

In the Kings Bench.

Monday 1st Sept^r 1828.

Pres^t

Ch. Justice Reid

Mr Justice Foucher. —

Mr Justice Uniacke

The Grand Jury having been sworn
& charged retired to consider of the matters
before them. —

The King. —
v
Constantineau
& al. —

On Indictment for a riot. —

The Att^r Gen^l moved that the trial
of this Cause be now had in conformity
to the order of this Court of the 10th
March last. —

Mr. Walker of counsel for the Defendants
moved that the rule & order of this Court of
the 10th March last fixing the trial of this Cause
for this day be discharged, and all the
proceedings had and taken in furtherance
and pursuance, or under and by colour thereof

set

set aside and held as nought. —

- 1st Because the said rule was and is illegally and irregularly and improperly obtained and prescribing a mode of obtaining, — nominating and striking the said special Jury at variance with law, and the due course and practice in that behalf. —
- 2^d Because no legal or sufficient notice to ~~strike or reduce the said Jury~~ was made or given to the said Defendants — attend at the nomination of the said Jury was made or given to the said Defendants —
- 3^d Because no nomination was made under the said rule according to law and the due course and practice in that behalf. —
- 4^d Because no legal or sufficient notice to strike or reduce the said Jury was made or given to the said Defendants. —
- 5^d Because the said Jury was not nominated or struck from the list of freeholders, or other persons qualified to serve as Jurors for the trial of the issue under the laws of this Province —
- 6^d Because the Clerk of the Crown illegally and improperly refused to permit the

said

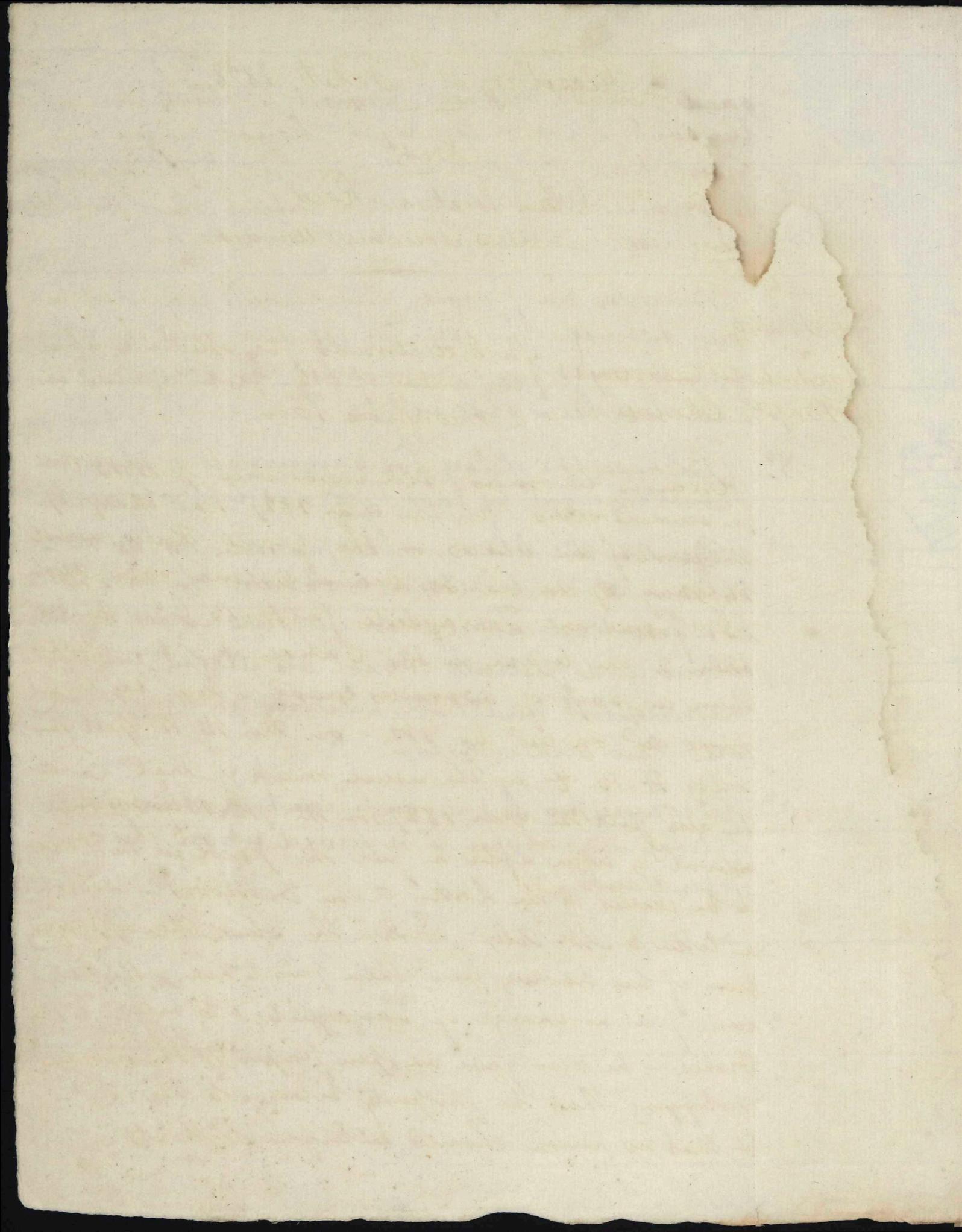
said Defend^{ts} or their counsel to strike or reduce the same Jury or to assist thereat, under the reservation of all legal ground of objection, or to permit them to strike or reduce the same de bene esse. —

