^r Gervais of his right -

Defence

Alex^r Young - Ship builder - Mr P^r who has been in his
service for some time - he never had any authority
to sign notes for M^r he had only a right to give
a check from the Ship yard office of what was due
to the men, so as to prevent their getting more at
the Grocery more than ^{was} due to them - Gervais got
a ^{memo} memo^{rum} for more than was due to him by a mistake

in the Pr and the work has since settled the
matter w^{ch} Guvair, on 19 febr. last, and has paid
him £10 - & still retains 5 dollars until a
part of the work he had undertaken which is
not finished -

Jacq Rousse - This witness being called the Court
thought it was unnecessary for the Defend^t to
proceed further, as the prosecution had not been
maintained in regard of the paper in question
not being a promissory note -

Verdict. Not Guilty

Thursday 8th March

Prst
Ch. Justice Reid
Mr Justice Uniacke. -

The King -
Benj^r Sansfacon }

On trial of Indictment for shooting
at one Antoine Valiquette. -

Antoine Valiquette, Carter in S^d Sub.
in Sept. last about 15 or 16^h he went with four
other persons to a house in the S^d Sub. about one or
two in the snow - he knocked at the door, and was
told to go about his business - by a girl in the house
he s^d. if you do not open the door I will open it
himself - & knocked again - on this the Pr^o called
out

out to him to go away or he would come and
seize him - he heard the O^r come down stairs, and
opened a window shutter, and fired a gun at him
which hit him in the belly, and the bolts fell - the
O^r did not say a word to W^r before firing - the gun
appeared to have been loaded with pigeon shot - the
W^r did not recover his senses till next day. - Think
it was the O^r who fired the gun - is not absolutely certain
but was told so afterwards -

7-

When he came to the house, the window shutters &
house was all shut up & no light in the house - on
coming to the door he knocked wth his hand at the door.
The W^r was in liquor at the time & also some of those
wth him, but able to say what happened - it was a
~~female~~ ^{female} that answered him first - that the W^r s^d. if you
do not open the door I will open for you, and shook
the door wth his hands - and his intention was to force
the door open, if it had not been opened for him, and
he gave the persons in the house to understand that
he would force the door open - on this he heard
the O^r say, he would save him - on this he retired
to about 20 feet from the door - fearing he might
get some blows - It was moon light -

Massant

Nicolas Pominville, mason, was in company wth last w^r at the
house in question - when he understood of the town
lived there - had never been there before - they were four
in number - when Valiquet knocked, a woman came to
the door said he could come in as there were people in the
house - soon after that Valiquet continued knocking
at the door, when they heard a person coming down stairs
and

saying to them if they did not go away he would
shoot them - he opened the window shutter, and
fired the gun at Valiquet - on opening the window
the flash of the gun made him distinguish the
P.^r to be the person - cannot say whether it was
moon-light or not - That Valiquet was wounded
by the shot & fell down - Cannot say whether
the person who opened the window shutter could
see the persons on the outside -

4^o -
Does not think he could have seen the P.^r had
it not been for the flash of the gun - That
after the P.^r had fired he called for more powder
to load again - It was about 1 or 2 o'clock in
the morning - but W.^r was not in liquor -
That Valiquet insisted upon entering the house
and said if the door was not opened, he would
force it open -

Lucie Boissseau - W.^r was in the house that night - heard
knocking at the door about 2 o'clock in the
morning. an Adi Patric kept the house - there
were two other girls who lived in the same house
there was no man who lodged in the house - The
P.^r was there that night, but does not know
on what ^{terms} condition - she had seen him there before.
That when Valiquet knocked, la Breuchien told
him to go away if he wanted any thing to
come next morning. on this Valiquet insisted on
getting in, and shook the door violently, so
then

That some of the books gone away - so that the same woman cried out to Sam Faxon to come down stairs as they were breaking open the door - on this the P^r came down wth his musket and said, he would do their business, and opened the window and fired it - there was no person knock^d at the time when the P^r fired - That on seeing the P^r come down wth his gun, the W^r told him, he was wrong in using his gun shot to fire - but he said it was none of her business - when the window shutter was opened, she observed it was moonlight - after firing the P^r called out for more powder and shot and he would fire again - The Mrs of the house called to them to get wadding for the gun but the girls refused - Thanks that from the light of the moon the P^r might distinguish easily the persons outside the house - The W^r had no fear from hearing Valiquet's being at the door - nor did the persons in the house appear to be under any alarm on that acct. -

x^r

All the persons in the house were in bed when the Valiquet came to the door & knock^d - that the mistress of house asked him what he wanted & he wanted his wife - the woman told him to come next morning - on this V^r insisted on getting in, and s^d if they did not open, he would force it open & shoot it - on this the mistress run up to the P^r & told him to come down as they were firing

forcing the door - the P^r came down not knowing who was at the door, thinking perhaps they might be persons who wanted to do some injury - he opened the window shutter & fired immediately - but said afterwards that he had fired at random and without firing at any one, as he meant only to frighten them - that had V- remained at the door the shot would not have struck him - The W^r was alarmed on seeing the gun, as she^s alarmed at fire arms -

That when the P^r s^d on coming down stairs & said he would serve them - the persons outside w. V- cried, come come and we will serve you. The P^r testified much astonishment & regret at what had happened to Valiquet - does not think that the P^r had any malicious intention in firing the gun - The P^r is a quiet man of a peaceful disposition -

Roset Cabance - was in the house that night - Adie Patrie is mistress of the house - the P^r lived there as master of the house - the persons who came there threatened to force open the door if it was not opened, and endeavoured to raise up the door, on this P^r called out not to open the door - the persons without s^d they would open it - the P^r s^d if they forced open the door they would repeat it - on this the persons without called out to P^r to come out & they would serve them - the P^r came down with his gun, the W^r told him not to fire, but

but he went to the window, opened it, and fired
the gun - heard him say on going to the window
that he would do their business - W^{ts} was
alarmed that if the persons broke the door, they
would do some hurt in the house - Heard the
P^r call out for more powder & shot to load his gun

The P^r lived in that house as his home - The W^{ts}
persons in the house were greatly alarmed - she did
not know the persons outside, was afraid if they got
in they would hurt the persons in the house or do
some injury - Thinks it was not the intention
of the P^r to hurt any person, but merely to frighten
them - & appeared sorry when he heard that
Valiqueth had been hurt - That when P^r
called out to these persons to go away, or he would
serve them - they called out to him to come down
as they were sufficient in number to serve him -

Defence -

Genevieve Patrie - is mistress of the house - The P^r paid the
rent of it & was considered as the master of the house
& at home in it - she was asleep when these persons knocked
heard the persons tell P^r that they were enough to serve him -
heard "a woman call out to P^r to come down as they
were breaking open the door - on this P^r came down with
his gun - and heard him say, if they continued to make
a noise, he would fire his gun to frighten them - and
when the window was opened he fired immediately
had the persons remained at the door, none of them
could have been hurt, as the window shutter opened

on the side of the window - when P^r heard that
an accident had happened, s^d he was very sorry
for what had happened. -

The Court did not allow the P^r to proceed
in his defence, as they were satisfied the charge
had not been made out ag^t the P^r -

Verdict, Not Guilty, - - -

Coram Mr Justice Uniacke

The King. - }
Ante Gagnon }
vs

On Indictment for Grand Larceny

John Baker, Jr. lives at Stanbridge, is a
wool-carder - ^{his wife kept} a Customer called for some wool
of w^{ch} was missing - he suspected P^r to have stolen it,
he got a search warrant sent to house of the
father of W^r ~~at house of~~ Jonas Coburn
was told there that the brother of J^r had bro^t
a bag of wool rolls there - they had spun a
part of it, about a pound - went to house of
the father of P^r - where they found some wool
of the same kind - the P^r was then absent
they waited his return - and arrested him -
W^r charged P^r wth having stolen the wool,
he said that he had bro^t it of the W^r that
W^r then charged him wth having taken the
blanket - the P^r s^d he might have the blanket
sweat wth the officer in custody & returned the
blanket - the P^r then s^d he had taken the
wool

wool to pay himself for what we owed him for his wages, of w^o he had no right to do, as he had been paid by the W^r finally the P^r absconded having taken the wool without any right —

^{x²}
Says the P^r had been in his employ^t. about a month before this, for a month — he keeps a Carding machine — and receives parcels of wool for carding.

John Wells — speaks to the Confession of P^r — after he was in custody —

Verdict. of Petty Larceny —

The King — }
John Crawford } One Indictment for Misdemeanor
Alex^r. McDowall } in passing a counterfeit Bank
bill. —

Michel Vegiard, lives in St. L. Sub. about 12 fets
last one of P^r came to his house to purchase a buffalo
robe. McDowall — he bot. one for 5 dollars — he
gave him a bill of w^o. that was a 5 doll^r bill of — he
put in his pocket — & was look^g for another dollar, which
the P^r was looking for change of 2 dollars — the
W^r had only this note in his pocket, and taking
it out again — not having money he took him
to Mr Doneganys to get the bill changed — he gave
the bill to Doneganys for his purpose who said

he

he that the bill had - Lafresnien & Delesta
were there & Laf - & it was had - The P^r
gave his name to^d that he had it from one
Crawford to purchase a ^{note} bill for him - The
P^r was arrested & they went wth him to Crawford
where W^r soon after followed, that on searching
Crawford there was found in his pocket book
5 or 7 other ~~bad~~ bills ^{of 1 dollar of same kind} of the same kind - Mr
Delesta then said arrested Crawford and carried
him wth Mr Dowall to the police office -

W^r saw nothing ^{x^d} in the conduct of the ^{P^r} ~~bill~~
Mr Donegan that induced him to think that
he was conscious that the bill was counterfeit.

Jos: Donegan - was in his shop when Vezard
came to him, when the P^r came wth him &
V. asked for change of a 10 dollar bill, but on
looking at it - he discovered it to be counterfeit
& altered from 1 to a 10 dollar bill. & returned
it to V - ~~the P^r~~ -

^{x^d}
A man not well acquainted with Bank
notes might have taken the bill for a 10 dollar
bill -

Ant: Lafresnien - was at Donegan's when V
came in wth P^r Mr Dowall took Donegan
for change of a 10 dollar bill - I - & it was

a counterfeit bill - W. looked at it & found
it had been altered from 1 to 10 - the p^r was
arrested - he then was asked when he got it
he s^d from Crawford - went to place where
Crawford was - showed bill to Crawford, who
s^d it was the same bill - arrested Crawford -
found his job book - and 8 or 10 good bills in it -
the p^r M^d - told W. to look in Cap of Crawford
they looked there but found nothing in it -

The note now produced is the same note as
was presented by Vezziard to Donegan in charge
& same of Crawford ack^d to have given to M^d Dowall.

x²-
M^d Dowall told W. on coming out of house of
Burnet, when Crawford told W. that Crawford
had more bills in his Cap - meaning such
bills as those wh^{ch} M^d Dowall had rec^d -

Adolphus Delile, was at Donegan's when Vezziard
& p^r came in on 12 Feb to get a bank note
changed - Donegan looked at the bill and
it was not good - W. looked at it & found it
was an altered bill from 1 to 10 doll^s - P^r said
he could show the man from whom he got
the bill - & Fusnier went wth him - he
afterwards saw the 2 p^rs in custody of Lafusain
& showed M^d - making signs to look into
Crawford's hat - of - W. did, but found nothing

in it - That on the way to the Police office
the jr. Mr. Dowall said that he had been in
the habit of passing such bills for the P^m
Crawford for 6 months, & would show the W^o
the place where the plates were kept at the
house of one Little - the P^m were afterwards
committed. - both the P^m were somewhat
in liquor, but knew well what they were
about -

Mr. Dowall ² & he was the Cap^t of a Durham
Boat - & he had bot. a buffalo robe w^t
the bill as he was going up to Kingston -

Mary Marsh - Mr. Crawford for 2 months past -
has heard him speak of plans he had in view
& he had got money from Mr. Ross for presents
persons for selling liquor without licence, to the
extent of 200 dolls - the P^m was talking with
one Little and they & they would purchase
notes of one dollar & change them to 10 -
Crawford & Little left town after this & when she
saw them again they & they had succeeded in
having altered a number of ^{one} ~~ten~~ dollar notes
to 10 - it was stated that Little was to pass
the notes, and that Crawford was to have a
share in the profits - this kind of conversation
was frequent between them - it was at
the

the tavern of one Alex^r Combes when the
pm lodged & when W^m lodged at the time -
Saw a number of these altered bills in Little's
possession afterwards -

x².

This was in a private room - when this conversation
happened between Crawford & Little - That Little
proposed the plan and she understood that Crawford
was to furnish the money and Little was to make
the alteration - That ~~at~~ the money Crawford
got from Mr Ross was changed into bills of one
dollar for this purpose - That

~~Secret~~
Secret

Robert Griffin, Cashier of the Bank of Montreal,
That the note now produced was a one dollar
note and has been altered to a ten dollar note,
The note is dated in 1823 & no 10 dollar notes
have issued since 1822. The vignette of the
2 notes is different -

x³.

Thinks the alteration is badly made - but
people not much accustomed to bills might
be taken in. -

Denz^r Holmes, is teller of the Montreal Bank.
The note now produced has been altered from
one to 10 dollars - all the figures Roman
characters

characters have been altered, so as to effect the
change. That no ten dollar bill has ever
issued of the same No. & date, nor wth the same
signature as the note now produced — The
signatures of Mr Genard & Mr Gutter are real
being to a one dollar note —

That a person not conversant in bills might
be taken in wth such a bill — but persons such
as the Am^{er} Americans & Englishmen would not
be taken in by such a bill —

Evidence closed

Defence —

Thomas Rawdon — Wth P^r M^r Dowall — for 6 years — he
~~was~~ is an owner of a Durham boat — wth which
he trades — always bore a fair character —
Wth that he has done business for the House of
P. McGill & Co in Montreal —

The P^r used to carry up shoes for Wth to Wth Canada
for freight —

Mathew Tindall — Wth P^r M^r Dowall, for 4 years —
he has the character of a remarkably honest
man, never heard anything of him — he
gains his livelihood by a Durham boat

Verdict. Guilty —

The King

Franc. Xavier Leblanc

On Indubtment for an assault with
intent to murder.

Bernard Lemieux, dem. a St Polycarpe - apres
la veillée le 4^e de fev. chez l'bourbonni le P^r est parti
devant le tem. le tem. est parti apres & a rencontré
le P^r avec un baton à la main - parceque ce n'estoit
pas le chemin du P^r - il est venue vis-à-vis de la
voiture du tem. le tem. lui a souhaité le bon soir
et a passé, & tout de suite, il a reçu ^{son} coup de baton
du P^r qui l'a jetté bas sur la devanture de sa
voiture - sitot que le tem. s'est relevé, il a vu
le P^r a un peu de distance avec son baton à la
main - il a frappé son cheval pour se sauver,
mais ~~la~~ vu le P^r venir avec son baton - et alors
ne pouvant se sauver il a débarqué de sa voiture
& a fait face au P^r dans le dessein de se défendre,
alors le P^r est parti - ~~Lui il a~~ Lui le coup
qu'il a reçu a coupé son chapeau -

£

Gabriel Le Compte con. le P^r a vu le tem. Lemieux le
même nuit qu'il a reçu le coup, il est entré chez
le tem. et a fait voir le coup qu'il avoit reçu
du P^r en chemin - et avoit la cotte de la tête
enflée & son chapeau coupé -

Verdict. Guilty of for^m Assault,

Friday 9th March

Pres^t
Ch. Just: Reed
W Justice

The King }
Mary Hunter }

On Indictment for Petit Treason —

John Gordon — lives in the Sney of Monoir
is a farmer — knew late Wm Hunter who was
his neighbour — had been there about a month
before his death — The P^r loved William as his wife
on the 30th the P^r & D. passed the evening at 30 Sney
last, about 200 yds from his house — they were taken
from his wife — remained till about 10 o'clock at
night — about a quart of rum was drunk, but
no one was drunk — When the P^r & D. left
his house they were sober — About 2 hours
after the P^r came back, and asked W to come
over as W was badly — The W & his wife went
over — saw the D. lying across the end of the
stove in his house — the P^r was in the kitchen
W followed after his wife who got over 3 or 4
minutes before him — The D. had his tongue between
his teeth, wth foam about his mouth — There
was a red mark round his neck, as might
be produced by any thing drawn tight round
it from ear to ear — all his cloaths were on
except his shoes & stockings — had his night cap
on — it was after loosening the string of the
night cap he observed the mark round his neck.

Wm

The lips were swollen & a little blood about them - The P^r & his wife desired W to go for O'Keefe - he went - he came over, they shaved & laid out the D - ~~while~~ while employed about the person of the deceased the P^r told he was in the habit of tying his night cap very tight - By Court - was suspicious from the appearances about the neck of the D - that he had come to his death wrongfully -

The D's night cap was tighter than he would have tied his own night cap. -

£ -

He laid out the corpse the same night as he understood it was the desire of the P^r -

Catherine
Mary Gordon, wife of last W^r knew the D - who was their neighbour - the P^r & he came to that place from Ireland & had settled there about 8 weeks the D - had purchased a farm - she invited them to pass the evening of 30 Dec. at her house - the P^r came a little before D - they staid till about 10 o'clk & went away together - the P^r came back about 2 hours after, and asked W^r to go over to her house as Billy was taken bad W^r & her husband went over - W^r got over first, went into the kitchen - saw no one there, slept till her husband came in - they then went into the room & saw D. lying on his back
near

near the stone - D. was then dead - there was
a little blood about his mouth & his tongue a
little between his teeth - some foam about his
mouth - had his night cap on - it was a little
wet - and when untied, there appeared a mark
~~on the night~~ under the string of the night cap
from ear to ear - The P^r observed he had
always the habit of tying his night cap very
tight - this she observed on some occasion
told to her by O'Keefe - That from the time
the P^r came back to house of W^r & the return
of W^r to house of D - might be about 20
minutes - In the course of the night the P^r
observed that she wished the D. to be laid out
& she w^r w^r got sheets for that purpose -
about 1/2 hour after W^r went to the house -
O'Keefe had been sent for & w^r her husband
laid out the D - It was the impression
on the mind of the W^r that the D. had come
to his death by tying his night cap too
tight under the chin - it was tied by a
piece of strong linen about an inch broad -

The P^r & D. passed the evening at her house
that evening very happily -

John O'Keefe. lives in the County of Monmouth - knew
the D. - on the night of 30 Dec last he
was

was requested by Gordon who came to his house
about midnight, & called to W. to come over to
D's house, as he was no more - saw D. lying
on his back near the stove - ~~He~~ had his watch
in his pocket - he looked at it - it was 1/2 of the
The P^r s^d. to W. on going in, s^d. you are welcome
~~is there anything wrong~~ - The W. exam^d D -
found he was dead - asked the P^r some
questions - how they had passed the evening - she
s^d he was well when he came home - lighted
the stove - ^{she} ~~she~~ had given him something
to drink, ^{but finding he got worse she ran for Gordon before they came back the P^r was dead} - The P^r then s^d. is there is anything
wrong? - said the D. tongue between his
teeth, some blood on his lips, ^{the marks on his neck} - on this the
W. said, this man did not die a natural
death, he has certainly been choaked - The
P^r then said - I did not do it - The
W. ^{thought} ~~she~~ could not have done it himself, and
have been laid in that situation, ^{he then was} - The P^r then
requested W. to go for his wife - he did so -
on his return - he observed the mark about the
neck of the D. and observed to P^r that it
was growing larger - The P^r s^d. for God's sake
the P^r - cover it up - I do not want to
see it, nor has my husband any relations in this
Country who want to see it. - The

Pr

P.^a was anxious that the D. should be laid out - or that something should be done with him - W. then took off the cloaths of D. to ex. his body, and found no mark whatever on it except the circle round his neck - the P.^a then ~~said~~ if she had the ~~servant man~~ ^{was} from Billy Hunter, then she would not care - & requested W. to go for him - he went and met him & his wife on the road - and told them that Billy Hunter meaning the D. was dead - he then saw the Doct^r and requested him to go to the house of the D. - W.^a returned back to the house the next evening -

That after the D. was laid out, she requested W. to put a ducky on the D. - and it was the impression of the W. it was to cover the mark on the neck. P.^a gave out the necessary linen and things to lay out the corpse -

That the tying of the night cap round the neck of D. could not have produced his death - but first the mark did not appear so much, but afterwards it increased and from best examination it appeared that a considerable force must have been used to produce the effect -

when

When the corpse was taken out of the house
the W^r. observed to P^r. that he hoped she would
not blame him in what he had done - she
then said, that she believed, that if he, the
W^r. had seen her do it - he would not
discover her - the W^r. s^d. if he had seen her do
it, he would certainly be the person who would
have her. - That the W^r. had an impression
on his mind that the P^r. was guilty -

X-

Cannot say, what choked the D. - whether it
was done by the tying of the night cap or not -

Margery Kearney, wife of Wm Hunter - came with
the D & P^r - her husband from Ireland last
Summer - they all went to live at Monroir.
They all embarked at Londonderry - W^r. lived w^t
D. in Ireland in the parish of Dumbo. in the
County of Derry - She had lived 5 or 6 weeks
before they embarked - the P^r. & D. during all this
time lived together & passed as man & wife - the
W^r. married her husband in Montreal & went
afterwards to live w^t the D. & P^r. at Monroir -
The D. & P^r always treated each other & behaved
together as man & wife - They w^t her husband
went to Monroir in Nov^r & D. died in Dec^r.
W^r. left the service of D. - about 13 days before
he died - the D. having found her another
place - but her husband remained w^t the D.

The D. & P. had occasionally some words
wth each other, as will sometimes happen —
That about a week before she left the service
of D. the P. asked W. if she & her husband
would go to John O'Keefe's to carry a letter
to him & she had promised him — The W. asked
her her reason why she wanted them to go there,
The P. said, that if the W. & her husband
would go away she would choke him,
meaning her husband — although W. knew
well she was not able to do it — That the
same day or day before the P. & her husband
had had some words — This the W. mentioned
to her husband — That W. returned to house
of D. next day after his death — saw the D.
on the bed — observed his lips a little swollen.
That the same evening Dr Woods asked the
P. whether the D. was not hanged ^{with} a
rope the P. said — Yes — what she had
done with the rope, if she had ~~put~~ burnt
it — Dr W. said — Yes — if she had burnt it — Yes —
answering Yes to all the questions Dr
Woods put to her — The first question
the D. asked P. as far as W. recollects —
was — Was it with a rope? or with undertow,
that she had choked her husband — The P.
said Yes — But what did you do with it
did you put it in the stove — Yes —
Did

Did you put in the fire - she ans^d. Yes -
as there was a fire in the stove, and another in
the kitchen - The wit. thot. that P^r could
not have done this, as she was a woman of
a weak mind and could not do it. - She
never saw the D. so drunk that the P^r could
have effected such a purpose - That she
has ^{does not recollect having} sworn that she ^{verily} believed that the P^r had
killed Wm Hunter was murdered by Mary
Hunter his wife - (here the witness was taken
ill and with drew) -

William Hunter - has lived about since about the
end of last Nov. in Sug^h of Monro - he went
to live wth D as a servant - he came from
Ireland wth D - knew D in Ireland - he had
been about in America about 9 years - returned
to Ireland & staid about 5 quarters of a year &
then married the P^r - D was present at his house
the evening he bro^g her home - some few weeks
before they left the Ireland the wife of W^r. had
killed W^r D - from the time of their going to
Monro W^r lived wth D. - on the day of the
death of D. he absented himself by request of
D. to go and see his wife at Dr Woods - the
day after was informed of death of D - W^r
on learning this requested Dr Woods to go to
the house - and come back to house soon after.

That about 12 or 13 days before the death
of D. the P. asked W. if he would
bring her poison - the W. told her she had
no occasion for any thing of that kind -

When he came to the house he saw the D.
on the bed - saw a mark round his neck
from the left ear going round - his tongue
was a little out & some froth about his mouth
and some blood about it -

He never heard any wrangling between the
D. & the P. nor understood that P. entertained
any ill will against her husband -

x^o

Never saw D. in such a state of intoxⁿ
that his wife could have choked him -
nor another with her - When P. asked
W. for poison, he was going to St Mary,
and he answered it was very impudent in
her to ask him such a question - this was
owing to her free manner with him as a
servant - and said, that her husband
was able to give that order -

Margaret Hearnsey brot. up again, said being asked
whether in a dep. made before Mr Gale, one
of J. P. in the Dub. reports the circumstances
attending the death of Wm. Hester or this can
you did, or did not swear, that you truly
believed that the D. was murdered
by

by his wife, the Jr. at the bar? I do not
recollect having said so before the magistrates -
I may have said so, but cannot recollect - I
was confused, having been taken a prisoner by our
Capt. Hooper & examined by him -

Being asked whether she had told her husband
that the Pr had confessed having murdered her
husband, & that she the W^r thought so - says. that
she told her husband, that the Pr had confessed to
force her to Dr Wood, that she had killed her
with rope, on Dr. Woods asking her if she had
done so - & all that she has mentioned to have
occurred in her presence on Dr Woods interrogating
the Pr - that W^r never said she thought the
Pr had destroyed her husband - nor did she think
that she was ^{able} ~~fit~~ to do it

x²

P^r Heard the character of a great honest woman
before she D. married her - lived her with her
as a servant - and could have got her to do any
thing for her the W^r ^{wd} asked her - even to scrub
the floor for her - when she told W^r to go
with the kettle to John O'Keefe's, she at same
time told W^r it was to choke her husband -
That she was a woman of weak mind - and
at times could not count to extent of 20/-
nor could she distinguish the weights in her
shop nor sell any articles - she her husband
used to tell her she was a fool - She has

usual

several times observed that she had at times
when women have their usual illness. That she
was particularly wild, and foolish - Thinks
that a child has more mind than the P^r
In other respects her husband she lived on
good terms ~~ago~~ together, and in all respects
conducted herself correctly with regard to
the world -

x 2^d

There were times when she thinks that the
P^r could not distinguish between right and
wrong - but cannot specify the instances, -
but her conduct was at times silly - and was
told by her husband she was a fool - & could
not weigh any thing -

William Woods, Surgeon, resides at St Marys &
after the death of D - he was called to ex. the
corpse, at an inquest held on the body - he
found a broad mark about an inch wide
from the left ear to the right - the lips were
swollen & his ears also - the tongue was partly
pushed between the teeth & swollen - there
was an app^r of froth about the mouth.
The appearance were exactly those as would
appear from strangulation - and such as
show that a good deal of violence must
have been employed - there was a night
cap shown to W^o as that used by the D -

The

the strings were strong, and such effect could not have produced by it, unless the but does not think that any person would have tied the strings so tight as to produce such effect - It is the opinion ^{of the} that the D. was strangled by some one, and he gave that opinion before the Inquest - ^{of} was held on the evening after the death of the D. - After the verdict of the Jury, the Mr. Mat. it his duty to enquire into the circumstances of the case - he enquired. ~~the~~ Mr Hunter & his wife - then sent for P. told her that, that her husband had certainly been murdered and that they were suspicious that she had ^{done it} - ^{asked if it was possible she could have done it} - The P. ^{then} she had done it - Mary Hunter then present asked her, how could she do - it? The P. ^{said} that God was powerful & she had prayed him to assist her - and if she - Mary Hunter had been present and seen it, she could not have withheld it and on - during the examination of the ~~witness~~ they had been searching ^{to see if they could find the} for ropes, the Mr. ~~then~~ upon this asked the P. how she had strangled her husband, if she had done it with ropes - she said yes - what she had done with it, if she had burnt it in the fire - ^{or} ^{if she had burnt it in the fire} ^{yes} ^{or this} ^{the W} ^{told the} ^{told} the people to make no further search for ropes as the P. had acknowledged she

to acquainted her
with the nature
of the Crime she
had committed.
and

she had thrown the paper in the fire - Observed
the apathy or state of indifference of the Dr
and seeing her sitting wth her back to the engrav
and walking about in a state of indifference
and ^{he} told her she had forfeited her life to the
laws of her Country, and that she would
have done better if she had effected her escape
and that she ~~should~~ ^{might} do so still - she
said she had done nothing wrong and would
not leave her house - In a few minutes after
this the Dr. disappeared - The W. was anxious
to find what had become of her, and sent in
search of her, he was told that she had been
found asleep at one Gordons - That on being
asked to get up and return home - she
asked to what home - they told her to the
home where she had murdered her husband
she burst into a ^{hysteric} laugh, and said it was
not possible that her husband was dead
at the time he shot. The Dr. was forgiving
insanity, but had further proof that this
was not the case - That he brot. her home
and put her into the bed opposite that in
which her murdered husband lay - and in
about 3/4 hour he found her fast asleep
wth he ascertained by means of passing a
candle suddenly before her eyes - The
next morn. she got up & dressed herself

to

to go to the ~~head~~ funeral - and from the
state of parties he thought it prudent to take care
of her - and at the funeral she again said that
her husband was not dead & did not believe it -
On bringing her to goal, it was extremely cold and
all the persons were much affected wth Cold, but
the P^r seemed not sensible of any cold - she
remained in a kind of stupor and insensibility
while she remained at the house of W^r

It is possible that such circumstances may
be feigned to cover a crime - but as far as he
can judge it was not ~~so~~ the case wth P^r -

x about the
neck of the
deceased, if
effected wth
a rope

^{x^o}
Thinks that the pressure ^{ought} to have been equal
behind the head on the neck ^{as a point} unless the body had
been suspended, but he saw no mark of this kind
and he could never conceive in what manner
it was done, nor could he ever find out from
the P^r how it was done, although he asked
her frequently - Had the D. been very much
intoxicated and had fallen forward, the string
of the night cap might have produced strangulation

Hugh Hagen, Capt. Michell Sup^r Mounqui - hearing
of the death of D. - he caused a Jury to be summoned
on 31 Dec. to hold an Inquest on the body - he
saw ~~the~~ the body of the D. wth the face & neck
but did not see it ~~compulsorily~~ - saw a mark
round the neck, such as c^d have been produced by
a

a cord - he saw the P^r but he never thought
of insanity in her - never heard before then, that
she was insane - but has heard it spoken of
since -

Patrick Murray lives at Leys of Monrovi - knew D -
was in the house of D - on the Sunday evening
when the inquest was held - saw the body -
saw the P^r but heard her say little - saw
nothing to induce him to believe that she
was insane - saw the mark round the
neck, looked like the mark of a cord tied
tight round the neck -

John Gordon brot up again - the P^r the husband
wud to come to the house of M and he
never remarked anything particular in
her conduct or conversation to induce him
to think she was out of her senses -

Has considered the P^r as a childish woman

Catherine Gordon - considered the P^r as somewhat
childish, but knew right from wrong

John Ashton - lives at Monrovi - knew D - next
morning after his death went to the house,
saw P^r & Gordon deify - asked them how
the

the accident happened - she ^{is} after he returned
from Dr Gordon's the D - began to blow the
fire and get weak - the P^r gave him a glass
of liquor, & he got worse - that P^r then went
to Gordon's house for Gordon's wife, and
when they came back they found the D
was dead - saw the D - and is of opinion
that the mark arose from a cord tied tight
round the neck - The W^{ite} saw nothing at
this time nor before to induce ~~the~~ her to believe
the P^r was of unsound mind -

Geo: Gardener - lived in the same house of Dr Gordon
went sometimes to house of D - has seen the
P^r there, has conceived w^h he never saw any
thing to induce him to think she was ^{insane} ~~mad~~ -
she appeared rather silly & foolish - by the
manner she dressed herself -

Samuel Grove - went now & then to the house of
D - has seen the P^r there, never tho^t she
was out of her senses before the death of her
husband - afterward he heard it was the case.

he has purchased ^{of} goods once from the P^r ~~she~~
he gave her of, & he returned him the change -

James Hays - lives at Monrovi - knew D - was
about 3 times at his house before his death - saw
J-

P: once, never heard that she was anywise
insane - before the death of her husband

William Bretkey - knew D - was sometimes at his
house sometimes - saw P: there - never remarked
any thing to induce him to believe she was out
of her head - ~~she~~ has heard of this since the
death of D -

Mary Ashton - sister of John Ashton - knew D -
used to go to his house - saw P: there -
spent one evening wth P^r at Wm Bretkey's - saw
nothing to believe she was out of her senses
before the death of her husband - she has
heard it since -

- Defence -

Colin M'Dougall, is from the North of Ireland, knew
the P^r family & her husband - when they
came to this County they bro^{ught} letters to W^r - the
D. told us he was going to purchase a place
in the County, & the P^r staid at his house -
has 5 Children - P^r staid 6 weeks at his house
The P^r appeared to W^r to be of weak understandg
and that his daughter of 10 years of age knows
more than she did - that his child, even
w^{ould} not associate w^{ith} her - That the P^r
was

would to see w^t. her breast naked so as to be
improperly ^{a indecently} exposed - She did not seem conscious
of this or to feel that she acted improperly -
has seen her playing with ~~at~~ the children at
their little amusements - ~~after she had gone~~ ^{they went}
off w^t. her husband, on 2^d Dec: and returned
2 or 3 days after the new year in custody of
the officer - when w^t. came in he saw the
Pr. at the stove - who said - Willie is dead
and beared - she had then a wild glaring look
the ~~w^t~~ W^t. explained the nature of the crime
w^t. of she was charged, but she denied it - and
he even offered to assist her to escape, but she
declined it, saying that would make it
appear she was guilty - Does not think
the Pr. is as intelligent enough to make up a
feigned story - has heard her own maid test.
treat the Pr. as her servant - in recommending
to her a good behaviour -

x²

Cannot say the Pr. was an idiot, but little
short of one - seems her breast all bare - seeing
her w^t. a watch & a chain in her breast - her
wish to play with ~~the~~ children - saw her throw
some snow at his club and afterwards wanted to strike
him -

Andrew

Andrew Crawford - was at Dr Woods when
the P^r arrived, then, in the evening we thro^t her in
a state of intoxication - when he saw her next
morning, he changed his opinion, and on being
questioned about the church she attended, she app^{er}
not to know whether she was an episcopalian
or a Presbyterian - both given her to read, she
seemed to look at it without reading - and
seemed insensible to music -

^{2^d}
Did not conceive the P^r was insane, on
this acc^t - but that she was of a weak
mind, but & insensible of her situation
and doubts whether she is able to distinguish
between right and wrong - but has not
had sufficient opportunity to judge whether
she is of a sound or unsound mind -

William Wood - His opinion of the P^r is that
she has less sense and less capacity of
distinguishing between right & wrong
than a child of 10 years old -

^{3^d}
Thinks a child of 10 years old may be
able in many instances to distinguish between
right & wrong -

The evidence being closed, and the Jury
charged, they withdrew to consider of their verdict
and not being agreed at 7 o'clock in the evening the
Court adjourned till to morrow morn^g at 9 o'clock.

Saturday

Saturday 10th March. 1827.

Pres^t
Ch. Justice Reid
W Justice Foucher.

Dom^s Rex
Mary Hunter

The Jury not being yet agreed in their verdict
the Court adjourned till one o'clock in the
afternoon.

Saturday 10th March.

Pres^t
Ch. Justice Reid
W Justice Foucher
W Justice Uniacke

Dom^s Rex
Mary Hunter

The Jury having returned into
Court, said they were not agreed
in their verdict, but that some
of them wished to hear the evidence given
by Dr Woods read over to them, which
was done - whereupon they again retired
and ^{about 10 minutes} afterwards returned into Court, saying
they were agreed in their verdict, which
they gave of Not Guilty, as the P^r
who was thereupon discharged.

The Prisoners who had been convicted during the present Session having been brought into Court the following Sentences were pronounced against them. -

Dom^s Rex. -

Alex^r Johann^l }

Convicted of Stealing above the value of £5 in a dwelling house. -

Judg^t Banishment from the Province for seven years. -

Dom^s Rex. -

Frans^m Cadorel }

Convicted of Grand Larceny -

Judg^t Imprisonment in Gaol for six Calendar months. -

Dom^s Rex

Peter^r Hart }

Convicted of Stealing above the value of £15. - from the dwelling house. -

Judg^t Sentence of death recorded but not pronounced ag^t him. -

Dom^s Rex. -

Joseph^r Moses }

Convicted of burglary -

Judg^t - Sentence of death recorded but not pronounced ag^t him. -

Dom^s Rex.
vs
Imp^t Rodier

Convicted of petty Larceny.

Judge - Confinement & hard labor in the house of
Correction for three months.

Dom^s Rex.
vs
Ant^e Gagnon

Convicted of Petty Larceny.

Judge - Confinement & hard labor in the House
of Correction for 3 months.

Dom^s Rex.
vs
John Crawford
vs
Alex^r McDonall

Convicted of passing a counterfeit bill

Judge - Imprisoned in Gaol for Six months
and to be set on the pillory for one hour on the 16th
inst.

Dom^s Rex
vs
Fr^s Dav. Leblanc

Convicted of an assault & battery

Judge - To pay a fine of £5 - & find security
for the good behaviour for one year -

Dom^s Rex
vs
Wm Cameron

Convicted of an assault on a bailiff in the
execution of his duty -

Judge - To pay a fine of 40/-

Dom. Res. -
v.
William Cameron

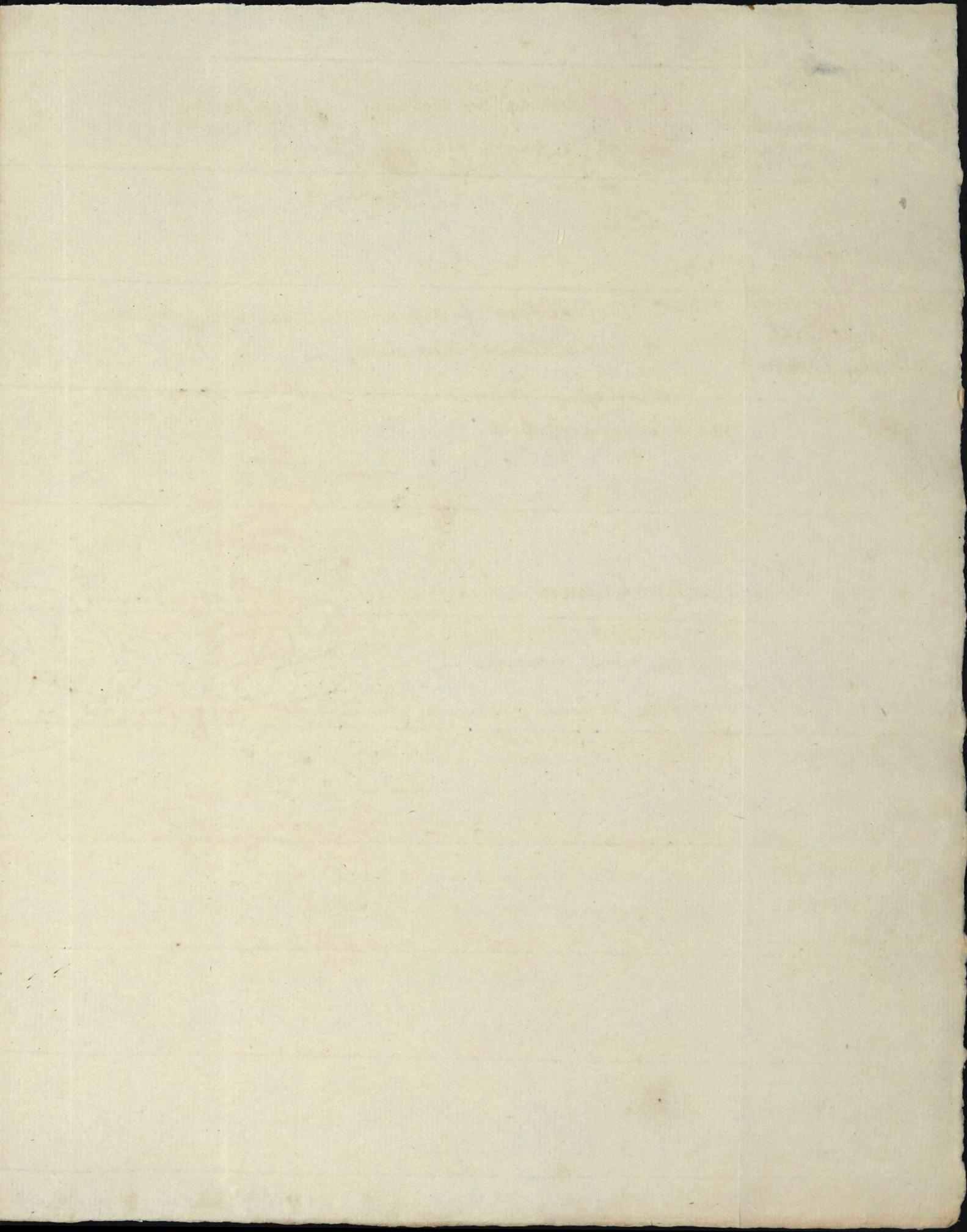
Convicted of an assault - by confession
Judge to pay a fine of 6/8. -

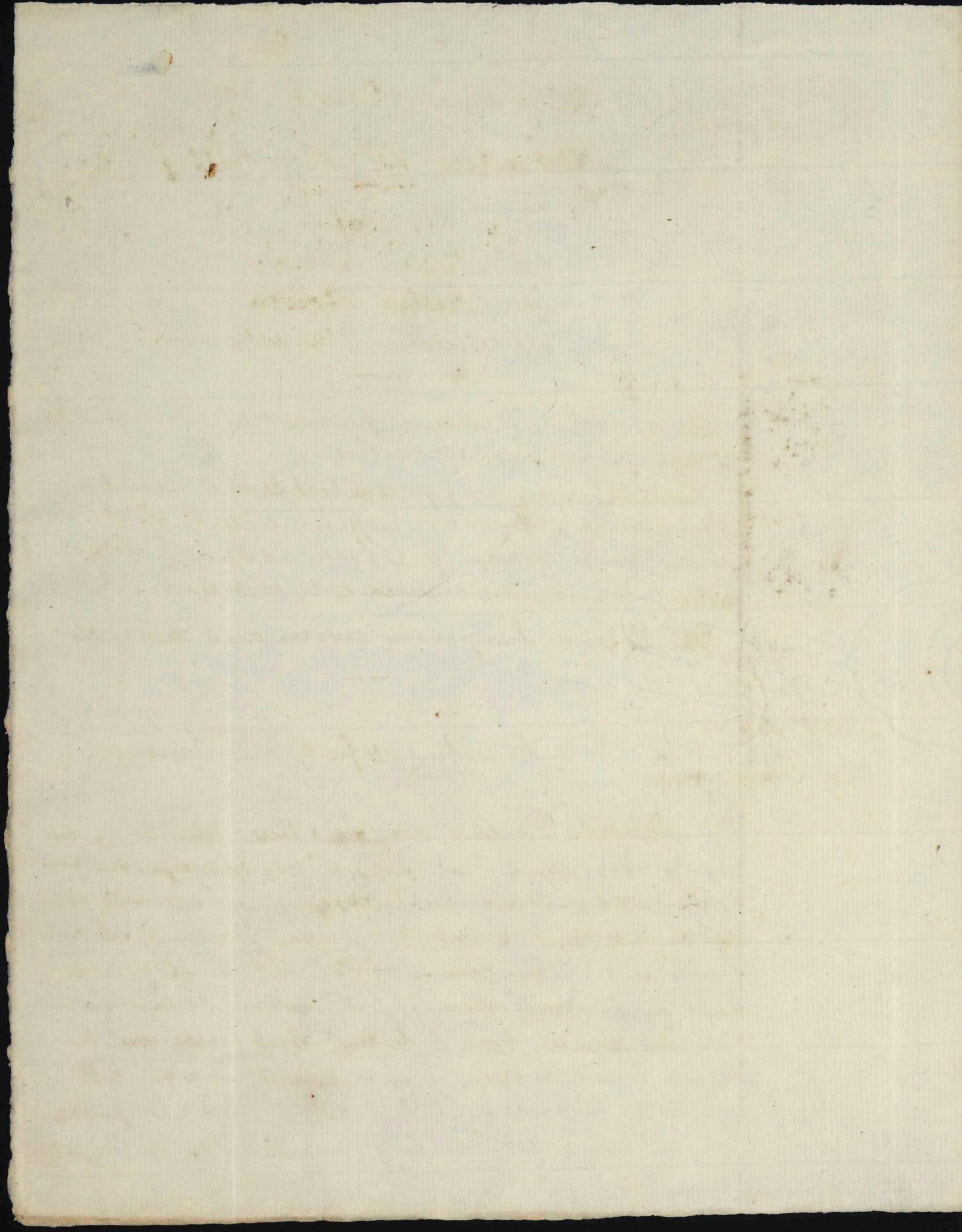
Dom. Res.
v.
Alexr. Young
Joseph Platt
Hanson Barber

Convicted of an assault on a bailiff in
the execution of his duty. -
Judge - That the Defend^rs do severally
pay a fine of 6/8. -

The Grand Jury gave in a presentment
to the Court, touching the state of the Gaol ~~the~~
which was received -

The usual business of the day being finished
the Court closed. -





District of }
Three Rivers }

Criminal Court.

Tuesday 13th March 1827.

Present

Ch. Justice Reid.

Mr Justice Bowen.

Mr Justice Uniacke.

Mr Justice Bedard, provincial Judge, was absent from indisposition.

Commissions were presented to the Court appointing Mr Wm. C. H. Coffin as Clerk of the Crown, and Isaac G. Ogden, as Sheriff of this district, which were ordered to be recorded.

The Grand Jury were sworn and charged

Dom. Rex }
vs }
J^r Couvillon }

On Indictment for Grand Larceny.

2 dolls 9.6
2 Crowns 9.11
Bill 3.6
the £ 13.11

Joseph Parent, dem. au 3^e Riv. marchand - aux com. de Nov. sur la Par. entrée en son magasin, & a demandé mettre une bouteille dans le magasin, - il est venu après avec un morceau de viande & l'a laissé aussi - il est parti pour aller à l'office divin - après l'office il est revenu disant qu'il allait acheter pour un nommé Beaudry, et s'est assis sur un banc - le ten. étoit occupé avec du monde dans le magasin - en regardant si a vu le P^r faire sortir le trois ou trois l'argent, & l'a vu pousser l'argent de qui étoit dans le terre - et le ten. le regarda

lui cria dans le moment, que ceux de Sallot, le
voilà pris - Le P^r a laissé tomber l'argent dans
le trou, & d'après le son de l'argent tombé que c'étoit
des piastres qu'il avoit pris - il y avoit aussi un
billet de banque, qui étoit tout frippé & sous les piastres -
Que le tém. avoit des piastres d'Espagne & piastres
français dans le trou - L'argent appartenant
au tém. & son frère qui sont en société. -

When the Court directed the P^r to be discharged
from this Indictment, & they returned their verdict
accordingly, the Indictment laying the property as that
of Joseph Parnet only. -

Wednesday 14th March 1827

Pr^o
as above

The King - }
Marie Fournier }

On Indictment for Stealing in
a Church -

Marie Lee Dufour, dem. aux 3. Riv. en Calche
dernier elle étoit dans l'Eglise de cette paroisse, et
elle s'est endormie, elle avoit sa tabatière ^{v. valant 15 piastres} lorsqu'elle
s'étoit endormie, et lorsqu'elle s'est réveillée sa
tabatière étoit partie - elle l'a cherchée mais ne
s'est pas trouvée - par après elle a vu que la
P^r avoit la tabatière et a voulu la rendre -

Benjamin

Benjamin Solomon - En Octobre dern. la P^{re} est venue
 chez lui avec une tab. d'arg. qu'elle a offert de vendre
 et y avait deux hom. avec elle, un offroit 2/6 de l'autre
 7/6 - le ten. disoit si elle étoit d'argent et donneroit
 20/- mais qu'il la montreroit premierement à Mr
 Humbert - et l'a montré à Mr Humbert, qui a
 arrêté la prison^{ne} pour avoir volé la tabatiere -
 Qu'il a reçu la tabatiere de Mr Humbert - et le lendemain
 l'a rendu à M^{lle} Dufour comme en étant la prop^{re} -
 La P^{re} disoit avoir trouvé la tabatiere -

René Humbert - Qui en Octobre der. le der. ten. est venu
 lui montrer une tabatiere que la P^{re} a voulu
 vendre, il a arrêté la P^{re} connoissant par les
 chiffres appartenir à M^{lle} Dufour -

Verdict. Guilty of Grand larceny -

Coram. M^{lle} Justice Bowen.

The King. -
 J^{rs} P^{re} Potvin
 J^{rs} B^{re} Bouchard

On Indictment for Grand Larceny -
 stealing 10 Sheep. -

M^{re} Grammont, dem. a Champlain - le 22 Nov. der. il
 a perdu 12 moutons - les a cherché - a seu le ^{25 Nov.} lendemain
 a vu ses moutons entre les mains de Mr. Bran, ^{de la habite}
 en la ville des 3 Riv: d'en a reconnu dix comme à lui
 appartenants qu'il avoit perdus - estime les moutons à
 10/- chaque -

Raymond Bran de la habite - vers la fin de Nov. dernier le
 J^{rs}

P.^e est venu chez lui avec des moutons un grand
matin - et disoit qu'il venoit de l'Isle du Pas
qu'il avoit prêté le recule - et avoit eu de même
heur se rendre a 3 Riv - le tem. dant mauvais -
qu'il a été obligé de marcher toute la nuit ne pouvant
debarquer a Machiche, ce qui étoit cause qu'il arrivoit
si bon matin chez le témoin - Le tém. a considéré qu'il
étoit imp. d'avoir fait ce chemin en si peu de tems -
vu le mauvais tems - un nommé Barbina est venu
à regarder les moutons qu'il a trouvés maigres & pas
en état d'être vendus - et enfin il a cru voir parmi
les moutons, un qu'il avoit acheté en-devant de
M. Fran. du Cap - ce qui a fait soupçonner que
les moutons avoient été volés, & le P.^e fut arrêté -
Il a ensuite vu le tém. Gramment ^{3 ou 4 jours après} qui est venu
chez lui & a réclamé ^{sup} des moutons comme à lui
appartenants - et il les a remis au Gouvernement -
Quelques jours après que le P.^e fut en prison
il a dit au tém. d'avertir les gens de Champlain
que les moutons leur appartenoient - comme il
les avoit volés à une bergerie près d'une pointe
dans cette paroisse -

Philip Burns. Grand Con. vers la fin de Nov. le 22. et a
été demandé par Raymond Laliberté, qui lui dit
que le P.^e étoit arrivé chez lui avec 11 moutons
le tém. a dem. si les mout. étoit pour être vendus -
le P.^e disoit qu'il ne les vendroit pas moins
de 7/6 pièce - disoit qu'il étoit de l'Isle du

Pas et qui il estoit parti de la la veille a 9 heures
du matin — Le tém. s'avant que le P^e n'aurait pu venir
en si peu de temps sur le mauvais temps — il a eu des
soupçons contre lui — demanda son nom — Juste Polvin —
Le tém. a donné ordre à Laberte de retirer les moutons —
il a arrêté le P^e — le lendemain a averti les gens de
Champlain — le 25 Grammont est venu réclamer
les moutons — Le P^e a dit à Laberte en prison
devant lui que les moutons avoient été volés à
Champlain —

Hon^{ble} M^{rs}. Coffin — Polie Mayskale et Thine Rivers —
prouve la confession ^{1^{re}} taken before him on his examination

Verdict — Guilty —

Coram M^o Justitiæ Uniacke —

Domenus Rex
J^{us} M^{rs}. Couvillon }

On Indictment for Grand Larceny —

Joseph Parent march^d aux 3. Riv. fait commerce avec
Etienne Parent en société — Le Samedi avant le 2 de Nov.
le P^e est entré dans leur mag^{asin} dis^{ant} qu'il coperoit quelque un
pend^{ant} est assis — Le tém. seroit le monde et en se levant
il s'est aperçu que le P^e avoit changé de place et qu'il
pouvoit qu'il avoit jouté le tiers ou tout l'argent —
La com^{pl} qui s'est soupçonné à son frère — le 2 de Nov.
le P^e est venu encore pour mettre une bouteille dans
le magasin disant qu'il alloit à l'Esplan et vendroit
en part — il est revenu mettre un morceau de viande —

il est sorti - il est revenu environ 20 minutes après
et s'est assis sur le banc du Comptoir - & le tém.
a encore corrigé ses soupçons à son feu - son
personne est venu demander quelque chose - le tém.
s'est baissé le P^r tant du peu à côté - le
tém. l'a vu faire sortir le tiroir 8 & 9 pouces
& l'a vu pigner l'argent qu'il y avait - &
qu'il y avait dans le tiroir des piastres d'Espagne
& des piastres françaises & un billet de 57 - sitôt
que le tém. a vu la main du P^r dans le tiroir
il lui dit - Coquin te voilà pris - & alors
le P^r a laissé tomber l'argent qui a sonné
dans le tiroir, que le billet de banque était
chiffonné & dessous les piastres - & croit que le
P^r avait aussi eu sa main le billet - qu'il
y avait d'autre monnaie dans le tiroir outre
les piastres, mais que c'était de grosses pièces
comme des piastres que le P^r avait laissé
tomber de sa main - Que cet argent est la
propriété du tém. & de son frère - Que lorsque
le tém. a pris le P^r sur le fait - il a dit au
P^r pardonnez moi le, Mr Parent - j'ai eu
de la faiblesse. -

Julie Fortin - le 2 Nov. der. elle fut au magasin de Mr
Parent - elle avait besoin de quelque chose - et le
P^r qui y étoit dit au tém. que le frère de Mr Parent
la demandoit - elle fut à l'autre bout y attendre
qu'elle a entendu Mr Parent crier - Coquin
tu

tu veux voler encore - et elle a vu la main du P^r
dans le tiroir, et a entendu l'argent tomber de sa
main apres que Mr Parent lui avait parle - que
le tiroir. etoit a cote du P^r

Louise Michelin - engagee de Mr Parent - elle ^{est} ~~sejourne~~ dans
le magasin et a vu la main du P^r dans le tiroir
et quand Mr Parent lui a cree il a ^{laisse} ~~laisse~~ tomber
l'argent de sa main qu'elle a vu, dans le tiroir - elle
ne peut dire quelle espere d'argent c'estoit -

Etienne Parent, frere du do. Parent - etoit dans le magasin
lors du vol - l'argent est en commun entre lui & son
frere qui avoit de vole - il a entendu son frere crier
au P^r Coquin le voila pris - & dans ce moment il
a vu l'argent tomber de la main du P^r le P^r
a prie son frere de le pardonner - comme il avoit de
la famille. -

Verdict. Guilty of Petty Larceny. -

Doms Rep

Joseph Legros

de Jos. Duperron

Indictment for Larceny - one dead Sheep
value 2/6 -

M^r Defossaye - de Nioblet - a perdu la viande
d'un mouton mort en Oct^r der. il l'avait dans son
hangar - c'est vers 8 jours avant les Touss^t - il a vol
tué le mouton la veille - a soupconne que le P^r l'avait
vole - estime la viande du mouton a 2/6 - et est sa
propriete -

Jos.