7th Because the period or interval required by law, between the test or issuing and the return of the process for summoning the said Jury hath not been observed. —

8th Because the delay for summoning the said Jurors required by law hath not been observed

9th Because all and every the proceedings, as well those had and taken to obtain the said Rule as those had and taken in pursuance or under colour and pretence thereof are illegal, uncertain, inconsistent and contradictory and at variance with law and usage. —

10th Because no legal, sufficient or other notice of trial was given to or served upon the said Defendants. —



Tuesday 2^d Sept. 1828. +

Orest

Ch. Justice Reed
Justices Foucher & Uniacke. +

The King

Murdoch Mc Gillivray
J^r Bapt^e Chaloup

} On indictment for stealing above
the value of £15 from a vessel on
a navigable River. —

Charles Thomas, Clk in service of H. B. Co
in several years - in the year 1827 had charge of
the post of the Shaw, on the Grand River, about
24 May '27 he rec^d. 30 beaver skins value £40 +
£5 from one Tarraguet's for H. B. Co he bro^t
them to the beach in his Canoe - he intended
them in pay of advances made to him by the Co
were rec^d. on acc^t. by W^m on this the W^m put the
words H. B. $\frac{4}{5}$ as the usual mark of that Co &
he also put the year 1827 on the pack of beaver -
about 1/4 hour after he put the pack in the canoe
to be carried to the Lake of the 2 Mountains & wrote
a letter to Mr Alex^r Fisher the Clerk then approving
him of his having fur^d them fur to him - the furs
were put in charge of Tarraguet's to be deliv^d to the
Fisher - he also gave an open paper to the Indian
notifying that the property belonged to the Co
& that no person should interfere with it -

There was another Indian with Terraguati
his brother & another man in the canoe -

2

Mr. had only the word of Terraguati that he
was indebted to the Co^o but had words & beads
to show it - Terr. was sober when he arrived
at the Shaw's, when he went away - would
wonder furs marked w. Co's mark as their
property - Mr. got 2 beaver skins from Terraguati
& paid him for them - has also debtd. not only
furs but goods to carry down to Lake of 2 M.
and Mr. has generally trusted Indians in whom
he had any confidence - Had seen Terraguati
before but had no ken. of his character never
heard anything of his character - The Co
in the paper he gave to J. advised that he
had rec^d a pack of furs from J. on acc^t. of
his advances at the Lake of the 2 M. -

Dominique Ducharme, was sworn as Interpreter

Joseph Terraguati - an Indian being asked of what
religion he is - that he believes in Jewism
in the other world if he tells a lie -

That in May last ^{year} he was at the post of the
Shaw's - & there he had a pack of beaver. consists
of 30 beaver skins - this he gave to Mr. Thomas
for the H. B. Co^o who took it & marked it -

Mr.

W says he owed the Co as he thinks to about to
the value of the pack - which he wholly gave up
to the Co That Thomas told him to carry the
pack to the Lake of the 2 M. & then deliver it to
Mr Fisher - That Mr Thomas marked the pack
also gave a letter to W - it was the same mark
as the H. B. Co commonly put on their property.
~~The letter he sent~~ he likewise gave him a paper to
show that the pack belonged to the Co - That
Mr put the beaver in another ^{belonging} Canoe to another
Indian - Mr Thomas did not tell him to do so.
There was ^{as he thinks} the same mark on the Canoe as on
the pack - on his way down the River the
P^r overtook him - a little below the Chaudier.
The W had just ashore & the P^r went ashore
also & came up to him - That M^r G. told W
that he would take the pack, but the other took
it. & M^r G. told the other to do it - W told them
several times that the pack belonged to the Co
The P^r nevertheless took it - In this pack the W
said he had 3 others, & asked P^r to give up what so
belonged to him, M^r G. gave him 10 dollars for the others
The P^r carried away the pack & he never saw any
thing more of it - says he showed M^r G. the
paper Thomas gave him to show the pack belonged
to the Co but he looked at it and tore it & threw
it away -