Theodore Provancher - a entendu parler de vol chez Defossé
en l'anné der. il étoit chez Jos. Gaudet, le
P.^r y étoit - a présenté une verre au tem - que le
P.^r avoit. a refusé - le P.^r lui dit, voulez vous
un maigruillon qui prendroit bien un coup avec un
voleur - ^{moi qui a} qu'il avoit volé le monton de Defossé
Gaudet - mais dites vous cela tout de bon - il
dit, oui, tout de bon -

F

Qu'il y avoit eu un procès de la part du
P.^r contre Defossé - pour une réparation
d'honneur -

Joseph Parmentier - a entendu dire que Defossé avoit
été volé d'un monton - Etant chez Gaudet
le P.^r disoit qu'il avoit été accusé par Defossé
d'^{l'avoir} avoir volé un monton, mais qu'il n'avoit
pas été assez fin pour le prouver - qu'il
avoit mangé de son monton, & qu'il en
mangeroit encore -

F

Qu'il suppose que c'étoit pour un badinage que
le P.^r disoit cela -

Louis Defossé - le P.^r en regardant son couteau, c'est
donc toi couteau qui a dérobé le viande ^{du monton} de M.
Defossé, et en mettant le doigt sur le tranchant
et en voilà encore une breche -

F
Lui

Don le P^r badiroit alors avec le tém. a u sujet d
il a pris cela pour un badinage —

Defense

Mr Verina — states the suit of^r had subsisted between the parties
B^r Defassage & P^r and the arrangement

Verdict, Not Guilty. —

Thursday 15th March 1827. —

Pres^t
As above. —

Dominus Rex
v^t
Antoine Parent }

On Indictment for Stealing a Sheep. —
value 10^s. —

Joseph Marie De Tonancour, lives at St Michel Yamaska
in Nov. '25 he lost a Sheep — he had collected his sheep
with his neighbour Forcier, & put them into stable of P^r
he took them not marked as his — Forcier observed that
there had remained in the stable of^r had been lately
marked — went to P^r & asked him if he had more sheep
than his own, & he had not — one of his sheep, found
the sheep he missed — P^r refused to deliver ^{it} him up — the
next day the sheep left P^r's sheep & came to the neighbours
& W^r was informed of it — knew the sheep from having a
part of the horn cut on Aug^r before this — the sheep had
had the horn lately cut, and his own mark put upon it.

The sheep of wit - were not marked -

Jos: Forcier. In Sept 25 - the P^r withdrew his sheep from the Island saying he took away the remainder of his sheep - there were none ~~marked~~ ^{shale} sheep that had horn cut -

M^r Forcier - present at demand of the sheep from the P^r saw same marks on ~~the~~ one of the sheep of. Mr De T. had described - left horn cut - ear was fresh cut.

Fran^c Petrin same testimony -

Jos: Forcier. P^r sheep of - he had had no horns -

Verdict. Not Guilty -

Dominus Rex }
Louis Fleury } On indictment for stealing jewelry from the person -

Louis Dubé, was travelled in company wth P^r on 29 Oct. last in a small cart on their return home - they stopt at one ~~affair~~ Baudette's & slept there - the next morn breakfasted at Beatty's - at one Parron's the P^r had occasion to see the wit's purse & the money he had - about 2 o'clk. P. M. they arrived at one Moffat's and staid the night there - the P^r had called for liquor

the

The Wick fell asleep in his chair - but before he fell asleep, he is sure he had 11 shillings in sp. shillings & and 2 sp. dollars in his purse - that Moffat & the P^r were then in the ~~house~~^{room} - when he awoke towards morning his money was gone - they searched for the money, but could not find it - the P^r was then anxious to set out homewards - the W^r yielded to his solicitations - but after getting him, he ret^d to Moffat's - & then found that the P^r had paid her in shillings what he owed them - the wife of Moffat showed him the shillings she had rec^d from P^r - some of wh^{ch} W^r recognized, some of them being smooth some of them being very dirty - & the son of W^r from whom W^r had rec^d this money also recognized these shillings - on this he went to the house of P^r & told him he must have his money, he denied it, and denied having paid any shillings to Madame Moffat - the W^r then took the P^r to the house of Moffat - when the P^r denied having the money of W^r but on Mrs Moffat saying that she had received the pay^t from the P^r in shillings - the P^r appeared much struck & had nothing to say -

x

That he had drunk a good deal & set up to a late hour - cannot say how much he drank, was not so drunk but was able to walk. -

Alexis Moffat, Tavernkeeper at River de Loup, came about 2 o'clock in afternoon - staid supper - they called for some - the W^r Dubé was in liquor & fell asleep no other person went into the room when Dubé was

was but the P^a In the morn, the P^a came down
stairs, and paid the bill 13/6 - in a piece of 2/9. &
small money - thinks there were 7 shillings in Sp.
shillings, a hunte sols & other small money -
There were some of the shillings much worn. 3 or
4 - of w^{ch} put aside - one of the shillings was
stained wth salt water & black - The w^{ch} Dubé
came down afterwards & complained that he had
lost his money; & among other money 11 Sp. shillings
The 2^d day after Dubé came back wth P^a when
the same money of w^{ch} he had rec^d. the P^a was -
produced by W^{ch} and was claimed by Dubé as
his property, and described the 4 shillings above
ment^d - Henry^d he had that money in charge
on the road, that Dubé had better take care
what he said - This money has been paid
away by the W^{ch} since. -

After receives money of this kind from his
Customers - That in the afternoon Dubé
went out into the village & was then a good
deal in liquor as well when he came back, as
when he went away -

In B^t Dubé - son of the first W^{ch} before the loss of the money
in question - the W^{ch} had paid to his father
13/6 in Spanish shillings - about 3 weeks before
the theft - W^{ch} went wth his father to the
house

room of Moffat, when the latter produced the money of which he had set from the P^r on the table and the father of W^r claimed 2 or 3 much worn and one much dirtied & black as part of the money he had lost at Moffat's house -

Angélique Lessart - saw the P^r have six dollars in his possession of which he laid on the table at Moffat when he first arrived there wth Dubé -

Elié Demarrets - saw the P^r at the Encan of Baker, about 1 o'clock in afternoon of 24 Decr last, when P^r produced 5 dollars & one or 2 shillings, as all the money he had, but he may have had more in his pocket -

Defence -

Joseph Carufel - the P^r from his infancy - he is a man in ordinary circumstances like many other inhabitants - and he has always considered him as an honest man & he is so considered by the public -

Charles Aubry - the P^r - who passes generally for a very honest man, and in every circumstance -

Basile Lussier - the P^r has been in the North or Indian Country wth the P^r - always passed for an honest man -

John Campbell Fearon - found horse of Dubé at his door last winter of which app^r to have been long out doors - he put
him

in his stable - had him cried next morning - when
Mr W Dubé claimed him, so^d he was so drunk the
evening before he did not know what had become
of his horse. - This was sub-ventu -

Verdict. Guilty of Petty Larceny -

There being no more cases for trial before the
Court, the following sentences were pronounced
against the Prisoners who had been convicted.

Dominus Rex
Marie^m Fournier }

On Conviction for Grand Larceny. -

Judg^t. That the Prisoner be confined in the
Common Gaol for 1 Year & then discharged

Dominus Rex
J^m B^{te} Potvin }

On Conviction for Sheep Stealing -
Death - ex^{on}. 4th May 1827. -

Dominus Rex
J^m B^{te} Couvillon }

On Conviction for petty Larceny. -

Judg^t. That Pr^e be whipt on 17th m^t - and be
confined 6 months in Gaol. -

Dominus Rex
Louis^m Fleury }

On Conviction for Petty Larceny -

Judg^t. That Pr^e be confined in the Common
Gaol for 3 months -

Friday

Friday 16th March 1827th

Pris^t
As before

The Grand Jury laid before the Court a
presentment respecting the state of the Gaol,
and having no other business before them they
were discharged. — and the Court closed. —

LIBRARY

Court of Oyer & Terminer & General
Gaol Delivery begun and holden at Montreal
for the District of Montreal on Thursday
3^a May 1827. -

Before. -

Ch. Justice Reed
Mr Justice Amicak
The Hon. John Richardson
and Chas. Wm Grant

The Commissions of Oyer and Terminer
and of General Gaol Delivery were read
also the Commission appointing Mr John Dehsh
Clerk of the Court under the said Commissions

The Grand Jury being sworn were charged
and retired to consider of the matters to be laid
before them. - The Court then adjourned till
two o'clock in the afternoon. -

Thursday 3^d May 1827.

The Court met at two o'clock when several
indictments were returned by the Grand Jury
adjourned till to morrow at 9 o'clock -

Friday 4th May 1827.

The Court met pursuant to adjournment

Present

Ch. Just. Reid

Mr. Richardson & Mr. Grant

Several persons were arraigned, and trial appointed, and the Court adjourned till tomorrow morning at 9 o'clock

Saturday 5th May

The Court met Present

Chief Justice Reid.

The Hon. Mr. Richardson & Mr. Grant

The King
v.
Ley & al -

On Defend^t m^o. to traverse on indictment for murder -

Grant for Defend^t - The right of traverse is the right of Defend^t in all cases - 1. Chetty. 264 - not without the consent of Def^t - 2. Hale p. 28. & 29 - no difference between Court of Oyer & Terminer & other Courts -

The Att^r Gen^l - The party indicted at last Court of H. B. - & Defend^t - traversed - He therefore has had the benefit - This not a matter of right in this Court - 2 Hale. 28. & 29 when cited -

This

This is a practice of has arisen in England, where
the constitution of the Courts is different from that of
this Country - The Courts of Oyer & T. & J. J. being
an regular & periodical - but this not practised here

Motion rejected -

The King
v.
Thomas Stone } On indictment for ravishing
a woman -

Marie Angelique Foiran. lives in the Seignory
of Rougemont her husband's name Germain
Auclain - that on the 14th April last she had
occasion to go look after her cows - She P^r came
to the house to light his pipe, & went away -
not² observed the P^r on the road who was followed
tho Mr and leading his horse by the bridle,
& came up wth her - he took hold of her wth one hand
had his horse in the other - he held her so fast
that she could not get loose from him - he took
her into a hut 1/4 arp. from the road, and he
then tied his horse & shut her up in the hut
the P^r stood in the door so that she could not
escape, while he tied his horse - he then threw
the P^r down on the ground on her back, & then
had knowledge of her body - he unbuttoned
his breeches, & had carnal knowledge of her body
the same as her husband would have had
on

had on such occasion - she was unable to
make any opposition to P^r and was so
alarmed that she could not cry out -

^P
says, she does not what the words, Carried
away, mean - that he took her by
force - and that he penetrated her body -
and remained in her in that state as long as
he pleased - that the P^r enjoyed her in the
same manner as her husband did - but
she felt nothing from P^r with her -

That the P^r did actually introduce his parts
into her body, but that he did nothing more

That P^r left the house before her as she
came up wth him - he spoke to her - she
went on wth him - till they came to the hut
the P^r leading his horse - he made no
dishonest proposal to her while he was dressing
her to the hut - The P^r afterwards made
a proposal of arrangement, but s^d she would
make any arrangement the Judges might
think fit - the fact happened on a Saturday
as she made her complaint on the Monday.
That the P^r penetrated the body of W^r but
nothing more - he attempted it, but could
do nothing -

Germain

Germaine Auclair - husband of last W. The J^r came
to house & lighted his pipe & went away - his
wife followed him a little after the P^r to
look for her cows - she told W. told him that
he had penetrated her body, but had done
nothing more -

Then the att^r Gen^l ^{agreed} consented that
the offense had not been committed & that the
D^r should be discharged.

Verdict. Not Guilty.

The Court adjourned to Monday 7th May
at 9 o'clock A.M.

Monday 7th May 1827.

Pres.

Ch. Just. Reid

Mr. Richardson

Mr. Grant

The King
v.
Joseph Larose

} On indictment for petty larceny -

Joseph St Germain, dem. a' la lotte de Antoine
le 8 Mars der. il est entré vers les 7 h. du matin chez
Mr

^{typercan}
Mr. Tubman - il y a porté une poche de patates
dans la Case - et y a vu le Pⁿ a son retour - il
est descendu une 2^e fois a son retour, le Pⁿ
est parti, & ses mitaines manquaient, il les
avait mis contre la chaise en sort le Pⁿ - il
a poursuivi le Pⁿ a derriere la parois, et l'a
trouvé - et a remis d'avoir pris ces mitaines - fut
trouvé Mr. Diville, qui a été à la poursuite du
Pⁿ & a trouvé ses mitaines - ses mitaines -
valaient 3/-

Adolphus Diville, high Constable - Mr. Diville told
him that on 8 March last he had lost a pair
of mittens & that he suspected the Pⁿ - the
high apprehended the Pⁿ & found the mittens
on him - produces them -

Jos: S. Germain brot up again - identifies the mittens
says, they are the same he had lost since his
property -

Defence -

Edward Holland - Quere. his Pⁿ since he was
committed to Gaol - the Pⁿ is often subject
to fits - at other times he has the perfect
use of his mental faculties -

Verdict. Guilty -

The King.
Jos. ^m Paquin }

On Indentment for Petty Larceny -

John Dall, an in service of Mr Mohren last month - has a Km. that a saw was stolen from the Messrs Mohrens - there was a saw in a room where the men employed at the brewery slept - it belonged to Mr John Mohren & his two Sons. he heard the door of this room shutting as he turned the corner saw Pⁿ coming out wth the saw under his arm - asked him where he was going wth saw - he r^d to saw wood - wth when - Pⁿ when he could it - Wth he w^d show him where he could find wood to saw - went into the office where Mr Mohren told him he had found the Pⁿ who was stealing the saw - he advised him to be put in goal - The Wth had seen the saw 1/4 hour before he saw saw in the hands of Pⁿ - it was then in the room - The Pⁿ was a stranger & not at all employed by Messrs Mohrens - value saw at 5/-

Verdict. Guilty -

The King
vs
Jos: Villeneuve
vs: Delisle

Our Indictment for burglary. —

Thomas Nolan - living in St. Louis, is a
grocer - in Febr. last - he had a quantity of
Musc. Sugar & Windsor Soap - It had been
damaged on the way from Quebec - on 27 Febr.
but a part of these articles were stolen - on
the morning of 28 - he found that the house where
he kept the Sugar had been broken open - it is
within the same enclosure as his dwelling house
it was broken the night of 27. Febr. before dark,
on ex^{pt} found about 2 Cwt. Sugar carried away
and 36 doz. Windsor Soap - found the persons
had gone by the back yard to an adjoining street
was told next morning that 2 suspicious persons
had been seen selling similar Soap to his in the
Q. Sub - the Sugar was worth 38/ of £ Cwt. & the
Soap 1/6 of doz - Mr. went in search of these persons
we were found at Mr. Ricketts, that his wife
had bot^t of the Soap who told him the names of
the persons - he got a warrant & apprehended
D. & the P^r at the house of one Desperance - he
s^d he would point out the person who gave
him the Soap & went to house where Villeneuve
was & s^d he was the person - she was in
consequence arrested - It was between 27

J. P. K.

Ok in the morn when he saw the door,
found the padlock by wh^{ch} it was closed was
broken open -

2-

The reason he knew the soap, was that it had
been damaged on the way - that the box in which
the soap was, had the figure of 60th marked
on it, and the P^r Villeneuve said it was from
such a box that he took the soap - that
P^r V. speaks enough of English to make him-
self understood - he may have mis understood the
verb - Thinks the outhouse about 20 paces from
the dwell's house - did not himself examine
the door of that build's way night, & will not
swear positively that it was that the night of
27th Feb^r. but thinks it was -

John Nolan - on 27th Feb^r last the door of his brother's was broken
open - he perceived it about 6 o'cl^{ock} in morn of 28th - the
padlock on it had been forced - is not certain whether
he had locked the door the night before - he generally
did so - there was a servant girl in the house who
sometimes locked it also - there was a barrel Sugar
of about 200^{lb} - about £2.14 of Cost about 36th
Soap, value 1/6 £ low - on the 2^d day after the
robbery a person came & gave information that
persons had been seen selling the soap -

That several persons are in the habit of
going into the yard - That the soap was partially
damaged on the way from Quebec - that other
persons in town sell soap of same kind -

Agathe Tray Ricketts wife of Jean Ricketts, about the
end of febr last the Dr^s came into her house
wth soap to sell - they opened a bag w^{ch} a
large quantity of soap w^{ch} appeared to have
been damaged - she purchased 12 pieces of Dehale
for 1/- on this the Dr^s asked her - do you think
that soap - no he Dr^s I got it to sell and on
this the other Dr^s Villeneuve, s^d. It is I who
make it - then as the soap she had weighed
1 1/4 soap - only knew Dehale, who belongs to
an honest family never believed him to be
guilty of steal^g - That a day or 2 after,
Mr Nolan came to the house & claimed the
soap -

Edmund Andrews, baker in St. Luke

Louis Marteau, Shop of goods bet. to the Pole after
the soap now produced was brot there by Mrs
Ricketts & the Constable Dejeu +

Thomas Nolan - recognizes the soap now produced, w^{ch}
he believes to be same - but cannot swear positively,
the stamp on it has been washed off by water,
and his soap was in that state -

James

James Post - rec'd the soap man produced, he
rec'd. on parcel from Peter Quinn & part from
our Johnson -

Defence -

Pierre Villeneuve, is brother of P. Villeneuve - The P^r lives
wth him for about 1^{1/2} year - The P^r slept in the
same apartment wth W^r about 27 & 28 Feb last
and did not absent himself at any time to the
kn. of W^r That one morn^g he awoke the
P^r about the time of Angles, in adv^{ce} to go to
his work - he went out & short time after he
came in & s^d he had found a box or box
of soap in the yard w^{ch} he bro^{gt} in & showed
to W^r - The P^r then got a board & nailed up the
box, saying it must be taken care of - can any
one s^t claim it -

X-

It is no kn. that the P^r ever slept out at night,
the W^r may sleep sound at times & as not to have
heard him - Thinks it was about the 21 Feb last
that P^r told him he had found a box of soap -
he cannot swear that the P^r did not go out that
night to bring the box of soap into the yard -
knows that P^r spoke to one Alger of having found
the soap - The P^r is a blacksmith -

Josette Monette, lives wth the P^r knows that on 21 Feb
last

That the P.^r is
the neighbor of
Volau.

last the P.^r remained that night in his house
and did not go out - she was unwell that
night & had not slept - his brother awoke him
in the morning to go to his work he went out &
in about 5 or 6 minutes returned saying he
had found a box of soap in the yard - he
bro^t it into the house, and nailed it up and
told us not to touch it, nor let anyone touch
it in case anyone should claim it -

7

That she lives with some one. sleeps in
the same bed with the P.^r Villeneuve - the
P.^r s^d. it was the 21st feb. last he found the
box - That it was 3 or 4 days after it was
found, that P.^r spoke of Delisle to tell it.
The P.^r spoke of it also to Mad^e Goussier -

In Marie Villeneuve, brother of P.^r The P.^r bro^t the
box of soap to house of M^r. about the 23rd
of febr. last saying he was afraid some of
it might be taken while his wife was out
of the house - The P.^r spoke of this in the
shop of Wit - in the presence of his apprentice
one Lavigne - who is now in the country -
The P.^r nailed up the top of the box of - was
broken -

That same day - the P.^r Delisle was there
and they took the box of soap saying they
would

would go and sell it —

Reuben Traveller — his P^r has worked part of 2 or 3 years for Mr he always behaved as an honest man — & the last time he was employed preferably to others on this out — was present at a conversation between the P^r & another man when the P^r told him that he had found a box of soap — & he did not think himself at liberty to sell it until he had kept it a month — the P^r made no mistery of it, but told it to every one who came into the shop — some days after the P^r was apprehended —

Thomas Doyle — lives in Mr Alger's employ — his P^r who worked wth Mr at Mr Alger's some winter before last — he always conducted himself as a good & faithful man — The P^r told Mr that he had found a box of soap — in presence of Mr Alger's clerks, & of other persons —

The P^r s^d he had found the box of soap in the main street of the S^t. Sub.

Gabriel Gosselin, his P^r for 20 years — always bore the character of an honest man —

Alger's Chamberlain — his P^r 13 or 14 years — good character has lived in his neighbourhood —

Geo: Dayer, by DeLisle -

He apprehended the P.^r on this charge -
he acknowledged having sold the soap, but said
he had found it, but not stolen it, & there was
no harm in selling it - he proposed to W.^r
immediately to conduct him to Villeneuve, & direct
W.^r him to Alger's - where he was - That
Villeneuve acknowledged they had gone together
to the D. Sub. to sell it -

The P.^r Villeneuve ^{x³} told W.^r he had found
the soap on the main street of the D. Sub
near the house of one Stebb, about 20 or 30
paces from the house of Mr Nolan -

Verdict - Jos. Villeneuve - not guilty
of breaking & entering as stated
but guilty of stealing to value
of 20/- as laid in Indictment
Joseph DeLisle - Not guilty.

The King
Geo: Washington
Dare

On two Indictments for Petty
Larceny, submitted to the same
Jury by consent of the Prisoner -

1st Indictment for stealing an axe the property of
James Harrington, value 9/- The

the other Indictment for stealing wearing
apparel the property of Amasa Ross, value 12/-

James Harrington. - Farmer in Shefford - about the
beginning of ~~Dec.~~^{27 Nov} last he lost an ap. of - was
stolen, about 1 Dec. after it was found in the
possession of the P^r who was using it in the
woods - The W^r heard of the P^r who was a
stranger being in the neighbourhood wth an ap.
similar to his, that he had burnt out the helve
of it - W^r went in search of it, & found it in
his possⁿ - The P^r owned that he had taken it
at the house of W^r. He recognized it to be his
property - values it at 10/-

Edmund Wincheste, lives in Shefford - was charged wth
a warrant to apprehend the P^r - he went wth
W^r Harrington & W^r Ross to the residence of P^r
when he arrested, he acknowledged having taken
the ap. in the evening at Mr Harrington's house
and W^r H^r recognized it to be his property -

Amasa Ross - lives in Shefford - in Nov. last he lost a
flannel shirt, a p. woollen socks & a h^lf. and
found them afterwards in the possession of the
P^r - the shirt was on his back & the socks & h^lf
in his bundle in the house where he lodged

values shunt at 5/ the books at 2/ and the
book 2/6

Verdict. Guilty on both indictments

The King
Jonathan Corson }

On indictment for Petty Larceny

Samuel Brown lives in Shefford -
in Nov. last a quantity of cut single nails
his property was stolen - he had washed out
45 pounds of these nails & laid them aside for
himself in the store of Lyman Childs, and
laid them on the counter - & about half the day
after they were stolen - he suspected the Pr
who had been at the store the same day,
and Mr Winchster afterwards brot the nails
to him the same week & he sd he had found
with the Pr - when before the Magistrate
the Pr acknowledged that these were the
nails he had taken from the store -

Edmund Winchster - lives in Shefford - in Nov. last he
heard that the last Mr had lost some nails
he was in company wth Pr & accused him of
taking a piece of leather, & he denied - He
charged Pr wth having taken the nails from
Mr

Mr Childs stow - he acknowledged it - and
went along w. W. in the evening and found
them in the place where had concealed them
and gave them to W.

Vindict. Gaultz.

Tuesday 8th May 1827,

Pres^t
Ch. Justin Reid
Louis Guy, Esq -

The King
v.
Joseph Vincent }

On Indictment for stealing a
Cow. -

Pr. Camire, had a cow of the purchase of Dr. ^{same day}
Rou at last St Michel - he took her ~~some days~~, he
got her - two in Dub. Sub - he went in pursuit
of her and found her in the possⁿ of the Pr. at
the horn boat, but he refused to deliver her to
W. he left her in possⁿ of Pr. eight days after
he found his cow in the field of our La Tourelle,
and in consequence he obt^d a warrant of the Pr.
The reason the Pr. gave for not restoring the cow
was that ~~he had~~ she was his property, & had gained
her by working in partnership w. the business -
H/ho

This was a false expense as the Mr. had
paid him all he was entitled to —

x^p—

The Mr. gave to amount of 21/ for his work —
he never agreed to employ the P^r for half of the
work, and that P^r should have half of the
Cure — never said so to any one, nor to Mr
Latourville — Mr P^r since June last —

Claude Giguere, lives in Q. Sub — He last fall
saw the cow in the yard of the last Mr. and
soon after same day he saw the P^r leading
the Cow away, who told Mr he was taking
her to pasture —

Christophe Roch, day labourer — he was taken by
Mr Camire to see the Cow in the savanne of
Longueuil, she was then dead —

Defence —

Ant. Dubord de Latourville — Mr. Camire — last Septe
he was at Camire's about some work he had
to do — saw P^r at work there — then both Camire
and P^r both said, that they were in partnership
for the Cow, as he had given the half of his
entrapment to the P^r —

Verdict. Not Guilty —

The

The King }
Catharine M^r Gray } On Indictment for Petty
Larceny

Robert Johnson, lives on Island of St Helena,
parish of Longueville - about the end of last month
about 26 April, he found a sheet was missing
on the bed on^g the P^r slept who was the servant
of Mr on being charged wth taking it, she denied
it - s^d. she had lent it - s^d. she had not pawned
it - s^d afterwards it had been pawned - got a
receipt and ~~found~~ ^{learned} ~~one~~ half of it at the house
of one English & the other half in another house
the P^r was apprehended, and being in the house
of Correction she acknowledged she had stolen it
and had sold it to the wife of Bartholomew Collins.

Bartholomew Collins
wife

Never held out any inducement to the P^r to make

Mary Parker - lives in S^t L. Isle wife of Sam^l Maynes
about the end of last month the P^r came to the
house of Mr Collins, she had a sheet in a basket
of^r she proposed to sell to Mrs Collins for 6^s
and Mrs Collins bot it for 3/4 & gave the half
of it to Mr who gave 1/6 for her half - the P^r
s^d. she had the sheet from one of the Soldiers
wives, on the Island to sell - the half the 107
bot

bot was taken away as having been stolen
from Mrs Johnson

The sheet is the same ^{as} it came off the bed
the bot. it to the police office -

Louis Marteau - Constable in police office - the bot. W^o
bot. the part of the sheet - to the Police office
of - is now produced -

Mary Barker - Looking at the half of the sheet now
produced, says, that it is the same she bot
& of. she produced at the Police office -

Robert Johnson - Recognizes the sheet now produced
to be the one stolen and to be his property -
that - the sheet is different from the cloth
made in England & Ireland - it having
been made in Lauce -

Verdict. Guilty

The King -
Frank Martin

On Indictment for digging up and
carrying away a dead body out of a
Church yard -

The Defend^r having answered the Indictment
now

now prayed leave to withdraw his plea of not
Guilty and to plead Guilty - which was granted

The King
Henry ^{on} Barsalou } on Indictment for a similar
offence -

Plea withdrawn & Guilty pleaded -

The King
John Earl
Jos. Boutron & Major
Louis Dumouchel } On Indictment for a Conspiracy
to persuade certain persons not
to give evidence agt. one Louis
Masson, on an information agt
him for selling spirituous
liquors without a License -

John Delede, Clerk of Peace of this District,
as such, in Aug. last an information was lodged
within by one Alex. Traver, signed by Mr. Mass. atty
agt. one Louis Masson, & that the name of J. P.
Reproton, J. P. is that of the Magistrate of that
name - (The information and summons to sd
Louis Masson, for selling spirituous liquors in the
parish of St. Benoit on 18th August last, was here
read -) That he has the custody of the minutes
of the proceedings had before His Majesty's Justice

of the Peace on this complaint on 22 Aug
last - and on this ~~file~~, the Defend^t pleaded
not guilty -

George Dagen - is a Constable - in Aug last he was
charged with service of subpoenas on the witnesses
Frans Drouin, P^r Paquet, & J^useph Maisonneuve
as w^{it} on the p^{ro} of L^r Masson - he
served them subpoenas personally on each of these
w^{it} at St Scholastique & sufficiently in
time to allow them to appear - these w^{it}
did not appear at the return to give them
evidence on the 22^d Aug^t before the Sittings
of the Justice in their weekly sessions at
Montreal -

x²

He had an original subpoena & g^o he served
copies on the witnesses, but the original subpoena
has now been misplaced - served at same day
he served the de^m on Masson -

Alex^r Lamer lives at St Scholastique - in Aug last
he prosecuted a complaint ag^t L^r Masson
for selling sp. leg^t without licence - the
w^{it} were L^r Drouin, P^r Paquet,
J^useph Maisonneuve - there were material
evidence to prove the facts - he outd out
w^{it} of subpoena ag^t them g^o he delivered
to

to George Dejeu to serve - and offered to each
of them money to pay their expenses to go to town
they sd. if they wanted it they would ask for
it - they promised to come to town, & to set out
on the Monday after - The Work on his way to
town saw a ^{carriage} Calash at house of P^routon & Major
there saw Francis Drouin - & made a sign to him
as to come along & Drouin nodded assent - on
this Drouin got into the carriage alone & came
towards him - but turned his horse & went towards
P^routon's - We followed - saw these Maisonneuve
asked him why he did not go to town - he sd he
did not know what to do, as he was told many
things - on this the D^r Earl, sd they would
not go to town, adding, wth it is a shame
for you to be so mean to persecute these people
when you are able to live without it, there are
duty takers, & I hope these people will not do
as you - You kn. these people cannot gain
their livelihoods after this, as the principal men
of the place are engaged in this & they will no
longer assist you - if turned round to these
men said - is not this true? - on this the
Gov^r. offered money to the Work if they wanted
it to enable them to town - on this Earl said
have you 20 doll^s to give them, as they are
to gain that - on this ^{Myndron} Earl, sd. to Drouin
told

him you want go to town on this Drouin
said - no I want go - W. then I he would
manage the best way he could - on this Drouin
s^d to W. he had something to tell him W.
told him to come along a little time on the road
on this Bantua told Drouin don't listen
to this soft tongue or hill you've over-
heard Major tell Drouin, after Lork had
got on his horse to go away, go away into
the barn as he is coming back - at the
time Drouin was getting out at the window
he heard ^{out} Earl who had hold of Meissonneux
told him come into the room - and cried
out to Drouin - "non, non L^r. Drouin
cachez vous sous le lit - on this the
window was shut - and W. saw the
2 with Drouin & Meissonneux lying
under the bed - on this Major came to
window s^d to W. that he had better
go away or something would happen
to him - I shut the window - W. then
came to town and made his declaration
of these facts on 22^d auy - but these
witnesses did not appear - that on this
the writs got rules served on these witnesses
and on the Saturday after, the Defende^r

who passed the house of the Work and told him
that he would not succeed better next ~~week~~
Tuesday than you did the last Tuesday, as the
witnesses were well hid out of the way - the
Work on this made enquiry & found that Paquet
had been removed, but he said & had the rule
served on him & he appeared as a Work - but
the other two did not appear -

2.

That he had sued out six summonses at six persons
and three subpoenas for his witnesses - cannot say,
who signed them - altho' he read them - or whether
they were in English or in French - thinks it was
to appear before the Court of Quarter Sessions - but
it was to appear before the Justices the ensuing Tuesday

That Carl is a merchant and lives in same parish
wth W^r about 20 acres from W^r never had any
difficulty with him - has been at his house, and
Carl has been at his - has been at house of W^r this
year -

That W^r never made any promises to W^r to induce
them to come to town -

Franc. Drouin, demeure à la Cole St. Louis. parish St. Scholastique
In and had he rec^d a subp. to give w^{it} in a cause
between Mr. Facer and Mr. Masson - P^r Paquet
& Mr. Maisonneuve who received subp. for the same
purpose at same time - he set out to come to town
and P^r Paquet was to come wth him in a Cart -
that Maisonneuve was to come by himself - on the
road

read he stopped at house of Boutron, where
he expected to find Paquet - but he was -
concealed - that M^{rs} Rousseau was there -
that Def^d Earl was there - & Boutron -
He is in the habit of stopping at Boutron's
house - he there spoke of his going to town
as a witness on a prosecution for a fine of Mr
Dumouchel & Masson - for selling spirituous
liquors without licence - that Mr France was
the prosecutor in these cases - that Major
told him he might go if he pleased, as he
would not meddle with the business any more -
He has worked frequently at Boutron's since,
that Boutron said, that the witnesses were doing
wrong to get these people to be fined -

That the reason the Wit^s did not come to town
was that he had not yet any money from Mr France
as he had promised him - that Mr France said
he would give him money but did not do it.
That none of Def^ds^r ever solicited him not to
go to town -

That the W^s never solicited P^r Paquet not to
come to town as a wit^s - on the contrary that he was
to take Paquet along with him -

~~¶~~ -

Pierre Paquet - lives at parish of St. Scholastique, is a farmer,
he rec^d. a subpoena in cap^t Earl as a witness in an
affair of Alex^r Ham at St. Marson about a
fine

from the selling papers without success - he set
out to come to town - that Major sent ^{his} ^{Drury} ^{brother} ⁱⁿ ^{law} ^{to} ^{dissuade} ^{him} ^{from} ^{coming} ^{to} ^{town}
for a witness for Mr Frazer - he came a second time,
and next day we went to Majors - on going in, Major
told him Paquet - You know what you are come
here for - we said - Major then said he had been promised
£15 - for the 3 weeks that is 20 doll for each, not
to go to town - the W^r said he would have 25 - or
this Major said if he would stay & not go - he Major
would give him the 5 doll - more out of his own
pocket - the W^r said this might occasion him
trouble, - but Bouton said there was nothing to fear
and he knew as well as those who prosecuted - I
thought if we went into Court he get hated by it
and this we agreeing not to go - he asked for a
security in writing - this Bouton refused, but
said he would secure him & said for Mr Dumouchel
when he came we explained that the question
that Major had promised to give him, on this Dumouchel
gave his hand to W^r and said, if Mr Bouton
does not pay you I will - that Major told us
if Mr Frazer took any steps, they would give him
money to get out of the way, & conceal himself
the W^r consented to this arrangement - that on Mr
Frazer's making some steps up. them, the defendant
Earl, & two others came to where the W^r was at work

and told Mr. that he heard that France was coming
to arrest him, he told Mr. that he had brot
2 wifes that the Mr. would declare before them
that neither he, Earl, nor Boutton, had had
in any hand in this business - he s^d. this is
Wednesday, he off, and do not appear till
next Wednesday, and gave Mr. 2 dollars
that on that day the suit of Mr. Frerer would
be dismissed - Mr. went home, but saw
the barliff coming, he went off to his fathers
as fast as he could, and hid himself in
the woods till dark, and then went to a
distance of 8 leagues - this was on Wednesday
he did not return till Sunday evening,
but before he went away told his father
where he might be found in case any thing
was don aft. him - he had a rub of foul
dummed on him in consequence of the advice
he got he came to town and gave his evidence.

That when he came to Boutton's house, he
told him that it was he who had sent the
men to speak to him not to go to town

That he was twice at the house of Boutton
the same day - the second time he went there
the wifes Drouin & Maisonneuve were there
who appeared satisfied that the wifes were to

have

have 25 dollrs and they only 20 some difficulty
was made by them - on this Boutron sd. that
if they were not satisfied, they might all go
on this they agreed to take the 20 dollrs - and
the W^o went away leaving them at Boutrons

That on the disagreement of Drouin & Mazonneau
that they had not got 25 dollrs as well as W^o -
they all went to Earl's house - who told them
they did wrong to go to town, and that they had
better settle it among them - they asked Earl to
go w^o them to Boutrons - he did so, and
he then further advised them all not to go to town
and to settle the business, when it was finally
agreed that they should all accept 20 dollrs
not go to town - on this W^o left them at
Boutrons -

F-

That it was in the night time between the Sunday
& Monday that Drouin came to him to advise him
on the part of Boutron not to go to town - Antoine
Desnoyers was with him - W^o went on Monday
morn^g before breakfast to Boutron's - Desnoyers
went w^o him. Drouin went to his house - Major
told him, you know why you come here - Has
no kn. of having ever said that he was to have a
part of the fine & money besides to give his evidence
so as to condemn these persons - When he went
to Earl's, from Boutron's it was on the occasion

of

of the 2 with Drouin & Maisonneuve disagreeing
about the money they were to receive - they asked
him to settle the matter - Earl came back to
Bauchon's wt. them -

That Demouchel came there as having been
sent for by Bauchon - ^{Desnoyers} Perron was there - it was
the first time we went to Bauchon's -

That Earl came to us on Wednesday with one
Carriac & one Girard - and told us that he
would give him 2 dollars to go out of the way, but
that he must say before these men that he Earl
had nothing to do with the business - the words
said so to these men when they came up -

Antoine Desnoyers - lives in parish of St. Scholastique
He heard last Aug. that he Masson was provoked
by Mr. Franca to pay a fine for selling liquor
without license - that Sr. Bauchon sent for
him and told him to bring Paquet his brother
in law to his house - he did so & Paquet went.
We was there also, but did not hear what
passed - knows the Paquet had himself
and that the bailiff was in search of him -

Frank Massy - lives in parish of St. Benoit - w. of prosⁿ
of Masson -

Basile Choquet - lives at St. Eustache - heard of prosⁿ

Gabriel

Gabriel Lafleur - lives at Riv. Du Chem - heard of prosⁿ -

Jos: Lalonde, lives at St Eustache - heard of the prosⁿ -

Louis Bontron - know nothing -

John Delisle, Clerk of Peace - says, that the original subpoena is not in his hands has no knowledge that the original subpoena was ever returned -

Defence -

Andoine Desnoyers - knows Paquet - that he heard Fraser till Paquet - that when his wife was ill to come to his house for what he wanted - & that he should be well paid - as was in the case of the prosⁿ of Masson - heard him say the same thing to Drouin - that he was ^{on a Sunday} sent by Earl to Paquet to tell him to go to Montreal -

The day the w^{ts} stopped at Bontron's the w^{ts} was there - went in w^{ts} there & was in same apartment - he did not see any one hide himself, - did not see Mr Earl there - that he heard Bontron tell them to go about their business and to appear & give their evidence - that he did not hear Earl persuade the w^{ts} - not to go to Montreal -

X-

Never heard Fraser say any thing to engage ~~Paquet~~ Drouin to declare what was not true -

That when Bontron told the w^{ts} to go to town and give their evidence - the w^{ts} said they were to have

have had 20 dollars -

Fran. Drouin - That ~~Fran~~ told ~~us~~ that he never
had himself at Baution's - nor did Mr Earl
lay hold him as Mr Fran stated -

That Baution told him - that he & other witnesses
might go or not as they chose, as he did not
meddle with it. -

That Mr Fran promised money, but never showed
either a 5 dollar bill or even a copper ~~it~~ ~~was~~ could
not go without money. -

Did not see Demouchel at Baution's - that
he saw Demouchel after in the road, when Paquet
requested of Demouchel to settle their affairs,
but he refused, telling them to settle their own
affairs.

That Mr Fran's character in that parish is
but indifferent - not open -

That Paquet does not pass for a very upright
man -

That he was with Paquet at Earl's after going from
Baution's - but he never told them not to go to town

F -

It was heard at Baution's that there was any
questions about 20 or 25 dollars by the ~~the~~
That Paquet ~~s~~ he was to have 25 dollr but
did not hear Baution say so -

That

That he does not consider Mr Fraser as an honest man, from the bad advice he gave him he had purchased a mare from Earl. but had not pd her, she told him to sell the mare & put the money in his own pocket -

Arlovin James & Carrion - went w. Earl on the Wednesday to find Paquet - Etienne Gerard was w. them - Earl called Paquet - W. was about 18 feet from him, Earl was in advance of W. Earl then asked Paquet, if he was the Cause that had prevented him from coming to town to give his evidence - Paquet sd no - it is Mr Fraser's fault he promised to give me the half of the fines, & to advance money if he had not done & this was the Cause that he had not gone to town - That he did not see Earl hand any money to Paquet - Gives a good character to Dep^{ty} but the Character of Mr Fraser is but indifferent as to him he would not believe him on oath -

That Paquet is a poor man & of indifferent character - Drown is poor, but of a good character -

X -

That his opinion of Mr Fraser is founded on the ill advice he gives - and he has no confidence in him - He went at request of Earl, to hear the declaration of the Wits Paquet, Drown, & Maisonnave - That he had taken no part in preventing them from going to give their evidence - He was distant about

about 18 feet from Earl when he went up to Paquet - there may have some words been exchanged between Earl & Paquet of the 10th we did not hear - Earl was on horse back, and Paquet about 17 feet from him - Did not see Earl hand any money to Paquet -

Jacques Dupras - no defend^r who are respectable people - Mr Frasn - who is about 4 or 5 years in the parish - in the opinion of Mr he is a man of little character - and he would not believe him on his oath -

X-

The circumstance of the sale of the mare he had bet. of Earl -

Frans. Leonard. Mr Frasn - lives at St Laurent - after what he knows of his character - he would not believe him on oath -

X-

That he heard Frans say, that certain persons suspected of having stolen a mare - but he would not allow any proceedings to be had against them, as they were his witnesses in a certain case of. he had in Court, who by making a false oath, would make him gain 3000⁺ - and if he lost the suit, he would be a ruined man - That on St Aubin was present -

Mr Bth St Aubin - was present at last week & heard some conversation, except as to word - faux serment -

Antoine Lafresniere, M. Truse - from the knowledge
he has of his character he would not believe him
on oath -

Joseph Vermet - M. M. Truse - a ^{great} part of the parish
speak ill of him - and from what he knows
of him & his character he would not believe him
on oath

Defend^t: closed

Gabriel Francher Esq. in Prov^m - M. M. Truse for
7 or 8 years - it is the first time to day, that he
has heard any thing of his character -

Charles Roi - merchant in town - M. M. Truse for 15
years - has done business wth him, never heard
any thing to his prejudice till this day - and
would believe him on oath -

Jacques Raymond - M. P. Paquet - considers him
to be an honest man -

M^{rs} B^{te} Lagarde - habitant de Scholastique - M. P^m
Paquet - has known him from his infancy - knows him
to be an honest man - she would believe him
on oath -

Verdict. Not guilty of all Def^t's

Wednesday 9th May 1827

Pres

Ch. Justice Reed

Mr Gray —

Dominus Rex

George Washington }
Jackson and }
Amos Wm Lay. —

On Indictment for digging
up and carrying away a
dead body. —

The Defendts moved that they should
be permitted to withdraw their plea of not
guilty — and to plead guilty to the Indictment
which was granted —

N^o 23

The King }
Barthⁿ Dimas }

On three Indictments — tried before
the same Jury at the request of the
Prisoner —

- 1st Indictment for Grand Larceny, for
stealing a Cart, value £3 property of Louis
D'ault —
- 2 Indictment for Petty Larceny for stealing
a harness, value 15/- property of Charles
Larente de Venet —
3. Indictment for stealing a man, value
£6 property of Joseph D'cout. —

Joseph

Joseph Daout, lives at Pt. Claire - knows that his father Joseph Daout in April 1826 lost his mare - the Witz went in search of her, and came up with the Pt. at the parish of St Anne - that at the same time Louis D'out had lost his Cart, and they found the Cart at the same time, at the house of one Gauthier - The Pt. claimed the Mare & the Cart as his property, that he had had them in exchange from another person - the W. took possession of the Mare & Louis D'out claimed the Cart as his property - The Witz caused the Pt. to be arrested - values mare at 25 or 30 dollars - and the Cart 10 dollars - they found wth the Pt. also a harness which it was said had been stolen from Charles Vint. -

x^{il}

The Pt. said he knew the man from whom he had the mare, and could easily find him.

Louis Daout, lives at Pt. Claire - In April last year he lost a Cart, on a Tuesday morning he missed it he accompanied the last Witz in pursuit of the thief, went to the end of the Island & came round by Terrebonne where they had some news of the Cart - they pursued on to the parish of St Anne when they found the man with the Cart & mare he said he had the mare & cart of a man in exchange and when it was necessary he could find him - they also found a harness of - they found wth Pt. which had been stolen, and which they delivered to Char Vint

Verdict - values the Cart at 12 dollars. -

Charles Vinet, lives at P^{te} Clair - On the night between 8 & 9th April 1826. he missed his harness, shortly he heard that Louis D'acout had sold a Cart and Joseph D'acout his man - they went in pursuit of the thief, and when they came back they had found the man & Cart and had with them the harness which was lost - which he values at 15 -

Defence -

Marie Belanger - tes. P^{re} when the P^{re} was at the house of W^r on 9th April last year he had a black horse - he had a cart painted blue with a seal and a common harness - The W^r left home to come to town with the P^{re} at the foot of the Current, the P^{re} changed his horse the Cart & harness - with a man who asked P^{re} to exchange and got a brown man, a red Cart and another harness - from this they continued their route to the place where he had been asked to work for them -

The P^{re} bot a horse, a cart & harness at Longueuil for 9 dollars, this horse Cart & harness he exchanged at the foot of the Current for the man, Cart and harness which were found in his possession at the Anne -

Verdict. Guilty on all the Indictments -

The King

The King
Asa Fleming the
younger

An Indictment for maliciously
maiming & wounding a steer the
property of Samuel Borden

Samuel Borden - in the month of Augt
last, he had a steer at Stanbridge, which
on 27 Augt. last was maimed - he heard a
gun fired - We went out, and saw the Pr
fire a gun at his steer, & wounded him
in the Shoulder neck, and rendered him lame
the Pr had no ill-will at the Pr that he knew
of but thinks it was done from a wicked
malicious disposition - he has no farm of his
own. - The steer was among some stalks
of the Pr near his door, at the time he fired
at him. -

Ephraim Hungerford, lives at Stanbridge - neighbour of last
We on 7: Augt. last saw the Pr come out of his
house wth a gun in his hand and fire at a steer
of the last We went up and saw the wound on
the steer in the shoulder - before this there had
been no communication between Borden the Pr
and they had had some differences together formerly -

The steer was among some stalks^d of Corn belonging
to the Pr at the time & near his house - they were of
little value, but had been planted late & could not
have come to maturity & was much cut by the cattle -

Verdict. Not guilty -

The King
Robert Melrose }

On Indictment for Burglary
with intent to steal —

Charles Benoit, lives in Montreal, about
the beginning of March last, in the night time
about 2 or 3 o'clock in the morning, he heard some
one going about the house — and soon heard some
glass in a window fall — he got up, and called
out but no person answered — that he found
a ~~pane of glass broken~~ ^{window open}, told his wife to light a
candle — she called out to the watch — the W.
saw the P^r going away from the house, but
does not know whether he had been in the house
the P^r was arrested by P^r Gauthier one of
the watchmen the W. went up to him & saw him —
the house he lives in he occupies as tenant, and
the night before he saw all ^{the windows & doors of the} house well secured
and shut up —

x^o

He is a ferryman — lives in Commissioners street
near new market — the watch house is on one
corner of the street & his house on the other side
cannot say whether the P^r was in liquor or
not when he came up to him — Before the
pane of glass was broken, he heard persons speak
on the outside — The W. keeps a tavern also,
and he is sometimes disturbed in the night
by persons coming there; that next morning
when he heard the prisoner's character, he was
of opinion that he had no intention to steal

in

in this house - thinks that in the night time
a man might mistake one house for another
that next morning when he asked of the P^r why
he had come to his house in that manner, and
not go to the door - the P^r said he was drunk
and did not know what he was about, and was
sorry for what he had done -

Mr Gaultier, is one of the watch - about the beginning
of March last - a little after 2 o'clock in the
morn^g, he found the P^r who had fallen down
as it was slippery - asked him where he was going,
he s^d he was going to the river side - on this the
W^r left him - when the W^r came to cry half past
two he heard some one cry out Watch, Watch -
as he came to his place when the Calts are kept,
he saw P^r coming out of Mr B's house by the
window. he went up to him & arrested him - he
spoke to P^r in English - he told him near the watch
house door - he then laid hold of him, there was
some holes wth water then, the P^r asked what he was
going to do wth him - s^d to carry to him to walke as
P^r he s^d to W^r if he did not let him go he wd
drown him in the puddle - the W^r was obliged
to knock him down as he was too strong for him
on this Bennett's room of watch came up to his
assistance & he carried him to the watch house

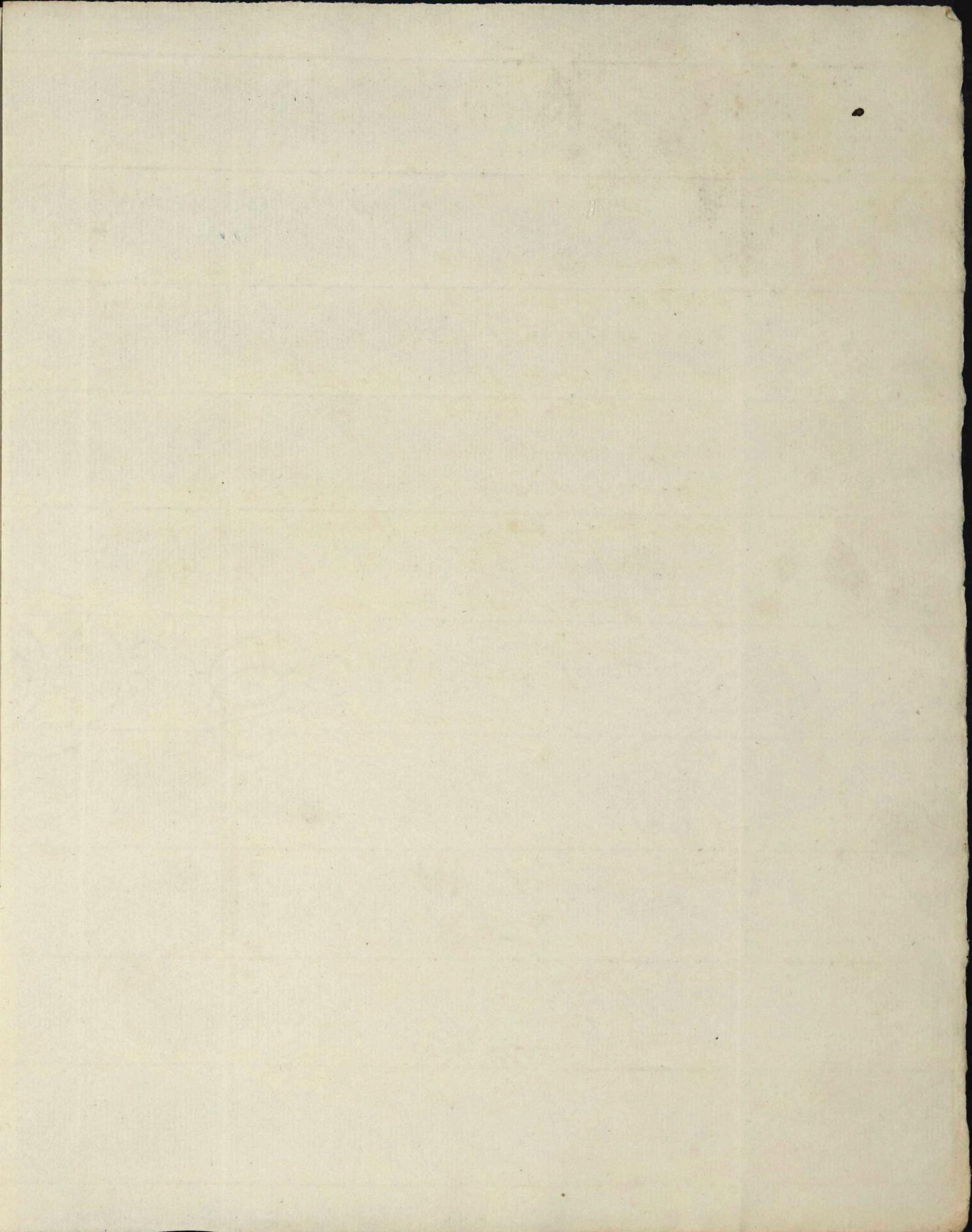
When he first saw the P^r he tho^t he was in
liquor - & had difficulty to walk - when
he

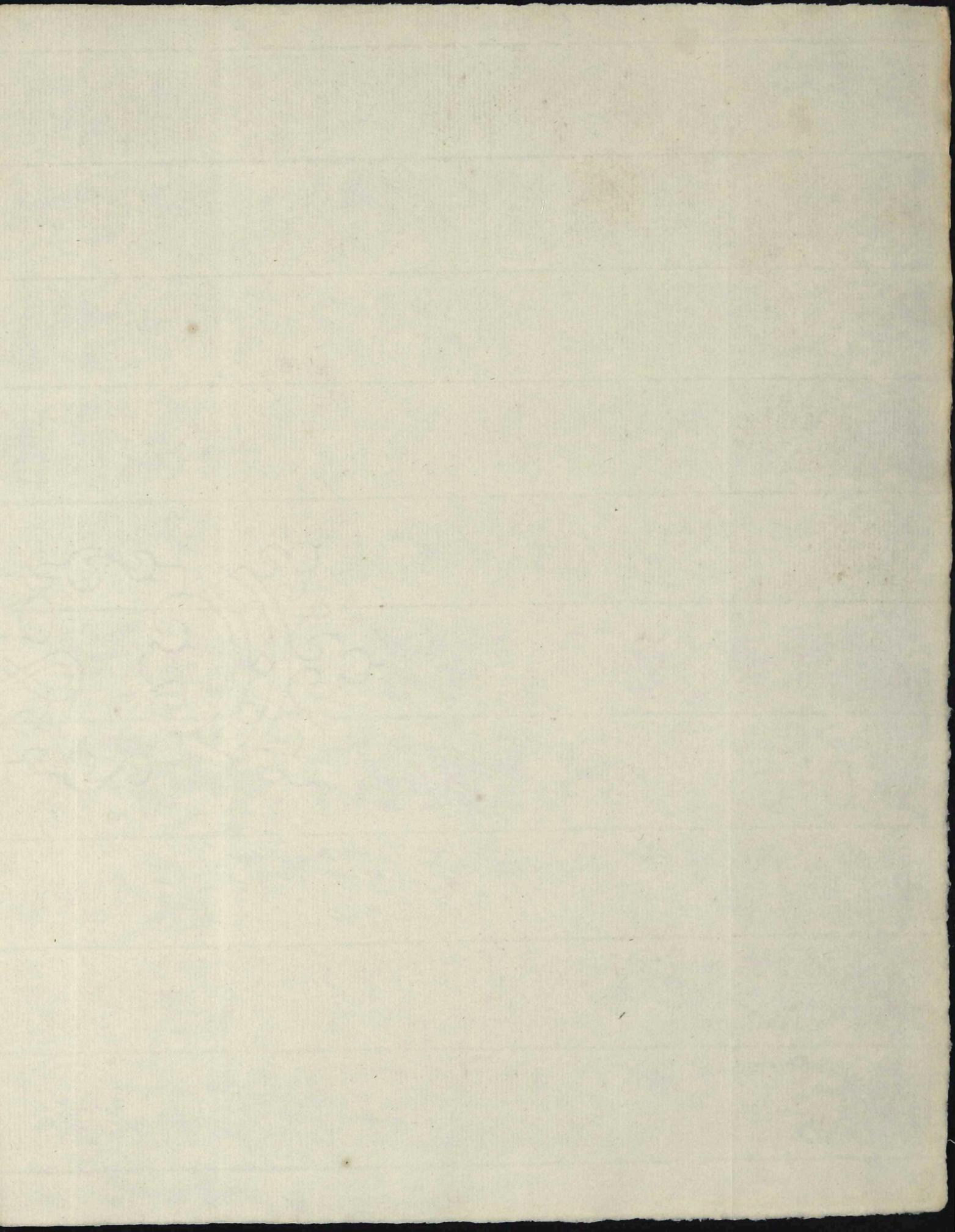
he heard, Watch called out - he went up to
the P^r who did not aim nor appear to avoid
him, and made him pris^r -

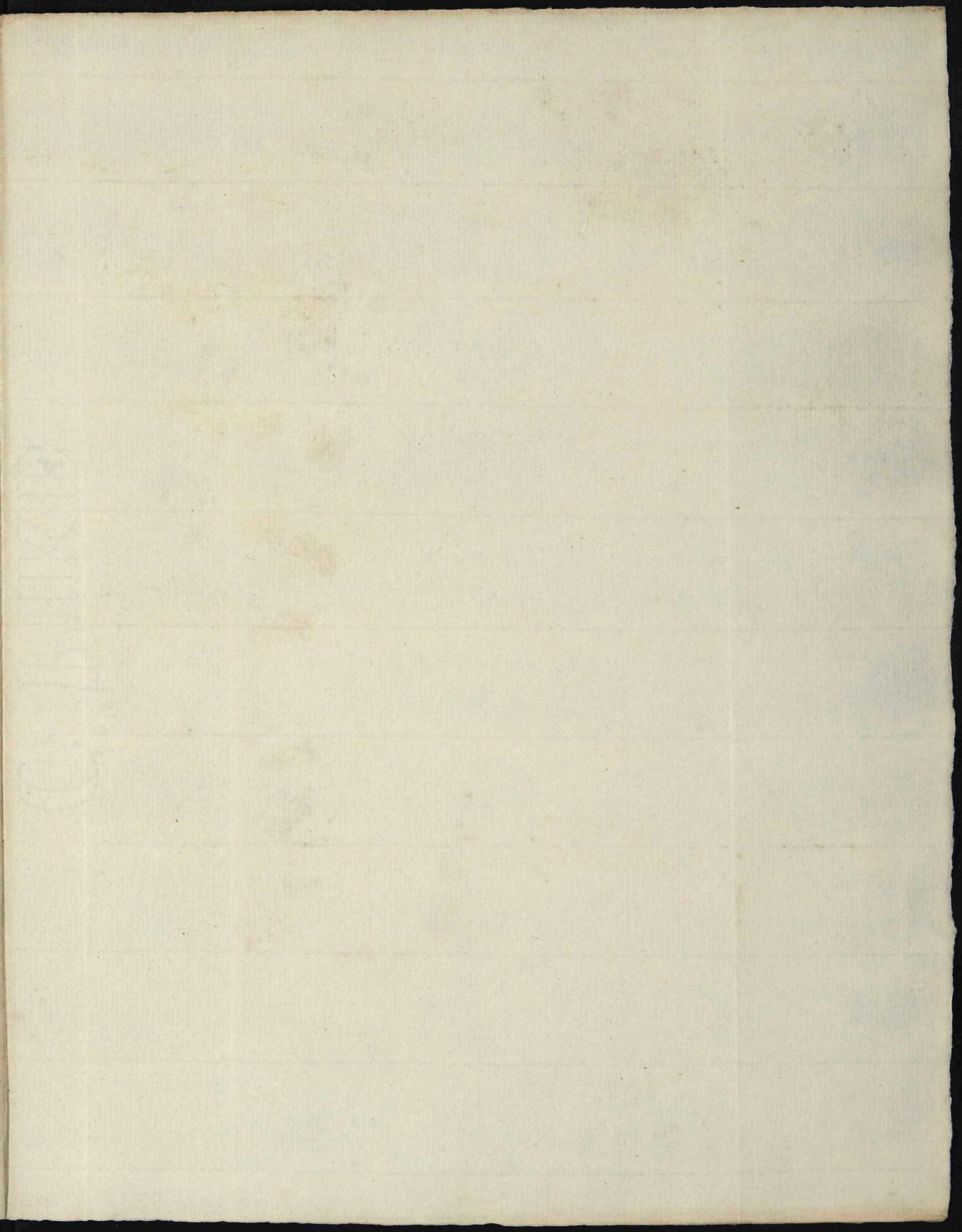
Defence

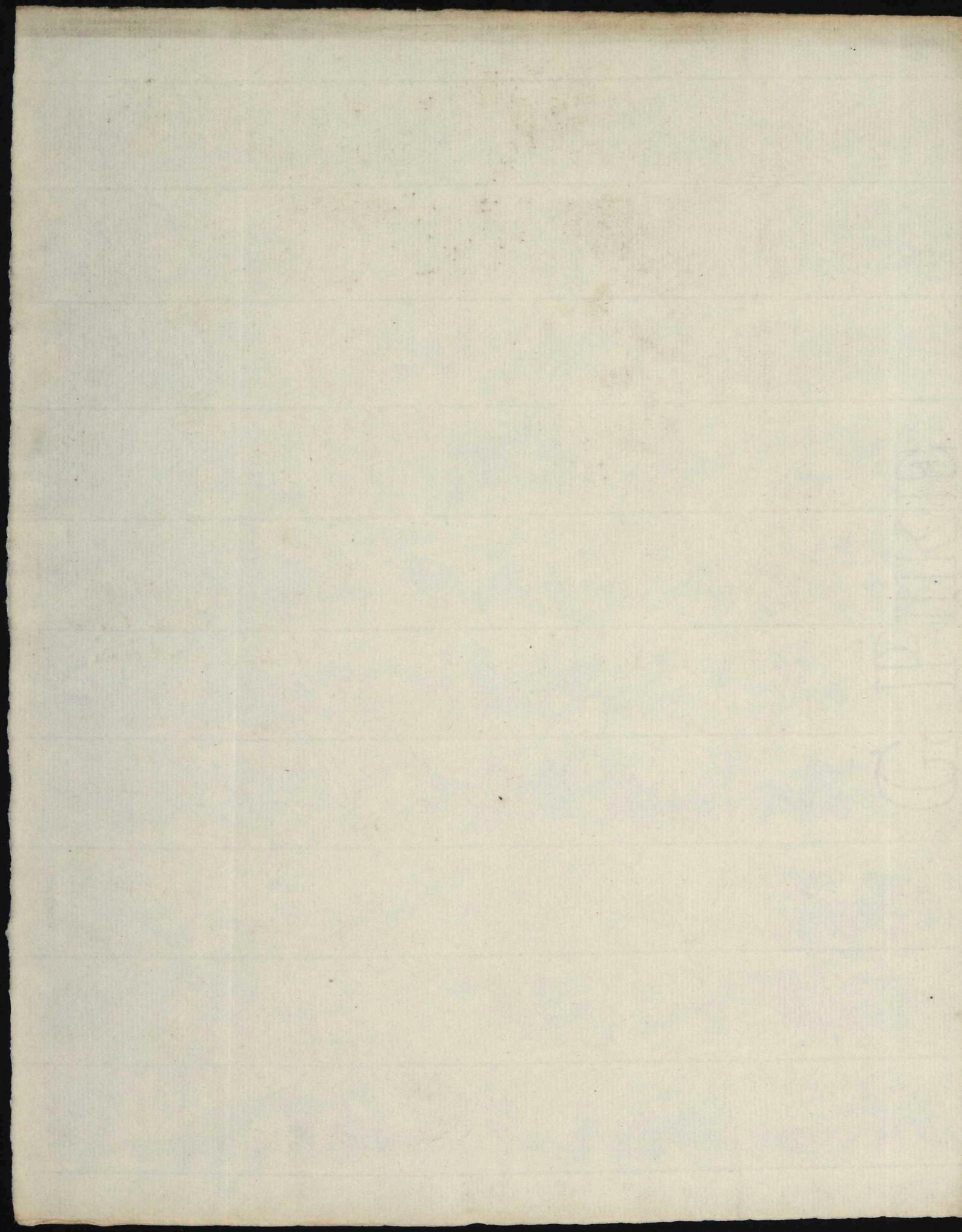
William McHendry. His P^r for 5 or 6 years and has
worked together with him - he is a man of
good character - on the 2^d March last he
w^{as} the P^r came w^{ith} one Matherson to see the
w^{oman} one John Hood, - they all drank a little
freely - and w^{ent} a little way home w^{ith}
them & w^{ent} into M^r Deagull's & they got
more than - they were then all very much
intoxicated - & he was so bad that they rest
of the party took him home -

Verdict. Not Guilty









Monday 14th May 1827. a

Pres

Ch. Justice Peck

The King

Henry all King

Adolphe Nolin
Raphael Brossard
The Elder
Genevieve Regnaud
and
Raphael Brossard
The Younger

On indictment for murder
of Casimir Nolin

Henri Favreau, born at Boucheville, was employed in July last by Adolphe Nolin to make a loze in the house of P^r he made a partitioned off a small apartment, of about 12 feet by 8 - with strong planks of 2 inches thick - there were two small quichets or windows, & a door of - shut on the outside, the only light admitted was by these quichets when open he finished the work about 10 o'clock - the P^r ordered it was to put Casimir into it - saw Casimir some days before, dined with him same day at Capt Brossard's - he appeared a little troubled - seemed not to be in his usual reason - he was quiet - took his dinner like the other persons - this was on the Friday - the Monday follows he returned to Brossard's & was told that Casimir was dead -

He saw Mad^r Brossard when he went to make the loze

and also young Bossseau — he took about 3 hours to
make logs — the wood was all prepared — the wood
had already served for the same purpose — there were
already 2 quichets made — he observed the marks as
if a small log had already been made in the same
room — the windows in the outer room were opposite
the two quichets — was a little surprised that
Casimir was shut up in this way — never saw
him furious, but has seen him in liquor — when
he is sometimes he more violent — that some 2 or
3 days before the D. had some words wth the P.
Adolphe, when the D. threatened to run the P. through
with a Vibreytaine — When the W. died wth D.
he appeared to have l'esprit trouble — his hand
trembled. — The on the Monday when he went
to the home it was Made B. — who told him that
D. was dead — she appeared affected — he was shown
the body without any difficulty —

rebraynaire

Alexis Bisson, died at St. Constant — he worked at Bossseau
from July last — it was the 12th — the D. worked
1/2 day wth W. he appeared quiet, and talked with
usual good sense — saw work that led him to think
his mind was affected — was perfectly quiet — he
did not return in the afternoon to work — we asked
the reason of Raphael — J. — who wth the D. was
shut up in his Cabanne — the W. was surprised
at this — The 14th July was a Friday — The W.
returned to work there on 15th July — on Monday the
17th he arrived to go to his work, on the way he
stopped at Lady Lavare's, when he arrived at
Bossseau's

Brossseau's, it was about 8 o'clock, when Med
B- told him he arrived very late -

That that morning before he went to attend
Brossseau's he does not recollect having heard that
D. was dead - That he declared before the Magistrate
that he had heard that D. was dead before he went
to Med B- but since then, Gabry Lavoisier
Lac. Leduc have told him, that they had not spoke
to him of the death of Casimir - That he would
be better able to recount what happened 15 days
before, than what happened 10 months before -

That Med. B. o. It was too late - as it was going to 8
o'clock - the W. then o. he would return - he had
gone then to continue his work - The W. went into
the house in the afternoon - he then heard from
Brossseau fils, that B. was dead -

x

He stopped at Prosper Lavoisier & ^{Pre} Lac. Leduc's on
his way to Brossseau's - It was after he had been
at Med B- that he heard that Casimir was dead -

Dornatille Dupuis - lives w. Pr Med. Brossseau - lived
there since winter before last - that last summer
there was a room made up for Cas. Volin - he was put
into it & we carried his victuals to him - there were
2 quichets, by w^{ch} she put in his victuals - saw him
one day he was shut up - he was not quiet - saw
Brossseau at work for Mr Brossseau 2-3 weeks before this -
thought she saw him at work then the same week -
Did not see Casimir do any up to the day
he was shut up - he took his meals at table as
usual

That day - that he was in bed the day he was
shut up - It was with difficulty he could
walk that day & that morning - When she
carried his victuals to him he was always quiet -
this was 3 times a day - He died on Monday -
He was slept in the house the night before -
on the 2^d story of the house - That in the night
time she heard ~~some~~ Cry twice in the room of
Casimir, and heard like ~~some~~ knocking
in his room - she had heard him cry out before
at times when he was out of his head - That
she heard on Monday morning early, that L
was dead - it was her Mistress who told her so -
The table was not laid for breakfast - was
surprised to hear of his death - L Mad. B. appeared
affected - That after this Dumas arrived from
St. Philippe - he did not eat for breakfast -
He came in alone - That about 10 - 11 o'clock
she saw the floor of the room where Casimir
was, washed - they took down the partition
of the room of - had been prepared for Casimir -
When she saw the D - he was enveloped and
laid in another room -

x² -

That Casimir was always in bed; he
was sometimes 3 or 4 days without drinking
when he was very sick - That some time
before he was shut up, he drove a nail into
the nose of one of the servant girls - That
very

body was afraid of him - he was fed with
the best in the house - by orders of his mother, &
his brother appeared to have great care of him -
The cry she heard in the night was the cry of
a fool - and as if he was striking at the partition.
That it was known before Dumas arrived that
Casimir was dead - of this she is certain - &
that Mad^e. Brossier ^o or before Dumas arrived,
that Mad^e. Brossier & Double Poupard were in
the kitchen when Mad^e. Brossier came in and saw
that her son Casimir was dead - that it was
some time after this that she saw Dumas come
in -

I has often heard Casimir say, that he said the
Devil - spoke to him if he was speaking to him - the
people in the house were afraid of him -

That Savoie came in before Dumas that morn^g -

The family usually ^{xx} breakfasted about 7 or 7 1/2 o'clock.

Joseph Dumas lives in St. Combaud - That Adolphe Nohu
came to house of Mr. about 5 o'clock in morn^g of 17 July
saying, he came for Mr. as Casimir was again fallen into
his foolishness - that you may come and take care of
him - They breakfasted, & set out about 7 o'clock
& had about 4 1/2 leagues - arrived at Lapras about
9 o'clock - on arriving at Brossier's he saw
the servant girls Domatille Dupuis & another

in the kitchen - & in half an hour after, he saw
Mad B - in the mean time he stopt in the
passage over the garden - on Mad. B. calling for
him, he went into the house - was told that
Mad B. was in the Salle wanting money. It was
the reason he did not see her sooner - that on
seeing the W^r Mad. B. s^d. do you know that
your Carimir is again fallen into his fits -
ye he s^d. & she told me - well sh^d you will
come w^t me if we will take him out - they
went to the door, she knocked at the door. saying
are you asleep - this she repeated three times
without any answer, at last raising her voice
she cried, "are you asleep or are you dead" -
she then told W^r to go & look for Raphael - &
he came in w^t him - Mrs B. told him to go into
his room as Carimir w^d not answer - that
Raphael opened the door and went in first &
the W^r after him - Mad. B. did not go in -
it being dark in the room they could not see the
D - & Raphael s^d to Mad B. to open the shutters
she opened the shutters, the light then came in by
the wickets, they then saw the D - lying on the
floor, with his 2 hands crossed on his breast,
one of his legs extended at length, the other a
little raised up - he had the countenance
the same as if he had slept, except that he
was pale - there was a wound upon the bridge

of the nose from between the eyes downwards, it did not appear considerable.

His 2 eyes were black all round -

or scoured over the left brow & a little scratched near the hair in front -

There was also a wound upon the right temple it was about the size of the nail of a fore thumb

On one side he observed 2 small scratches under the left side of the chin in the neck - such as might have been made by a person holding his neck and scratching with the nails of the fingers -

Saw nothing in the room, nor anything by which the D - could have inflicted such wounds on himself, there being no one in the room but his mateley -

Saw no appearance of blood about the ~~D~~ nor on the floor, all was clean -

After they told Mr B. that her child was dead she seemed to be in pain - and told them to bury the body into the dalle

That Mrs B. had slept at the outside of the loze all the time while W. & Raphael up the body and was there when they told her that her son was dead -

That it was Raphael who first remarked that C. was dead, after putting his hand on his knee - & this immediately on laying his hand on the knee of D - without further examination -

That Mad^e B. did not come into the room after she was told that her son was dead —

Mr B. told Mr. W. to go to Mr Shearon and tell him word d'oucement that Casimir is dead, & tell him to come here — went there — he came — Mad^e B. & we to enquerir the D^e — that she had sent for him to know — he s^d. he supposed so — on this one Lavoie came in — she told the Mr. to enquerir & told Lavoie to carry him — they carried the body into the salle to enquerir — what they did — when this was done she asked Mr. W. to go wth her son Bawzeth to ask the Cure, how fair sooner l'elut — they went asked the Cure — but he refused to do it, saying there were too many stories abroad, & that there must be l'ing first — they told this to Mad^e — she then s^d they must send for Mr Labrosse — he came there, and Mad^e s^d she was not willing that any enquete should be had on the body — saying comment voulez vous qu'une enquete passe sur le corps de mon enfant qui est mort entre les bras de celles qui l'ont trouve —

Then on this Labrosse asked the Mr. if he could make oath that he died in his arms, as it was said he had found him — he said, no, for he was dead and stiff when he found him. Then when Mad^e B. went away, the Mr. asked her, if he thought him capable to take a false oath — she s^d. no — but it was chagrin to

see her son found in that situation that
had made her say so - and Mr Knowl she had
long endeavored to conceal the conduct of her
son -

That next day she refused to allow the Enquire
to be had saying that her husband Mr Crossman
was not there and she could not allow it till
he returned -

The W^r thought on seeing the state of the
D - from having taken care of him before that
he had done this himself - and that he had
done it in the grievous - he can say nothing
as to the circumstances of the D - having his hands
crossed on his breast and his features composed -
as he did not consider these circumstances at the time

That he had already guarded the D - in the month
of January a year before - the D. was furious -
and Raphael Volini watched wt. W^r - they watched
him for 3 nights - he threatened to throw himself
out at the window - he threw himself into the
bed into hissie - saw him in the same state
in June last - when he was still more furious,
and they were obliged to have four persons to watch
and restrain him - W^r staid 3 nights wt. D -
The D - darted into a window to get out. They
persons laid hold of him, when he struck W^r
and

he wanted to return the blow, but Raphael told him not to strike him — Mr then took him round the body when D. hit the Mr in the shoulder — on this Adolphe came down to their assistance, and the D. struck him — Raph. proposed to tie the D. — but Adolphe wd not consent to his being tied — That on this occasion the D. got a blow in the forehead notwithstanding all the care of those who watched him — Mr. was afraid of D. on that occasion — that it would have been proper to confine him —

That Mr came into the house of Brognan at same time with Raphael when on 17 July last —

That when in the garden Mad Brognan called to Mr. to tell him that she had sent for him to take care of her son Casimir who had again fallen into his folly — it was then about 9 o'clock —

That when they opened the door of the loge, Mad B. told them to take care as he might still do some of his wicked tricks

That the knee of the D. was stiff as well as the rest of the body of the D. — when they found him —

That in the country it is customary to envelop

enslaved, the body of a dead person, immediately
after his death - Thomas was present -

That Mr Barbican, a Notary, sd it was dishonouring
for her family, to allow an inquest on the body of her
son, who had died in the arms of his family -
on this Cap^t. Labrosse arrived -

That Mrs Bowman told W^t to say, that the D^r
was yet alive when he found him - as she had
often told him not to expose her son by telling all
the follies he committed - That in all the follies
of her son, she always behaved with the greatest
attention towards him - even when he ill-treated
her - there was nothing too good in the house for him.

Knows that D^r was often in liquor, and he
has taken him out of the taverns -

That in his folly, the D^r used to holler and
cry out - said he saw the Devil - that he
saw this one & the other, who were coming to steal
his money - he even sometimes took W^t for a
Mr Watson - a person the W^t never heard of -
he was a confirmed Drunkard -

re-ex^d by Att^r Gen^l

Antoine Boucher, brother of Cui^r - was called upon to go to
house of Mad. Bowman on 17 July last - by wife of Dr
Br Beauzelle - it was between 8 & 9 o'clk - saw Mad.
B. in the kitchen - asked W^t to go into another room
wth her - she began to cry on answering the death of
her

her son, & requested of W. to ask the Curé to
sound the Eclat without grand & dear know
any thing of it & without any prosecutions being
had - The W. asked her if her son had not
died like any other person - She said he
died on my arm and there was another
person by me at the time - The W. went
to ask the Curé about, but in the mean time
stories had got abroad of his having made money
with himself; & he ^{so} he could not be hurried
until some inquiry should be had -
The work that Mad. B. meant by
there being no prosecutions, that there might be
no disgrace attach to her family -

Joseph Lavoie - lives at Laprairie - was sent for by
Mad. Barret to go to Brossseau's on 17 July last
he went there about 10 o'clock in morning. Mad. B.
asked him to assist to examine the D. - saw
Dumas, Mr. Lhermes & Mad. Barret there at the
time - The body was in the passage of lead
to the cellar - he assisted to examine body wth
Dumas - saw - 1 spot on the eye nose, and
of which was red - of which appeared across the nose -
the eyes under the eyes black - saw no marks
on the temples -

He was a tenant of M. Brossseau at the time
owes him rent at times - he saw the D. about
15 days before this - he appeared always ill
for

for six months before —

^x
That about a month or 2 before his death
Mr. was called upon at night to go in quest of the
D. who had gone out of the house and gone down
to the water side. Beauzette & Adolphe went
w. Mr. to bring him back, and they were obliged
to watch him the rest the night — as he wanted
again to escape out of the house — spoke in a
strange manner and played many odd tricks as
a man out of his head will do —

That he saw the D. about 8 days before his death — he
complained of pain in his stomach — & that it was
necessary for him to drink something to relieve him —
as he felt suffocating —

Saw no blood in the place when D. was confined
and the partition was taken away about an hour
after the body was enslaved —

That Mad. B. shows always great attention to
the Decedent — is a charitable good woman —

Prosper Lavoie, was at Brossseau's on 17 July last
found there Mad. B. Dumas, Starnes & Lavoie
the D. was then enslaved — it was about 10 o'clock
he saw the face & neck of D. he had his 2 eyes
black like a man who had been fighting — and
an appearance of blood across the nose —

^x
Knows one Alexis Brisson — he called at house of
Mr. on 17 July last — That he is not sure whether
it

it was in the morning or evening that the death
of D. was spoken of -

That D. for long time past is considered as a man
given up to drink, and that his family had
great consideration for him & treated him with
much kindness -

That it was after an Encau he died in the month
that the D. had cut his throat - he went there
to see -

Amable Dupuis - lives at Laprairie - is a merchant
there - saw D. about 24 hours after his death
was commanded to go there as one of the Inquest,
went there between 9 & 10 o'clock in morning -
but M^r. Brossier would not allow them
to go in or to have any enquete on the body
when M^r. Brossier came from town they
went back in afternoon - saw the nose
broken between the 2 Eyes - saw a mark
on the right temple, it was livid - there
was a mark like a scratch on the left
side of the throat - as if done with the
nails of some person -

He had a mark ~~on the~~ of a blow on the
right arm, such as a baton might make
he had also a mark across the ^{4 fingers of the} left hand
which looked like such as a blow with a
stick would produce - he saw the side
of

of the D. black, but does not know from what
cause — Does not think that the D. could
have caused such marks by his own doing or himself
and that they were the effect of other hands than
those of C —

The reason given by Mrs B — was that she would not
let the Inquest enter before her husband returned from
town —

Basile Jourdain Labrosse, Cap^t of Militia at
Laprairie — on the 17 July last he went
in consequence of information from Son of René
Beauzot, went to house of Made Brossard,
to tell her of the stories he heard — and that if she
wished he would hold an Inquest — she said
she did not see it was necessary as her Son
had died in the arms of Dumas & Lavoie —
that Lavoie who was there — said no — it was
I only who enscreed him. —

That as the stories continuing to circulate, the
Magistrate a letter from Mr Kidd a Magistrate he
summoned a Jury for next day the 18th to hold
inquest — We went there, Mr Brossard was not
at home — & Mrs B would not allow any
Inquests to be had, that when Mr B returned
he would decide what was right — We retired
wth the Inquest — The same afternoon he

he returned I held the Enquiry - We observed
that there was a bleed on the nose - one
on the right temple -

There were 2 medical men who attended the
Inquiry. Dr Henry & Dr Alexander -
We can hardly think it was possible
for the D. to have inflicted these wounds on
himself. - I knew D. who was a young
man about 22 a 23 years -

That Mr Barbeau thought that a certificate
would answer as well as an Enquiry - and
Mad. Bossman & the rest, it would be a dishonor
for her family to have an Enquiry on her son who
had died in the midst of his family -
When Mr Bossman returned from town they sent
for us and the Inquiry was held -

Antoine Despres - lives at La Prairie - was one of the
Enquiry held on body of G. Nelson on 18 July last
saw a fracture of the nose between the
eyes - he felt it - the bone was broken, and
when ^{he} moved the head there was the appearance
of a fracture in that place - He saw two
other lined marks on upon the right temple &
the other on the left - on the throat there
was the appearance of a hand of hair laid
hold of the throat and held it very tight.
he

he also saw a mark on each arm on the outside of it - such as a person laying hold of the arm & holding them very tight might occasion. Observed a mark on the thigh like a blow of a stick - Does not think that the Deceased could have inflicted such wounds on his self and thinks these wounds must have contributed to the death of D - and his opinion is that his death was owing to these blows -

Has seen D - about 2 months before his decease he was a young man - he inherits some property from his father. -

~~2~~

Bath: Litch - was called as one of the Inquest to view the body of D - on 18 July last - saw marks a blow on nose - on the arms - on the thigh - the bone of the nose between the eyes was broken - Does not think that D - could have inflicted these wounds himself, and he died of these blows, by the hands of some person -

Kelal Oourassa, lives at Laprairie, was one of the Inquest held on 18 July last - examined the body - the face was swelled - a blow on the right temple, a blow on nose, on the elbows and arms - the doctors examined the bone of the nose, and were of opinion that the bone was bruised - Does not know whether

Mr D. ~~could have~~ occasioned this hurt to himself -
it is possible, had he fallen on his head, this
might have happened -

Cannot say, that these marks were the cause
of the death of the C -

Knows that the place ^{where} when D was confined
had already served as a place of confinement
to another son of Mad Brossian, one Beauzette,
who was out of his mind, & furious - he has
since seen Beauzette who is of sane mind

Has known Mad Brossian & her husband
since his infancy, always considered them
as respectable persons who showed a great
attention to their children and brought them
up up amply -

The Diet was given to drink -

Simon L. Henry, is a practising surgeon at Leprieux
attended the inquest held there in July on
the body of Casimir Nolin - saw the body
in M Brossian's house, it was exposed to
view - Saw a number of Contusions -
one on right side of head a blow of had
swelled to size of an egg -
a contusion on the left temple near same place
The bone of the nose was fractured -
There were marks of violence on the arms &
legs -
There was app^r of violence on the throat -

g^l appeared like the violent compression by the hand of a man on it, & the D. withdrawing it suddenly from the grasp - This however is only his opinion -

The compression of the throat to strangulation might leave such a mark on the throat -

He laid open the integuments of the nose, and showed the broken bones of - were quite loose & detached & he showed them so to the Jury -

Did not ex. whether there was any fracture of the bone of the head - would have been more particular had not the body been in the state of corruption -

Is of opinion that these wounds & contusions were the cause of the death of the D. - from the nature & situation of those wounds -

Thinks it ~~scarcely~~ ^{is not} possible that the D. could have inflicted these wounds on himself without any instrument to effect it - & these wounds must have been inflicted by other hands than his own -

x^d -

The D. could not well have inflicted all these blows on himself had there been a rough chimney stone in the room when he was - Thinks the wound on the nose was the principal cause of his death -

There might have been a fracture of the bone where he saw the blow on the temple, but did not ex. before enough to say whether that could have produced the death -

Did not ex. particularly the blow on left temple of - was of minor consequence, & does not think there was any fracture, or that it caused the death -

That death may follow by a blow on the head
without inflammation, and that violent concussion
may produce death without any fracture —

— That a blow on the nose may occasion death
by a compression of the brain — in consequence of
its connection with the ethmoid bone wh. is
connected with the brain —

This ethmoid bone is composed of 2 parts one of
which falls into the nose — This part of the bone
may be broken without any injury to the
brain — The Writ. did not examine the
part of the bone wh. adjoins the brain —

Thinks that if there was inflammation
in the lower part of the bones of the nose
this might extend to the upper parts of the
bone, but does not mean to say that
inflammation had taken place — and
means to speak of the external bones of
the nose alone — but a blow might be
sufficiently strong to effect concussion of
the brain so as to occasion death —

That he cannot say, what force had been
used on the throat of the D —

Thinks that the blow on the nose might
have produced considerable hemorrhage,

Asa T. Alexander, surgeon at La Prairie was called to a
request

Inquest on the body of D.^r held by Capt Labrosse
saw the body - it was entirely uncovered -

- 1 Mark on right-temple wth a swelling as from a blow
- 2 another on left side of less size
- 3 a mark on nose between the 2 Eyes - of the eye^s
as far as could be without opening the head - found
that the Ossa Nasi was separated & depressed from the
Os frontis - blood had settled under the eyes, arising
from external violence - there was also extravasated
blood to considerable extent about the neck - there
was an abrasion of the Cuticle on the right side
of the neck - the appearance was such as might
have been occasioned by the strong grasp of a
man - and the compression might have been
sufficiently strong to leave such marks had
it been attended by strangulation -
4. There were contusions on the external parts
of the arms - & had app^r of being produced by
the blow of a stick -
- 5 There were one or 2 more contusions on the
lower extremities & might have been produced in the
same manner -

That the bone of the temple of the head is the
weakest part of the bone of the head & a blow
there may be more easily fatal -

But when the blow was, it appeared thicker, &
if it rivet the blow, the bone of the temple will
not be affected -

cannot

Cannot say that the blow on the temple
caused death, but it sufficiently strong
may occasion death, either by the concussion
or by the compression of the brain -

Thinks the blow & violence he saw might
produce death, although he cannot say
it actually did so -

Thinks that the D. by falling on a very
hard substance he might have produced
the injury he saw, if he fell from any height

Thinks it possible that by falling
from a board this injury might be effected
the natural weight of his body ^{alone} would
not do effect it -

by throwing himself
by great violence

That the position of the D. wth his arms
across his breast is not at all natural
in case of death happening by such violence
but as to the features of the countenance
being composed, it is not at all unnatural
as death relaxes the contortion of features -
~~which~~ ^{this} in a very short time - That death
would not restore distorted limbs, although
it would relax distorted features - and
a person found in this position would
found strong presumption, that he had
not destroyed himself -

x

Does not swear that any of the marks he saw on the body caused the death - nor could this be ascertained without opening the body - He could not swear that any of those contusions did occasion death -

The arms folded, marks composed - The D may have died instantaneously, or he may have struggled - but thanks he would not have had strength to fold his arms in that way -

These blows might have been given some days before we saw them - The body was in a putrescent state when he saw it - & the appearances on it magnified - & he could not judge so well of these blows so well as if he had seen the body recently after the blows -

That the blow on the nose so as to affect the brain must have occasioned a great haemorrhage of blood -

Louis Delaunoy -

Mr Broussin & Barteau - knew D. saw him the day he was shut up, being on a Friday - saw him on the Sunday about 3 o'clock in afternoon - saw his face - we did not perceive any contusions on it - The D. was spoken to by Broussin Feb. - who was on the gallery -

x

might be about 15 feet from the D. at the time -

Michel Gagnon, was one of the Enquete who visited
the body -

Louis Allaire - slept at house of Brassman the Sunday
night in qt. D. died - W. was engaged & slept
in house - heard moving about - heard speaks
English - and much noise in & about the house
about 9 or 10 o'clock at night - He was
shut up on Friday before at midday -

Went to bed about 8 o'clock - but did not
sleep - heard a knocking in the partitions
& some speaking in English -

Louis Delaunay, Sonin - was in house of Brassman
on Tuesday after Casimir's death - was called
by Mrs Brassman - who appeared chagrined
that Labrosse insisted upon an Enquete -
That on this the ^{Mr} Adolphe Solon called
on W. to go along wth him, went into a
stable, when he s^d to W. 'I am in trouble
& chagrined, you are a poor man & a rich
man, but I would rather that you were in
my place. and I in yours -' W. W.
understood this in speaking of the fate
of his brother & what was s^d about it -

Evidence for Crown clouds

Charles

Defense

Charles Landry. Mr. the P^{re} for 15 or 16 years -
that 7 or 8 years ago. Capt. Beauzelle the son of P^{re}
was deranged in mind, & Mr. Brosseau got a plan
made up to confine him - Beauzelle had given a
blow with a knife in the chest to Brosseau and
had run off - It was proposed to send him to the
Lape de Sours Gries, but Mad Brosseau P^{re}
she preferred taking care of him herself - he was
kept in this way about four months. Does at
last returned to his health now is a considerable
property - Saw D. about 4 or 5 days before
his death - saw him in the street he had some
scratches on his face - he generally passed for
a man who was violent when he had drunk -

Uent. Capt. Beauzelle^x was allowed to come out &
return to the room of P^{re} - was made up for him -
The scratches he saw on face of D. app^{er} about
the chest -

Josette Poipard, going on 68 years - known P^{re} for 7 years
knew Capt. Beauzelle - who about 7 years ago was
furious - that instead of sending them to the
Sours Gries. Mad B - preferred making up a
room in P^{re} - he was confined when he was furious
& to keep him at home - in consequence Beauzelle
recovered his Senses & is now well - that the
D. had similar attacks since he took to drinking

which has been almost constant for near about
2 years - threatened one Barrette at one time -
he has been found lying in the stable -
when furious people in the house were afraid
of him - was at home the day he was
shut up, had a grater on the cheek
the eyes black round about - and his
jaw aw scratched - his mother was very
kind to him & took kind to him & was ready
to give him what he asked - when he was
shut up he was fed like the rest of the
family - The same plank was made use
of it had used before -

She carried him a shirt & pair breeches to
D on the Saturday - arrived on Monday
about 9 o'clock. when D. was unwell
The poor are considered as very charitable
kind to the poor - has seen the D. fall
upon Adolphe & quarrel with him, but
never saw Adolphe do him any injury.

That D. was at times furious - spoke
as if he saw the Devil, spoke as if he
was speaking to evil spirits - His habits
of drinking were much stronger for a year
before his death -

The D. had not his nose broken the day he
was

was shut up - no any boss on his temples -
saw scratches on his neck under his chin -

That she washed the plancher on the Monday
morning, afternoon - after the partition was taken
away - It had not been washed the morning before
or she would have observed -

I posit to say that no part of the floor had
been washed before that morning -

Isolte Brunear - 120 St. & Mad. Brunear for 14 or
15 years - has worked for them since - 18. The
circumstances of Embarke Deaugette - the same
room was made up for Casimir - who had
given himself up to drink - has seen him each
month more & disordered - The people in the
house were afraid of him & he had hold of an
axe to throw at the W. That about 3
weeks before he died he was very furious and
was guarded by Dumas - Was at Brunear's
when Dumas arrived there - has no knowledge
that Mad. Brunear spoke of the death of her
son before Dumas arrived - & W. who was always
w. other girl did not hear Mad. B. speak of
the death till after he was present in the house
When Mad. B. saw Dumas she told him she
had again sent for him to take care of Casimir
and went along with him - the family had
not

not then breakfasted as they wanted for
Dumas -

Saw the D the Thursday before he was shut
up he had scratches on his face -

^F
Thinks that Dumas arrived at Portsmouth
about 7 o'clock - it might be 9 o'clock -
W. went to the house about 6 o'clock in the
morning -

Thomas Dumas. Knew late Casimir Volin & the
Pr that the D. conducted himself very
badly, was much addicted to liquor and in
that state was furious, to a degree to behave
rudely to his own mother - The Pr are
Charitable people - and broke up their children
w. great propriety - W. saw D. three days before
he was shut up - he was shut upon Friday, and
saw him the Tuesday before - Saw a mark on
the nose between the 2 eyes like a blow he had
got there - also saw marks on his chin, and
about his neck and blood on his shirt -
he had been fighting, and told W. that he
was going to fight again - he would continue
drinking for a week together - W. observed
that he had his face scratched - devoie' -
said that he meant to dissipate all he had
or he would die soon -

F.

That it was the lashes noises which D. had
on his face on the cheek on the chin & on the
mout, & on the forehead - & on the nose -

Has seen the D. drunk at least 50 times before
he was shut up - when we saw D. his nose
was not broken. -

Mr Montour - on Thursday before D was shut up,
we saw him on water side, he gave his hand
to us, and we observed he had several marks
on his face one on his nose & ^{2 his eyes, black} ~~on his chin~~
knows that D used to be furious after his
being in liquor - thinks he was in liquor on
the Thursday when we saw him -

Has seen the D. strike Adolphe without
his recovering himself - when he left off
drinking, he became furious. -

F.

That he owes a small sum to the P^r. Brossan
when we saw D. on Thursday, he cannot say
whether any other person saw him - cannot say
that he had the nose broken, but had a scratch
on one side nose, and a scratch about the neck

Joseph Moussette - saw late C. Nolien about 15 days before
he died - he told us he had been fighting, and
had a small black mark on the nose & on the
cheek, and a scratch on the throat -

Thanks it was in the month of June ^{7th} D. died. & it would be about the 5th June
he saw him -

Louis Delaunay. some days before the death of D.
he worked w. w. at a house he was cutting
a house in Laprairie, this was 15 day or 3
weeks before his death - he fell from the
scaffolding of the house & the scaffolding fell
with him - he complained of his arms & his
legs being hurt - saw no injury done to his face
except some scratches ~~on the~~

Never considered this fall as having caused
his death -

Jas^{ts} Deshautes - knows that some days before his
death, the D. told him he had fallen
from a scaffolding, & that it was the D.
time this had happened to him, he limped
& complained of being hurt - seemed to be
the worse of liquor - ^{is} he was going to put an end
to himself -

This might be about 10 or 11 days before
his death - thought he was out in earnest
when he talked of putting an end to
himself -

St Luc Latrille - knew D - who died about time of
hay harvest - saw him in town at Tavern

of about
from

From Denau & Leriche, the Thursday before his death
the D. had a quarrel near the beach of the River
he had been fighting - & he had got some ^{blows} ~~wounds~~
in the face & his nose was bleeding - he seemed
to be in liquor & wanted to fight with us -

Pierre Dauphiné, has lived several years at Laprairie
kept tavern there - has seen the D. often in liquor,
was a confirmed drunkard - and his father
& mother were always satisfied when he was saved
from it - That about 8 days before we left
Laprairie in the Spring of last year the D. slept
one night at his house, they put him on a board
& he fell off it & did not sleep all that night
but continued making a noise through the night

Jacques Villeneuve - knew D. - knows that the
evening before he died, he was walked out on
the gallery before the house - accompanied by
Adolphe Volin. -

Catherine Ferras - that she had invited Raphaël Brossier
here to come to Montreal to assist at the Ceremony of
her daughter taking the veil in the month of July
last - this was the day the D. died - he remained
till afternoon & went off suddenly -

René Beaurzetto - The son of Mad^e Brossier
was present when D. was shut up in the
lodge with a view to convert him of his evil
practices - has lived w. us about a year
but

but was wholly given up to drink - and W. was the first to propose to the family to shut him up, & he had even thoughts of having him interdicted - he has spent almost all his inheritance -

Before he was shut up he had marks or scratches on his face & on his neck, and thumps on his nose - he was so often in difficulty that it did not surprise W. & he did not take particular notice -

When W. arrived at Laprairie about 12 o'clock & was told Casimir was dead he saw the body - went to Cure to sonner l'etat the Cure would not consent - came to town to get the grand Vicar to get orders to sonner l'etat -

Heard a discussion between M^r Barbeau & M^r Labrosse touching an Inquest, and in consequence of the discussions on that subject his mother refused to allow inquest - but afterwards finding it necessary, W. went to Capt Labrosse to talk him to bring the Inquest -

The whole course of the year, he does not think he has seen the D. sober for eight days -

In the room where D. was shut up there is chimney stove & hearth -

Thinks the D. could do himself great injury by throwing himself out of the window on the hearth.

Abte

Antoine Dumas - when he examined the D. he did not take notice that he had his nose broken and observed the other marks - that the marks which were not larger than the nail of his thumb was then enlarged to the size of his hand - The nose was not flattened at all -

When he went into the room where the D. was the bedsheet was folded up - the drap & matelas ~~was carried away~~ - he did not see them - The shirt of D. had on was not clean -

Louis Barbeau, Notary at La Prairie - knows when D. Car. Nolien died - he died on 17 July last - W. went to the house same day, knowing been told that the Curé had refused to ring the bells for D. as he had cut his throat - he proposed to carry a certificate to the Curé - W. told Made Brodeur that he would think it a disgrace to allow an Inquest & she seemed to act on that principle -

Robert Nelson - Doctor - has heard the symptoms described of D when he left off drinking - yet in a kind of delirium or delirium tremens, being the effect of liquor - & the delirium consequent thereon - It appears by persons having a trembling, and apprehension of seeing evil spirits and particularly of seeing the Devil -

The W. would attribute the death of D. after what he has heard, to the fever tremulante, and not

to any wounds he had, as he heard none
mentioned of a nature that were mortal -
That this malady is subject to be accompanied
with spots of this kind on the body -

That a blow given on the nose between the
eyes will not occasion death - it must be
very violent to produce this effect - it has
no connection with the brain -

That the nose could not be broken in this way
with out effusion of blood -

No medical man can take upon himself to
decide the effect of any blow upon the brain
without opening the Cranium -

That blow given some time before the death
will appear after -

That the delirium tremens generally succeeds
a day or 2 after leaving off drinking -

That it is possible that the death might
happen from such blow as appeared in the
D. - but not probable -

Andrew Ferguson Surgeon 76th Regt - is well acquainted
wth the complaint called delirium tremens - it
is the effect of excessive drinking - it manifests itself
by ^{symptoms of} fear, and a trembling of the body & seeing of
things

and hearing sounds - they become furious, and throw themselves about - thinks he knows one instance of a man dying suddenly - from 20 to 22
In all instances it is necessary to have persons to watch these persons -

Thinks that a man in that state might precipitate himself against a chimney or corner of a door in such manner as to fracture the nose -

That unless the blow in the nose was done by forcing the bone upwards so as to affect some blood vessel, it would not produce death -

That any blows such as mentioned here that cannot well be known without opening the head. -

f^o -

All drunkards are not liable to delirium, & the folly of a drunken man must not be taken for delirium -

One symptom of the complaint is a profuse perspiration - a loss of appetite -

During the time of the malady it would disqualify a man from his ordinary employments in life, although men will sometimes even be found to do so -

Lawrence Skidd
Paul Th. Pinconneau } Witnesses to character -
Mr. Lanctot

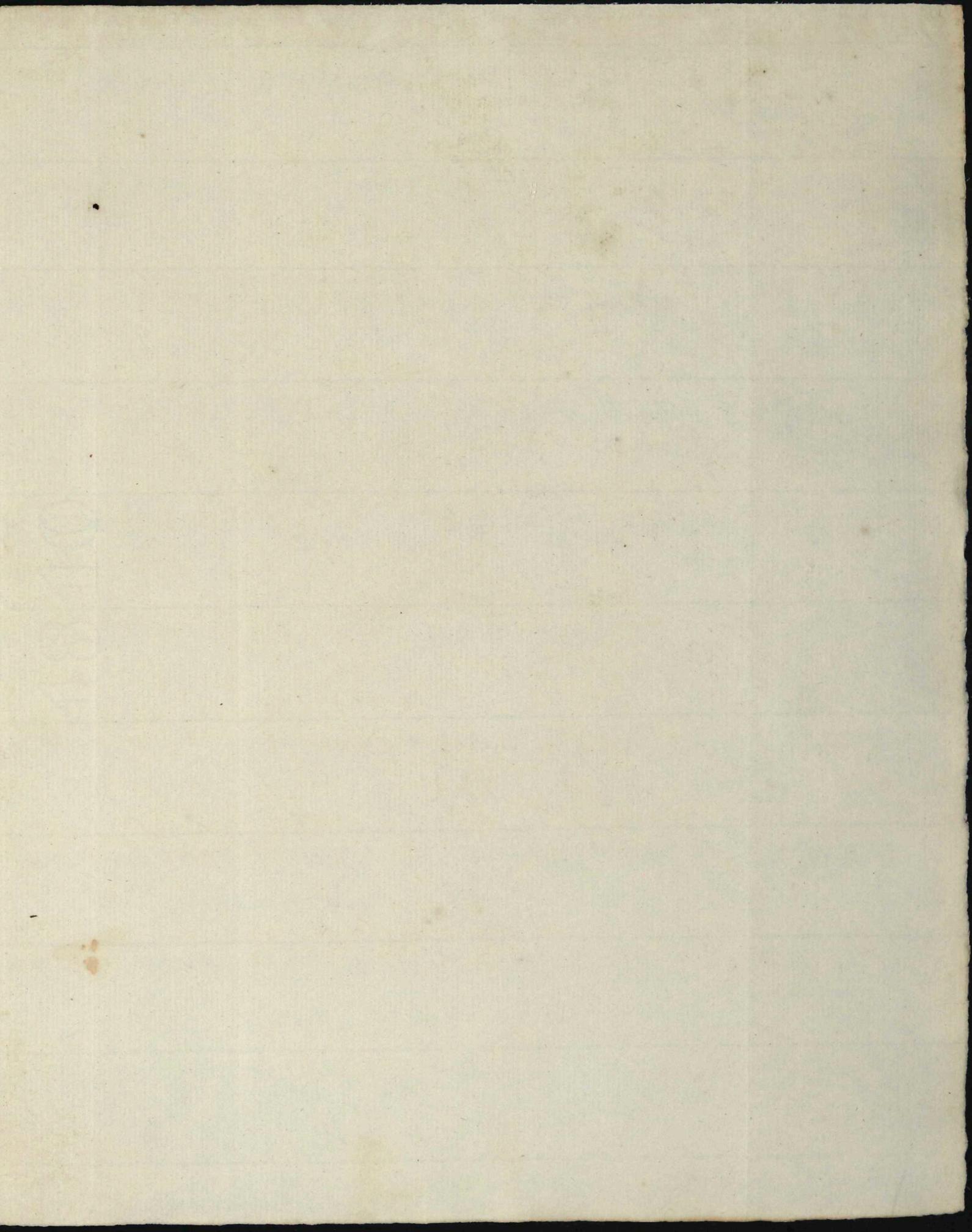
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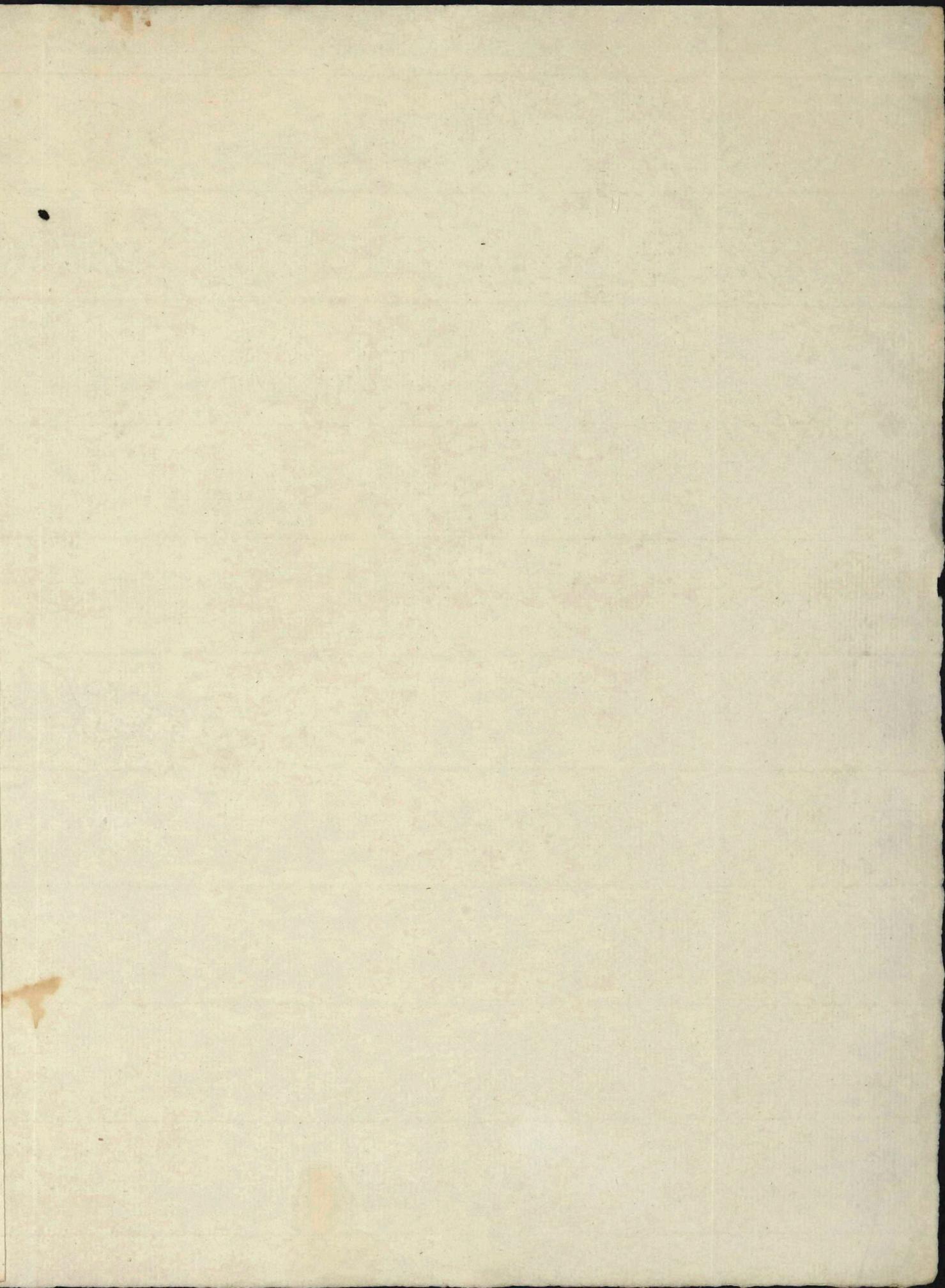
In Marie Mondet

Paul Dupresne

Witnesses to character

Verdict. Not Guilty as to all
the Prisoners.





At a Court of Oyer & Terminer and
General Gaol Delivery, commenced and
held at Montreal in & for the District of
Montreal on Friday the 2^d day of November
1827 and continued from day to day by adjourn^t

Friday 2^d November 1827.

Present
Ch. Justice Reid.
John Richardson.

The Commissions of Oyer & Terminer & General
Gaol Delivery were read, also commissions
appointing John Delisle Clerk of the said
Courts. —

The Grand Jury having been charged by
the Court retired to deliberate upon the business
laid before them — and the Court adjourned to
one O'clock in the afternoon —

Friday 2^d Nov^r. 1 O'clock P.M.

The Court met pursuant to adjourn^t & several bills
having been returned found by the Gr. Jury, the
Pr^s were arraigned thereon & their trial fixed. —

Saturday

Saturday 3^d November 1827. —

Pres^t.

Ch. Justice Reed

The Hon. J. Richardson. —

The King. —
George Baker

On Indictment for Grand Larceny

Joseph You, in July last he had cable
of 110 feet long under his charge of. belonged
to Alex^r. Young — was worth about 30/-
when he first saw it was ~~near~~ ^{at} the school house
when he carried it up stairs to 2^d story, on
the Monday after the cable was missing
she went in search of it, he saw one Decker to
whom he ment having lost his cable — & she
would be glad if any one wd tell him when
the cable was — That the ^{Pr} ^d. it was he
who had sold his cable, but it was not him
who had stolen it & wd tell us when the
cable was, & went wth him to the water side
when he showed the cable to the W^{ts} —

^{x^d}
Pr Decker wth us to go. wth him to water side as he
might find the man who had given it to him
went afterwards when they saw one Cajetty
& two negroes, Cajetty did not claim the
cable as his — but went wth W^{ts} to the Wash
house

House, Mr. Cayley who looked at the Cable
Is - it was not his -

First time he saw P^r was at P^r's house - he did
not then say anything - but came afterwards to
the School house of his own accord & said that
he had not stole the Cable, but had it from a
man to sell - he then went along wth the W^r
to endeavour to find out the Prisoner who had
given him the Cable - went to the Weigh House
first - went first to boat when they saw
2 negroes who P^r Cayley had taken the Cable
carried it home - The P^r is of weak mind
when in league - has known him for 30 years
never knew ~~him~~ anything of his honesty -

Ant: Denery, butcher, the P^r of another man about
the 16 July last offered a Cable to W^r for sale
for 7/6 W^r offered P^r 5/ for it - on this
the other man s^d to P^r give it - the W^r told
P^r to come along wth him & went to the weigh House
then looking round he found the P^r was gone
W^r afterwards saw the other man dashed him
what was become of the P^r he s^d he had heard
that he was to be taken up & had run off
did not see him since -

It was between 8 & 9 o'clock in morning, on a market
day, when W^r saw P^r he did not appear to conceal

conceal it - The P^r & the other man did not follow to Weymouth -

Values the Cable to be worth 25/- & the lowness of the price²⁵ induced him to have - suspicions of the P^r & that there was one villainous w^r P^r whom Mr. blamed as

Rich^d Robinson, lives in town - the Cable in question was in his possⁿ. for some time, he had borrowed it from Mr Young the prop^r, & the w^r took h^t it w^r one Yⁿ - it was kept at a school house - this house w^r burnt - know the 3^d story of this house - the third story was covered with boards, but not nailed down, there was a short ladder about 15 feet high by w^{ch} they went from the 2^d to the 3^d story

I have seen the P^r frequently at his house selling curled hair - he never saw any want of understanding about him -

crim

A.

Bernard Leprohon, Clerk of market, about 16-18 July last, he gave notice of had the P^r conveyed to the Police office - gave notice that the Cable was at his house - Sunday one Cassidy an American came & looked at it & it was

his

his, could not swear to it - but that his men
could swear to it - his two men came & said
they knew it immediately - the cable remained
there till next day - when You claimed the cable
caused it to be carried to the police office - the P^r
S^r he had got the cable from a boat man to
sell, but had not stole it -

x²

It was on a Monday the cable was found
and on Wednesday after the P^r was not there

Deference -

Fred. Gedick - His P^r for 5 or 6 years - so that he never
heard any thing of his character, always heard
so that he is an honest man - at times is a
little deranged in mind & at times unable to
conduct himself, & he in these situations he
may be easily imposed upon -

Louis de Chantal - His P^r for about 15 years - he
at first was a man of good character - but he
afterwards gave himself up to liquor - but
always enjoyed character of an honest man -
when in liquor he has the appearance of an idiot
& may easily be imposed on -

John Taylor - His P^r for several years - never heard any
thing of him -

Louis Demers - the P.^r for 12 years - always known
him to be an honest man - for some years
past since he has been given to liquor, he
has been in a state of imbecility - & liable to be
imposed upon, & might have been induced to
sell the cable in question -

Verdict. Not Guilty -

The King }
v }
Joseph Santerre } On Indictment for counterfeiting
an English Crown -

It appearing that the piece which
had been passed was an English Bank
Token - the Att.^r Genl gave no evidence
in support of the Indictment of the P.^r was
acquitted -

The Court adjourned till Monday
next at nine O'Clock A. M.

Monday

Monday 5th Nov^r 1827.

The Court met pursuant to adjournment

Pres^t

Ch. Just: Reid

Hon. John Richardson

The King...

Edmund Phelan }
^{vs}

On Indictment for Robbery. —

Louis Longpre's, lives at St Laurent
in 23 Sept he was returned from St L. wt
St Julien & Omier, and the Pr & two other men
one of them had his bowen unbottomed, Omier
called to him to hide himself — on this the person
began to throw stones at them — they attempted to
escape, the cart broke down, & they were assaulted
wth stones — they undid the horse & went off with
the horse — That Mr C. seeing what was going
on came to the assistance of W^r & the W^r then came
back & was going to arrest the Pr he laid hold
of him & threw him down, when several persons
came up and threw stones at W^r so that he was
obliged to quit his hold, his hat fell off by
the blows he recd. and it was carried off by ~~some~~
~~of the persons who assisted the Pr~~ and the Pr afterwards
acted

acknowledged that he had the hat - that the
wife was in great alarm at the time - and
from the fear he had at the time he was
prevented from taking his hat - values his hat
at 13 or 14/-

2-

Came to Mr Culliver's who gave them a gun &
a lantern to go back & get their property - they
were again attacked by the Pr w. stones -
This took place just nearly opposite to Mr Clacker's
house & not far from Mr Culliver's - that
he did not see the Pr when he came back. it
was then dark, but considered it was the same
gang of persons who attacked them again -

That it was after Mr C. came to his assistance
that the W lost his hat -

Mr Bth Almer - saddle - was in company with the
last W about 5 or 6 o'clock in the evening in
a cart - we saw a man who had his trousers
down - he told him to button his breeches
the man had stones in his pocket, & began
to throw stones at W he wanted to get
out of the cart, when it broke down, &
Lougans called out to them not to kill
him - they wanted to take the horse, he

got

got the horse, went to Mr C - to get his
assistance - he came & was rid by them in the
same manner - I was obliged to leave them -
That Louprie's Mr went to save the Or when
one of them threw a stone at L - & threw his
hat fell off, when the Or took it up & carried
it off - We saw the hat next day in the
pass^g of the Or who refused to give it up.
That Mr C then gave them a gun to endeavour
to get back their property, but were again assaulted
with stones by the same persons -

In P^l Julien, Saddle, was w^h. the 2 last We
in the Cart coming to town met the man w^h
had broken down - told him to hide himself -
This they had a stone thrown at them - & then
2 others came from the wood & threw stones at
old Omie to drive on the Cart - it broke
down. & then men came on them w^h stones they
attempted to make their escape - I went off the
We carried off the things that were in the Cart
& carried to Mr Curvillier - on his return he
found Omie & Louprie who had hold
of 2 of these men - the third one was throwing
stones at them - he saw Louprie's hat off near
where

when he stood and it was carried off
The wife was alarmed for their lives from
the violence shewed by the Pr. of the others -

Austin Swillier, That on a Sunday evening he
saw 3 men & 2 women passing seemingly in
liquor and making a great noise - he
afterwards heard a great noise, went to the
door & saw Omier who told him he had
been attacked by Slaves - We went to the
place, saw four men down & saw getting them
up Slaves - he could not tell who they were
it was dark he was afraid to go near as
there was danger from the Slaves - he went
back, & some time after Longpre's came to
his house a 2^d time without a hat - & saying
they wanted to save their property, and
complaining of being attacked in this way -
We gave them a musket to endeavour to
recover their property - their horse & their
Curt -

Ant. Lafresniere, constable - arrested the Pr. and
at that time found the hat of Longpre's in
his pass^g - & that it was he who took up
the hat - The Pr. at first ran up stairs
and

and we took the hat he saw in the room
when the O^r was arrested he acknowledged that
he was the person who had picked up the hat.

The O^r attempted to defend himself from the
arrest with a pitchfork -

Defence

Mary Lawrence - In Sept^r last was in company
wth O^r & some other persons, 2 women, Mrs
McGrath & ~~Mary~~ ^{Dugan} ~~Douglass~~ - there was our Richard
Boyle who was before them going along by him-
self - he was in the road - there was our James
Ryan wth wth the party -

That they met 3 men in a cart - they turned
their horse towards Boyle, & s^o something to him
of - he did not understand - nor Boyle either -
that these persons struck at Boyle with their
whip & struck him on the ear - on this Boyle
began to throw stones at them - that these persons
then went off to a certain distance, & they were
hearing back again to come to Boyle, the cart in
turning broke down, on this Boyle seeing them
coming he began to defend himself wth stones - the
hats of 2 or 3 of these men had fallen off -
that at this time the O^r had not then come
up

up to when these men were, & the only scuffle
that ensued was between Boyle & these men
but not with the O^v That the 3rd time
these men came up on Boyle, the O^v went
up to his assistance, & was thrown down
also -

F.

Did not see that Boyle had his trousers
unbuttoned - was walking in the road. & the
M^{rs}. on the other side fence in the field -
It was one of the men in the Cabash who
first spoke to Boyle -

Thinks it was nearly an hour after
these men spoke to Boyle, that the O^v came
up, going from town -

That after Boyle had drove off the
three men, they met the O^v ~~and began~~
~~beating of him~~ at distance of this from the
gate - & began to beat the O^v That there
were about 20 Carabians who came out
to assist these 3 men - When W^r. went away
she saw a hat lying on the ground

Catherine M^r. Gault - was in company w^t. but W^r.
going from town about 6 weeks ago - then
Mary Dugan - Mary Lawrence, Ryan, Boyle
& the O^v - the O^v was behind them a little,
The

The rest w^c Susan, Lawrence, & Ryan
were within the fence & Boyd in the road
near opposite to them - That Boyd was a
liggett - That there was a calash & 3 people in
it coming up opposite to Boyd - These persons
began to laugh at Boyd & something to him
in french of w^c I did not understand - on
this persons they turned their calash at the Boyd
and passing him lifted up their whip and
make a blow at Boyd twice, but cannot say
whether they struck him or not - Before this
Boyd had s^d nothing to these persons - Boyd has since
left the Country - That the P^r was not there
at the time - These persons went on about
the length of the town - they turned back, on this
Boyd began to take up stones, to defend himself
on this these men were about turning again, when
the wheel of the Cart fell off & the men in
the Calash fell out - they came on to meet
Boyd who threw stones at them to defend
himself - That P^r had not then come up
but on the Canadians going back towards Boyd
a 3^d time, the P^r came up and these men then
fell upon him, & on Boyd on seeing this went
up to assist him -

That when W^c went away she saw a hat
lying on the road -

That at the time when these persons in the Calash
met

met Boyd on the road he had not his breeches
embellished - then persons stopped their horse
made a stroke at Boyd, & said something
to him in French, & seemed to be laughing
at him - After this their persons went
on as far as from this to the Gate - &
Boyd continued on his road - They then
~~turned round~~ then were about turning round
& the head of the horse was turned towards the
fence, when Boyd took up stones & threw
at them, on this their persons turned the
horns head towards the town when the
wheel of the Coluck came off - then men
then fell out & went in pursuit of
Boyle, who began again to take up stones
and throw at them - They then turned
back again towards the Cart & passed it
going towards the Town - about the length
of this room when they met the P^r
there was a great man many came
out & were about them, does not know
who struck first -

Michael M. Grath, husband of last Mr. 100 P^r
had lived in the service of Mr. M^r P^r
in Ireland, never heard a bad character
of

of him either there or here

That the day after the row happened, the 10th next day saw a hat in his house different from that the P^r generally wore.

Mary Whelan - was brot. up & Peter Devlin sworn to interpret, as she spoke only Irish -

That in Sept last ^{Mr. O'Connell} ~~Mr. O'Connell~~ came to her house claiming a hat, but has no kn. of any other person - she does not know what then happened, as she has lost her recollection at the time - when the P^r was taken he gave up the hat -

Case closed

Jan 3rd. O'Connell - That when they met this man in the road, no person in the carriage attempted to strike them - the P^r was at the distance of 30 or 40 feet from this man coming from town - The work cont^d to come to town, and urging the horse forward the wheel broke - these persons were all this time throwing stones at them, & the P^r was one of them - saw no women at the time -

Louis Longpré - In pass^d by the man - no person in

person in the carriage attempted to strike
the man they met - saw O about 30
^{feet} distance - the three men behind
began to pelt them wth stones, & on passing
the horse forward, the wheel broke - the
Oⁿ was then in front of them - and
began also to throw stones at them -

In B^t. Lullier - some testimony -

Verdict. Not Guilty.

The King }
Frankⁿ Pigeon } On Indictment for a violent
assault & battery -

David McPherson - Soldier in 7th Regt - In July
last he was in company with David Welsh
another Soldier of 7th Regt - he was going down
St Paul's Street towards Market place - he
was sober, but Welsh was very drunk -
that Deputy was standing on pavement
speaking to another man, they occupied a
part of the pavement - Welsh walked before
him - & had but little room to pass on the
right - in passing Welsh touched the Deputy

Defend. with his shoulder, as the part was narrow - it did not appear to have been done intentionally nor to hurt Defd. - on the Defd. showed Welch of the part - W. asked what he meant by that of unbuttoning his Jacket & showing his feet on this Defd. knocked him down & kicked him in the private parts - he got up, & Defd. kicked him a 2^d time & was knocked down & kicked by Defd. in the same manner - he got up again & was knocked down a 3^d time by Defd. & kicked again - he could not get up - and with. went to Guardhouse for assistance to carry him there -

It was visible to any man who saw Walsh, that he was in liquor, and unable to defend himself. -

2-

W. had taken some grog that day - That Walsh never challenged Defd. to fight - he was only unbuttoning his coat - heard no person tell Defd. go away & not to fight with Walsh - Heard no one speak to Walsh - did not see Walsh assault Pigeon nor attempt

to beat Deft, as he was not able to do
it - We did not challenge Deft - to
fight with him. -

David Walsh - Soldier 71. On 11 July last, he
was going along the Street, smelt with an
accident, but he was so drunk that he
does not recollect who was with him,
nor when he was going - He rem. to have
been drinking in a house near the barracks
but in coming from there he does not know
where he was going - & remembers nothing
after he left the Tavern till he found
himself next morn^g in bed in the hospital
and had one of his legs broken. - When
he went into the Tavern he had the
use of both his legs - Was in the
hospital for 3 months - after four
days went back again to the hospital
his still in it from that cause -

^f
That the wife M^rpherson was in the
tavern w. We & drank grog w. him -

Henry Solomon - lives in St Paul Street - In
July

July last he saw the 2 soldiers pass, when
one of them was beat - The Defd^r was
standing next door in the front of a shop door.
Defd^r stood on the end of the pavement & the other
in the door of his shop - The space between
the 2 was sufficient for 2 men to pass - if they
were sober - That the last W^r was so drunk
that he could hardly walk, but was reeling
from one side to another - I in pass³ pushed
off Defd^r from the pavement by staggering up
him, as he app^d to be blind ^{frantically} on this Defd^r
knocked the soldier's hat off. The soldier picked
up his hat & went up to Defd^r & asked why
he knocked his hat off ^{Defd^r knocked it off} again - on this the
other soldier came up & began to argue with
Defd^r why he had knocked his comrades hat off
on this Walsh laid hold of Defd^r's collar,
on this Defd^r knocked off the other soldier's
hat - Walsh asked I. to fight, but the
other soldier s^d. he was not able to fight, but
he took off his bayonet & his coat & challenged
I. to fight - Walsh was in the middle of
the street - Defd^r went up to Walsh and
gave ^{him} a blow wth his fist & a kick on the
thigh

though he fell, he ~~was~~ got up the best way he could, and Deffe gave him a another blow and a kick, so that he fell again, when D. kicked him in the private parts - Walsh was unable to move or to get up again, some persons thought he was dead & four men carried him off. -

The Soldier was so drunk that it was evident he was unable to fight with any one -

^f
That Mr. M'pherson was in liquor but not so much as Walsh -

That he saw the whole affair from the beginning to the end -

That M'pherson did not challenge Deffe to fight, but wished to take away his comarade - did not see M'pherson unbutton his coat - -

That Pijon struck first, after Walsh had challenged Pijon to fight - that Pijon knocked off his hat 2 or 3 times and told him to go about his business. -

James

James Barlow, Surgeon of 71 Regt. that
on evening of 11 July last the Corp Welch
was wd into the hospital; on exp^d here he
found that his right leg was fractured—
both bones of the right leg were broken, there
were several contusions about the leg and
about the knee, then ~~lesions~~^{contusions} ought have
been occasioned by kicks — The man
was det^d. in the hospital for 3 months. &
after being out he returned, as being incapable
to do his duty & is still in the hospital —

It is not likely that a man should break
his leg by falling on a hard substance, it is
more probable he should break his arm —
It has happened that a man has broken his
leg by such a fall. —

re-exp^d —
says that when Welch was wd into the
hospital he was perfectly senseless and
weak as a child —

Defence
Pre Gosselin was with the Defend^t. in July last —
then

There was one Mathieu with them - while they were talking together, he saw the two soldiers coming up, the biggest rather much in liquor, the smaller one a little so. That the smaller one asked Deford - if they had offended him, this before they passed him - ~~Deford~~ Deford asked with what soldier said - During this time Meph had his hand on Deford's shoulder, the other ^{the biggest} that he would give Deford a clout - the opinion of us was that they meant to beat Deford. That both soldiers were close to Deford - That Meph took off his bayonet & challenged Deford to go to another street & fight him Deford told him to go away - on seeing that he would not fight Meph put on his coat again - the other soldier held up his fist at Deford and wanted to fight with them - Deford told them to go away and was gaining towards his own shop the soldiers followed him - the big one when he came to Mr Roi's shop door began to strip his coat, when Meph said he was not able to fight, but he Meph would fight - but the big one look

off his coat in order to fight - ^{It was here} ~~where~~ the
we first saw Mr Soloway who cried out
to the Soldier he should not fight there
The Mr Mph. had his coat off - that
the boy our went up to Deft and squaring
his fists gave Deft a blow in the
belly, on this Deft for the first time
returned the blow to the Soldier - that
the Soldier fell down - did not see Deft
strike the Soldier while down - that
altho' the Soldier was in liquor, yet he
appeared to be able to strike a blow -
after Soldier got up he came up again
on Deft and Deft again knocked
him down - this happened 2 or 3 times -
That during this Mph. ^{was unbuttoning his coat -} ~~undressed himself~~
That he never saw Deft strike Soldier after he
was down - That on this he saw a man come
out of Rasco's & dragged the Soldier roughly
& let him fall in the street -

Knows Deft to be a quiet & sober man - never
saw him fight or quarrel -

x^d

Mike is apprentice to a watchmaker - Deft

a Clerk in a Retail Shop, & they are intimate
friends -

That Mr inside the door & Defend. was opposite
to him on the out side - Mathieu was along
side of Defd. - the Wits could see on each
side of the house as well as in front - Did
not see the Soldiers till they came up to the door
as he had his back turned that way at the time -
That he observed that one of them staggered,
~~and~~ like a drunken man - he ^{could stand} stood on his
legs - does not think that a light push would
have knocked the Soldier - but on pushing him
strongly & suddenly - Did not see that one
of the shoulders of soldiers came at Defend.
Gave when the Soldier wanted to go up to Defd.
That Defend. pushed him back & it was then
that the Soldiers hat fell off, thus he thinks
arose from the force with which Defend.
pushed back the Soldier -

Saw the Soldier when he first came up. &
he had his fist shut, and said I'll give you
a clout -

That when Defend. pushed the Soldier
into the street, it was after the Soldier had
struck ~~his~~ Defend. - But that the Defend.
had pushed the Soldier before this on the
Soldier coming close up to him - & it being
this the Soldier touched Defend. and at times
said

laid his hand on the Defend^r - shoulda -
that it did not appear then to be the Soldier's
intention to hurt Pignon in thus coming up to
him - that he thinks it was the intention of
the Dr. to insult Defend^r - from showing to
Defend^r his closed fist -

That it was after having been pushed several
times in this way, that the Soldier gave a blow
to Def^d - that the Defend^r struck the Soldier
that as for himself had he been in Def^d place
he would not have fought with the Soldier

That he saw the Soldier knocked down
2 or 3 times by the blows given to him by Def^d
and while he was standing he saw Def^d kick
the Soldier -

The Defend^r has the character of being of
considerable strength but did not bear that
he was a bully or fighter - except once -

Leon Fournier, lives opposite Defend^r in July last
he observed 2 Soldiers pass who had some words
wth Def^d of Mr Gornier - the Dr. - does not
recollect having seen Mathieu - The 2 Soldiers
were near the Def^d - one of them Walsh wanted
to put his hand on Def^d as if to speak to him
saw Def^d pushing back the Soldier, as if

to get rid of him, telling him to go off. he
observed that the Soldier's hat fell off
the work. did not see Deft. strike Soldier
while at Mr Francher's shop, only push him -

And after having pushed the Soldier thru
back, the Soldier wanted to take off their
coats to fight - That at this time Deft
went away to his own shop at Mr Roi's -
the Soldier did not follow immediately, but
one of them Walsh took off his cloaths and
^{both} ~~one~~ of them had off their bayonets -

That then the Soldier followed the Deft
to Mr Roi's door distant about 30 feet, and
was coming up towards Deft. with his
fists clenched as to strike him and did
strike Deft. in the belly, on this Deft
returned a blow to the Soldier & a kick at
the same time - Thanks that Deft. was
struck by the Soldier first - the Soldier
fell - The Soldier was drunk, but able
to give a blow & we would not wished to
have rec. a blow from him. - nor would
he have liked to run the risk of being nearly
a blow from him - when the Soldier got
up & came up again to Deft. who gave him another
blow & he fell - The Soldier got up a third time

and

and the Defend^t gave him a blow. &
Soldier fell & remained - That Defend^t
appeared to act like a man who defended
himself, as he had reason to apprehend
that both soldiers would fall upon him

Did not see Defend^t strike soldier after
he was down -

That a man at Rasco's came started off
the soldier in a rough manner & threw him
down on the pavement - This might break
a person's leg - and he does not think that
the blows & kicks given the soldier by Def^t
could have broken his leg -

He Def^t who has not the reputation
of a quarrelsome man or a fighter -

x²

Was in the house opposite Mr Francher's
when the business began - first saw the soldiers
at Francher's door - did not first perceive
that Welsh staggered like a drunk man, but
afterwards perceived that the soldier was in
liquor - as far as he can judge, was not
able to conduct himself - he might be in such
a state, without W's perceiving it from the
distance he was from them - When he first
saw

saw the Soldier, he wanted to put his hand on the shoulder of Defend. like a man who wanted to speak to him - that something might have occurred between them before this - this might have been with a view to lay hold of Defend as well as to explain himself, he cannot speak to the intention of the Soldier -

That before the ~~Soldier~~^{Defend} had struck his fist at Defend. the ~~Defend~~^{Soldier} had pushed back the Soldier twice -

Saw Soldier knocked down 3 times, by the Defend. That the Soldier gave the first blow, before he was knocked down, but was unable after he had been knocked down to give another blow to the Defend -

That M. would not like to expose himself to such a blow as the Soldier could have given. -

Louis Mathieu lives in the same street with Defend. In July last, he was with Defend at Mr Franck's door with Gombin - that when there a stick or cane was thrown

at these persons - thought it came from
2 soldiers who came up in the same direction -
They came up, and began to speak but he did
not understand what they said - that on
this Dept. told them to walk on - & this in
consequence of their stopping close to Dept. and
to be careful not to throw sticks at them -

That he observed the soldiers come up close
to Deput when he that fit to return to his
own side of the Street -

That Dept then went to Mr Rois his
own shop - the soldiers following him &
Dept occasionally pushing them back -
in order to get rid of them -

Saw the soldiers afterwards with their
coats off - saw one of the soldiers come
up on Deput - saw that Deput some of
the soldiers were fighting but cannot say who
struck first -

Saw the soldier fall - when the other
soldier came up to lay hold of Deput
when Deput knocked him down also - both
soldiers got up. & the soldier which went
up again to Deput - & was that even that
the soldier would get the better of the soldier
Dept

but

but Defend. gave the soldier a hard
blow and a kick & knocked him down -
That the soldier appeared to fight well
enough & not like a man who is unable
to defend himself -

That another Rasco's man came & stood
up the soldier in a rough manner and
threw him down on the pavement -

That Defend. is a man who has the
character of being a peaceable man, & who
on this occasion appeared to act more on the
defensive than as a man who wished to
fight -

F

The soldiers came from the New Market.
That on coming up the soldiers stopped opposite
to Defend. did not perceive before they came
up that were in liquor, but observed it after
they came up & began to speak - They then
appeared to be both in liquor - did not see
Defend. touch any of the soldiers, nor push them -
he went into his shop - & when he came out
he saw the Defend. going towards his own door
and the soldiers following him & the Defend.
pushing them away as if to get rid of them -

That

That he cannot say who struck first the
Soldier or the Defiant - They struck each
other during the difficulty - He certainly
saw the Soldier strike the Defiant more than
twice - These blows took place on the head
& other parts of the body of the Defiant

Alexander Corbeau - was opposite to Mr Roi's
in July last, on going to the new market - he
saw Defiant there opposite Mr Roi's - That he
saw the two soldiers taking off their bayonets
playing them on the pavement - That one of the
Soldiers went up & gave a blow to Defiant
who drew back a little, and Defiant gave
the Soldier a blow or two which knocked
him down - The Soldier got up & went
up to Defiant again - & Defiant knocked him
down again - This was reiterated a third
time - when Soldier remained - That
Defiant did not strike Soldier after he
was down - That a man came out from
Roi's & upbraided the small soldier for
allowing his Comrade to be beat so - This
man took up the Soldier in a rough manner
& dragged him off & threw him on the pavement.

7

That it appeared that the Soldier was not very drunk as he walked up straight to the Defend^t to fight with him - He did not appear to W^r to be very much in liquor from the manner in which the Soldier got up again & make towards the Defend^t the 2^d time, - That the 2^d blow given by both parties seemed that the fists of the two met, but the blow given by the Defend^t was the strongest & threw down the Soldier -

Narcisse St. Jean - was in his shop, near Mr Roi's about 4 or 5 doors from it - was July last - when W went out of his shop he saw the Defend^t wth his arms crossed, at the door & the two Soldiers standing below the pavement - Saw the 2 Soldiers pushing Defend^t & the Defend^t pushing them back - That one of them went back ~~and~~ a little, & pulled off his coat & the smaller one did the same - In this the latter came forward & gave a blow to Defend^t - who returned the blow & drove him the Soldier into the middle of the street & fell on one hand - That

in

the Soldier afterwards came up again on Defe^d
when Defe^d gave him another blow &
he remained there -

That he saw the Soldier give the first
blow, and saw the parties afterwards fighting
together -

F

That one of the Soldiers seemed in liquor
and seemed to stagger a little -

That when the Soldiers pushed Defe^d
he pushed the Soldiers back again -

Henry Laccille, lives near Pigeons within 3 or 4
doors from him - has no knowledge of the
beginning of this affray - when he came out of
his Shop. he saw the 2 Soldiers in the middle of
the street taking off their cloaths & he thought
they were going to fight together - Defe^d was at
that time before Roi's shop wth his hands in
his sides - one of them the biggest rushed upon
Defe^d and struck him in the lower part of
the breast. Defe^d returned the blow and
the Soldier fell down - the Soldier made
another attack & they struck at each other
the Soldier fell again - he got up again
and

and came up again to Defende, who gave him another blow which knocked down the Soldier & he remained there - That Mr Rasco's man came & dragged away the Soldier in a rough manner & threw him down on the pavement - This man appeared to be in a passion, although he meant to assist the Soldier, yet in his heat he used him very roughly -

That the Soldier appeared to be in liquor yet was able to defend himself & the work would not have liked to have been exposed to his attacks

Seraphim Matka - In July last he saw the difficulty between Defende & the Soldier - he saw the Soldier pass by the house where 107 lives - & about 2 minutes after, heard there was a battle - 107 soon then saw the latter of the 2 Soldiers who taken off his coat & laid it on the pavement, the other was unbuttoned his coat - The Soldier came up to Defende & struck him & Defende gave him a blow which made Soldier stop down - The Soldier got up quickly & attacked Defende again & they exchanged blows when the Soldier fell
sett

but got up again & came toward the Def^t
who not know that Soldier then struck Def^t
but Def^t gave Soldier a blow of a kick
of knocked him down & they remained there
that Rasco's man came out & carried the
Soldier off -

Re. Def^t. to be a man of quiet & peaceable
disposition -

Charles Savageau - he was at his door also next
to that of Mr Roi when some soldiers passed
they appeared to be in liquor so that they were
coming on him, went in, & they passed - when he
came out again - he saw them at Mr Frauchers
& Def^t. was there - it appeared that some difficulty
occurred between Def^t & the Soldiers, who appeared
to wish to put his hand on Def^t & he pushed
them off & the last time the Soldiers hat fell
off - & on this the Def^t went away to Mr Roi's
the Soldiers followed, the tallest had his hat in
his hand - when opposite Roi's the tallest took
off his cloaths & calling to the other Soldier come
come, of with wounded calling his comrades to
assist in beating the Def^t - on this the tallest
went up and gave a blow to Def^t in the
belly, of blow Def^t returned - of made Sol^der
fall back, but the Soldier came up to Def^t and
struck

struck at Defeud when Defeud struck
the soldier and he fell — he cannot say
whether the blow aimed at the Defeud by
the soldier struck Defeud — as Defeud
may have warded the blow off, but if he
did not ward them off the blow must
have struck Defeud — The soldier
got up again & rushed on Defeud when
Defeud struck him again & he remained
down — That the Defeud never struck
the soldier after he was down —

The soldier was a little in liquor, but
able to defend himself

Narasse Normandui — saw the soldiers
who went up several times to Defeud at
Mr Francker's — They followed Defeud to
Mr Kvi's where he saw the soldiers taking off
their cloaths — & saw the latter strike Defeud
and Defeud knocked him down — The
soldier came up again & Defeud knocked him
down again — the 3^d time the soldier fell &
did not get up again — That every time
the soldier came up to Defeud he had
the appearance of a man who had the
ability & disposition to fight —

Jan 26 Francker — lives near to Defeud has

Wednesday 7th Nov^r 1827.

Prost.

Ch. Justin Reed
Mr Samuel Gale

The King
George Bradford

} On Indictment for Grand
Larceny —

John McArthur, lives in Argentville, carries on business with Lumber Center in boards & planks, on May last he had occasion to float down a parcel of plank & boards from Johnson's Mills on the north River into the Ottawa - a little above the house of 1st the cribs of which these boards & planks were made up, went to pieces on the rocks - the planks & boards in consequence drifted down the river & passed the house - That in consequence of information he rec^d. and the suspicions he entertained that some of his plank & boards had been taken by the Pr. he went there & found some of his planks & boards, to the amount of about 80 - to 30 of which he was positive, that is, 3 planks & 27 boards - they sold the boards at 10 dolls of n. & the plank at 14 - That house of Pr. is about 1 1/2 mile from

from any house in the woods - The boards
were marked wth letters G. C. on the board &
the plank & some of the boards with ³ ~~the~~ ^{cut} ~~marks~~
of an ax. -

7
Cannot say how many he found on prisoner's
premises were marked G. C. or with an ax. -
recognized the boards by the cut of the saw
& the kind of timber, being pine. -

That he has sold boards & planks to the Pr
in 1826 & in 1827. about 15 planks and
20 boards. -

Never heard of any timber such as his being
brought down that river above where W. timber
came before Aug^r. -

Hiram Vance, lives in Chatham, in May last he
was in service of Pr & lived in his house - has
a kn. that some plank & boards of Carter & Matthews
drifted past the Pr's house - that the 2 sons of
the Pr took out a quantity of these plank & boards
& the Pr assisted in carrying them up to a cellar
of an outdoor house - there were about 6 planks
& 24 boards - the W^r by directions of Pr assisted
also in carrying them up the bank - the Pr at
first proposed to W^r to give him 1/4 of the boards
and

and planks for his trouble, as Flewands said
he would pay Mc Donnell & Lexter for them
& make an allowance to Mr

That it appeared to Mr. to be concealing
the boards & planks by putting them in
the cellar - they were kept there 4 or 5 days
after all the people had passed, they were
taken out & made into a fence -

Knows that the P^r had in the Autumn
before purchased boards & planks from Lexter
& McArthur, about 30 or 40 ft were
put into a barn floor, & partly made
up in a partition in the house, but this
was done before the last boards & planks
they took from the river -

That the P^r & P^r that the plank & boards
they were taking from the river belonged
to M^r A. & Lexter - did not observe that they
had any mark on them -

F.

That boards are generally brought down
the river in April & May,

Did not think he was committing any thing
wrong in assisting to save the boards as above
stated. - That some of the plank & boards
lay on the banks near the cellar 2 or 3 days
after

after they were drawn out of the water before they were put into the cellar of persons passing there might have seen them - and a few rods above this place there was a place where persons were ferried across the river. -

The directions the P^r gave to his boys, was not to take up any boards or planks - & they did not consider to be lost to the owner.

I heard Center tell Timothy Parchand that he might have all the boards & planks he might find pick up along the river -

Saw an advertisement about a week ago last tuesday at Mr John Teardale's signed by the P^r - advertising that he had found some board & planks, & that the owner on proving his property & paying expenses, might have it - thinks it was dated 21 Aug^t but does not know how long it had been put up - That Teardale keeps a store -

Timothy Parcher - Is that M^r A. M^r - bot. down cuts of boards & planks in May last, they broke & the wood went adrift. - Mr. saw some boards & planks at house of P^r in May last, in his cellar & soon down by the River - The P^r said he had bot. ^{planks & boards} these of Cap^t Center about a year ago

The boards & planks he so saw were put up
in a fence by P^r

That Cap^t Center told the Wits that he
might have such of his boards & planks as he
might pick up in the rapids. —

That about the end of May. W. took out
about 7 or 8 boards & planks below to Mr. C.
& Center in May last — In May 1826 he
took out 5 pieces from the River & made a
mark on them of a cross with a knife —
he found ²⁴ them in a floor in the house of the
P^r and assisted in putting them there — the
Wits considered these boards as his property —

x-

The boards & plank he saw near the house
of the P^r were near the river & might be seen by
people passing. — These boards were put up in
a rough slate in a fence —

I heard Center say, that he had sold some
boards & planks to the P^r

After he had marked the boards he took
out of the river & marked them with a knife
he did not at that time consider them as his
property, but spoke of it to Cap^t Center, who
told W. he might have them —

x.

Center told W. that the planks he sold P^r was
in the last fall —

Frank

Frank Menard was employed to saw wood for lumber
& Mr. Arthur - last fall & winter at the mill at the
Chute - In Aug. last he saw planks & boards
on the pass^{es} of the P. ^{boards} in a fence of a garden &
planks as a flooring in the barn - W. recognized
the boards as having sawed them the winter
before - Mr. knew 2 of the boards certainly
as the top out of ^{of} they had been sawed had
been burnt in the end - The W. himself
carried the boards in the month of March last
to the water side to be made into logs which
were brought down in April last - that he
was with the rafts ^{of} were broken on the
rocks & the wood drifted down in front
of the Os house -

^{F -}
He has seen several ^{logs} billots at the mill
which were burnt in the end, ^{of} he sawed -
that there might be similar logs at other mills,
but they could not have come down so early
as those of Mr. Arthur & Center - Has no knowledge
that any boards or planks have come down from
the mill above that of Mr. Arthur till this year
as the mill was not then finished -

Saw some letters on boards, ^{of} were struck with
a stamp, ^{of} were so as similar to the marks he
had seen at the mill, to the No. 37. & 38 -

Jedediah Lane, lives at St Andrews - 12m North
River for 20 years - that there has been no
mill above Capt Centers till last winter
when one was erected - & for 3 or 4 years back
no boards came down but those sent by Capt
Centers - there is a floating bridge about 2
miles above Capt Centers, & no plank or boards
could pass there without Capt Centers having
a knowledge of it -

That this last Spring this bridge broke
away & boards & planks then came down -
The ^{first} board & plank of - came Lechappelle's
mill was in August last

Robert Wilson, per parties - that he was told
by P^r in ^{Sept} full 1826 - that the boards which
he saw, had cost them nothing, as he had a
right to pick up what he found in the water,
The Wks told the P^r he had better tell
Capt. Centers about it, on this the P^r said that
he would buy some at the Mill, which
would cover the whole, & nothing more
would be said about it - The Wks was
at this time at work for the P^r

Defence

Timothy

Timothy Parker - 1st. last trial -

Samuel Kennedy - Mr. Wm. Nelson - does not
bear the best character - has heard a good
many people speak of him - has heard
people call him, "lying Nelson"

Thinks he would believe Nelson on his oath.

Benjamin Birch - 1st. Mr. Wm. Nelson who is
by some called a story teller & passes by name of
lying Nelson, but he would believe him on
oath -

Verdict. Not Guilty. -

The King
v.
Joseph Santerre }
}

On Indictment for a Cheat Deceit
and obtaining money by colour
of a false token, & under false
pretences. -

Rose Kelly, wife of Edw. Kelly who keeps a
tavern near New Market - The P^r came to her
house about one o'clock in afternoon & asked for
a glass of rum, she gave it to him & he gave
her

her a piece of money of: the d^{o} was a dollar
she thought it was not a piece such as she
usually see^d. & showed it to her husband, who
came down & went into the shop, she does not
know what passed - a few moments after her
husband told her the piece of money he had rec^d
from the P^{r} was bad -

2.

That same day several persons called at
her house - the P^{r} is the same man who gave
her the piece of money, thinks she had seen
him before - the P^{r} gave her no coppers for
the Rum, & gave her no other money than the
above piece -

Edw^d. Kelly. Keeps tavern in town - last week his wife
in Oct last bro^t. a piece of money of: she
 d^{o} she d^{o} she had from P^{r} saying she did not
know it - W^d d^{o} it was an English 5/ piece
he was then in the kitchen - W^d went into the
shop & asked P^{r} if that piece was his, P^{r} d^{o}
it was, the W^d d^{o} it was a piece of 5/. the
 P^{r} d^{o} it was - the P^{r} drank his rum
& gave him $4/10/6$ in change - on P^{r} going
out W^d looked at the piece found it was
bad - went after P^{r} & at first did not find
him, about an hour & half after he saw him
he

he told the P. he wanted to speak to him
took P. into the house, showed him the piece
of money & asked to get back his change for it
the P. s. he had given W. 6 coppers, of. was
not the case - the P. refused to take back
the piece of money - The P. had only got a
piece of glass of rum from W. P. was carried
to the Police office, where part of the money
w. had given to P. was found upon him -

The P. denied that he had given the W. the
piece of money - When he asked P. in French
to come w. him he s. Oui mons. followed him,
he brot. P. into his house - & then presented the
piece of money & told him as well as he could in
French that the piece was bad, & wanted him to
change it - there were several persons about the
door at the time, particularly one Benoit who
questioned the P. a good deal about it - That
he did not all - that the P. that several persons
came about the door -

Louis Marteau, keeper of Police office - he produces
a piece of. he says, he recd from the last writ
Edw. Kelly, says the piece of money he recd from his
wife he gave to W. Marteau -

Rose Kelly says, that the piece of money which she got from her ~~the P^r~~ she gave to her husband, and ~~the~~ resembles the piece now produced. —

Louis Marteau — the piece has always remained in his possession since he rec^d it from the ~~wh.~~ ~~Chas Kelly~~ —

Defence

Joseph Cote, rec^d P^r for about a year — he has been in the habit of settling some ac^ts he had about changing his money, as he appeared not to be acquainted wth money, nor to know the value of it — the P^r used to take things on credit of^t he always paid — Always considered him always as an honest man —

f —

The P^r cannot say that P^r did not know a dollar from a trente sol — but was only in difficulty about giving the change — That no man could have taken the piece for in question for silver —

Louis Longfres, to P^r for 3 or 4 years - has been
in some house w^t. W^r always kn. him to be
an honest man, he always pd him well -
P^r has often applied to W^r about changing
money, as he appeared not to know money,
he used to show the money he rec^d. in order to
know whether it was good or not -

Thinks the P^r would know copper from
silver -

Verdict. Not Guilty.

The King
Murdoch W^r Person } An Indictment for ^{Petty} Grand Larceny

Joseph Globensky - in the month of Sept
sent a man of the name of Eluder had a quantity
of wood on a raft near Molwas - The W^r was
going up the river w^t. a load of hay & heard the
^{in mind about day break} boards splashing in the water, & saw a man taking
timber from the raft on seeing the W^r this person
went off the raft toward the road - W^r observed
to Raust who was w^r him that the man had
drift

dropt the wood - R. told him to run after
him, but Leberame told him not to go as it was
not his property - The man had removed
about 12 boards from the raft when we saw
him, values the boards at 8^d each -

It was early in the morning, but he
knew the man, who was the P^r as he
passed close by him - I knew him next
morning at the Police office -

Ante. Gwynon, Joiner - in Sept last, the P^r offered
to sell the boards to us - In going to his
work he saw some boards on the ^{beach} gravel
near Molton's - The P^r came to us & asked
us if he would buy some boards - The man
who was w^o P^r it was timber had saved
that was going adrift - asked us to go & see
them - went there so he would not buy it -
The P^r offered the boards for 2/6 but the other
man refused to give them - at last the w^ots
bought it^{2/6}, and the same day the wood was
claimed by Mr Elridge as his property, as we
was obliged to give it up -

The boards were of a ^{7^d} bad quality - That the
day before he saw boards drifting down the River
and

and he thought this might be the same wood
the P^r sold to him - The P^r assisted Me
to carry the boards up to the house - There
were no marks on those boards -

In B^h Racicot - was we Globenky at the time they
passed the raft of boards in Sept last - he
perceived a man on the raft who app^d to be
stealing boards - he cried out, there's a rascal
stealing boards - saw the P^r take the boards
from the raft & put them in the water - he
went on higher up where he left his boat -
On return's next day he passed by the same
raft & a little below saw a man ^{digging} ~~pulling~~
some boards ashore - of he thought to be the
same - Cannot say it was the P^r as it
was a little dark -

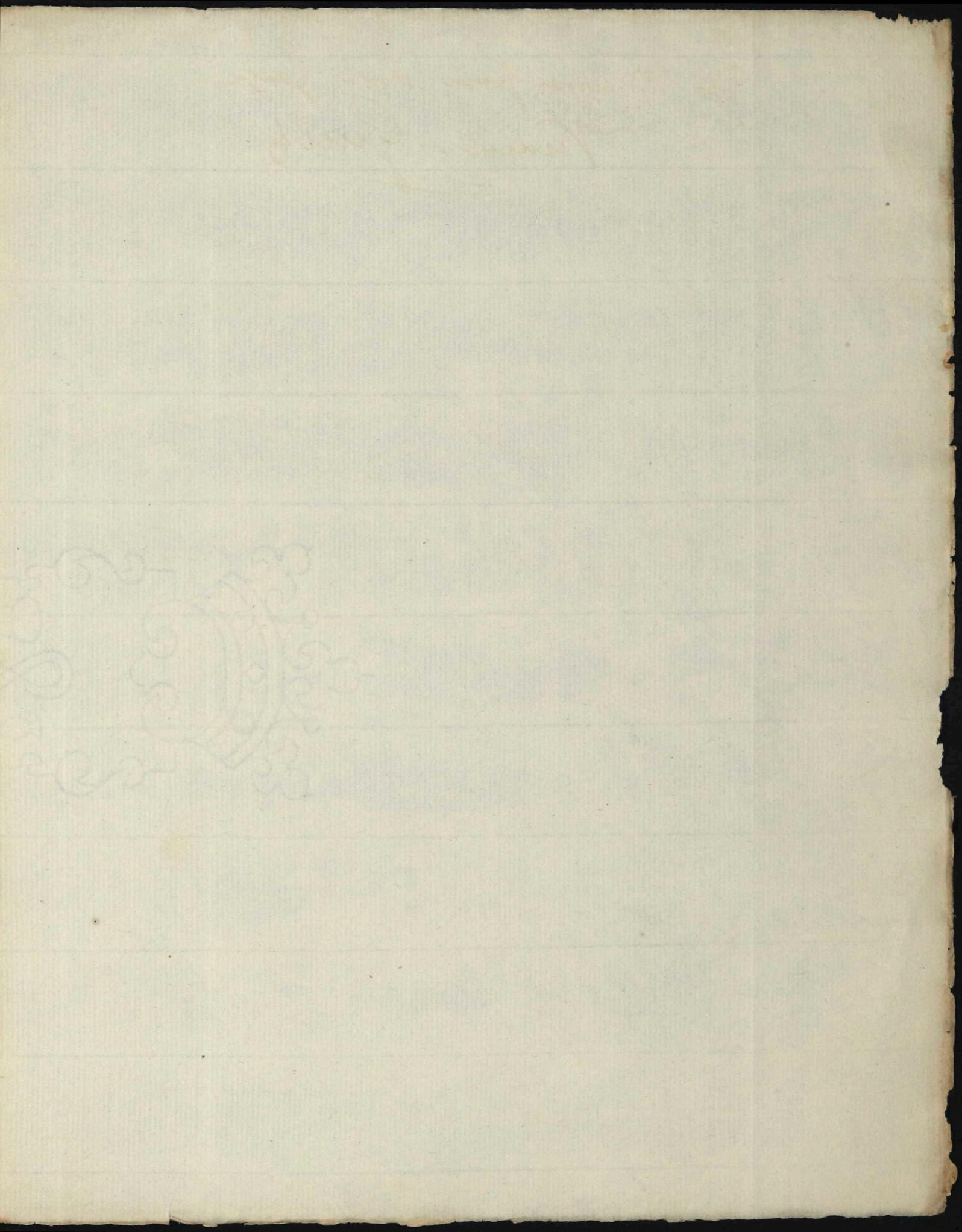
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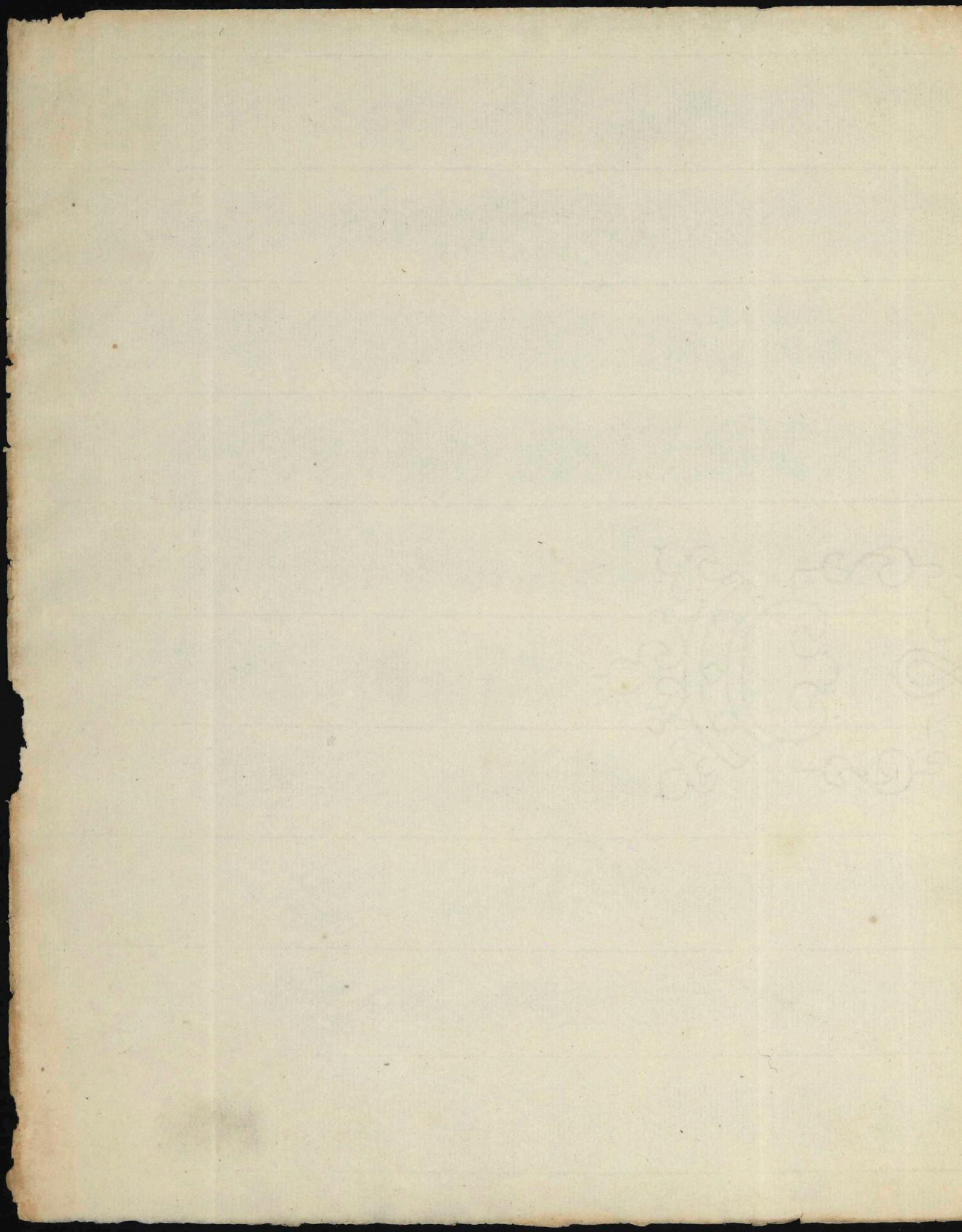
That when we passed in the boat, he could
not tell the P^r but his men who were drawing
the line ashore were nearer to him. - It often
happens that wood gets adrift there -

Defence -

Mark W^hpherson - 1st. P^r from his youth, and
never knew him to have any but a good character

The O^r comes from Last Year -
Verdict. Guilty





1848