that he has always ^{been in the habit of} trading for the H. B. Co. as
well in spring as fall - & with none others -
That he gave the pack in charge to an Indian
& gave him a dollar to take care of it - On his
returning at the Shaws he did not give his pack in
charge to any one, but delivered to Mr Thomas in
pay^t - That Mr Thomas marked the pack in
his house - That the H. B. Co. entrusted him with
furs in that way before - That it happens that
other Indians besides himself to carry property
for them - That it is difficult for most traders
to get their pay^t of their debts from the Indians,
but he had pd the P^{rs} what he owed him -
That we passed M^r G's stopt there - he owed
Mr M^r G - cannot say the amount - but
pd M^r G. 2 beaver on acct - the debt he
owed M^r G - might be about 100 doll^r -
had not drank anything before he saw Mr
M^r G - That he had met with M^r G ^{only} before
this time on the voyage - That he had been
in possⁿ of the Canoe in q^t he left the Shaws
3 days when P^{rs} came up to him - ~~At~~ ^{the beaver} was
then in the Canoe of the other Indian - That
the Canoe of this Indian was generally known
to be his -

Bernard J Germain sworn also as interpreter at
the request of the P^{rs}

That when he stopt at Mr M^r he was in
his

his own Canoe - when he passed them the furs
were in the Canoe of the other Indian - he
then told M^y - that he had a pack for the H. B. C.
said that he had ^{a dollar} 1⁰⁰. This Indian ^{to} carry it to them.
There was then no conversation between him & M^y
about the debt he owed M^y - That the M^s
had contacted a small debt wth M^y. before
this time - his Canoe is small & rather old -
on this act - when he came down the rapids
of the Shaws he gave it to the Indian to carry.
That this Indian ^{then} canoe belonged to the Indian -
M^s had his gun & his brother also - When the
P^s came up to him he was afraid of them & did
not count them, as they said they wanted to
take away his furs - That his Canoe was
drawn on shore when P^s came up to him, the
Canoe in which the furs were was in the water
and tied to a piece of wood - on the main River
That we told P^s that the pack of beaver belonged
to the H. B. C. - but that he had 3 Otters of his
own. of M^s drew out & sold to P^s for 5 dollars
each - That there was no mark on the
Canoe of the Indian wth him - No body washed
the pack of beaver he had - but there was
much

much more in the pack than he owed to
M^r G — That he had not taken his dinner
nor any refreshment at the time the P^r M^r G
came up to him — another Indian afterwards
gave him a glass — That he had not drank
any thing that day — That another Indian
had made a fire there — Is positive he had
drank nothing that day until the pack
had been taken from him — He has had
no conversation with any of the servants of the
H. B. C^o touching his evidence — That he made
a declaration on oath before Cap^t Ducharme &
he also came to the Police office — where he went
voluntarily without being asked by any body —
but accompanied Mr Ducharme there — Mr
Thomas had not then arrived in Town —

By the Court —

That when he showed his furs to Mr Thomas
he gave him nothing to drink. —

Jacques Otassiker. In May last he came from the
Shaws to the lake of 2 M^r in the Canoe of his
father — That he was encamped near Hau Ruer
when Terapati came down in one Canoe, &
Chawinapennesse' in another — There was a pack
of beaver in the Canoe of Chawinapennesse'
marked with the marks of the H B C^o

on

Tiraguati

on it, and the Canoe of Ch. was marked in the same manner - but Ch's Canoe had no marks on it - He saw the P^r. Chalou take the pack by orders of the other ^{M^y} - and put it in their Canoe & carried it off - That Tiraguati told him not to take the pack, as it did not belong to him but the H. B. Co. was marked in their name - he also showed M^y - the paper he had of M^y. look & tore it - that M^y - looked at it before he tore it -

7

That P^r had no arms - ~~cannot say whether~~ ^{any} the paper I. showed P^r was folded - & he saw some writing on the paper - that I. did not consent to sell this pack of furs to P^r - but he sold him some others - Thinks that the P^r were angry from the violence with which he took away the furs - The pack was weighed - but does not know by whom - That he saw P^r Chalou throw the pack on shore towards some white men who took it - does not recollect that Ch. had a Romain, but that Tiraguati was there when it was weighed & looking on at the time - That after the P^r took away the pack, he took a glass of liquor - That Tiraguati is an Indian of good character - values the pack at \$50

saw O. M. give Teraquati money for
the three otter skins - The otters were ~~taken~~
sold without having been taken out of
the pack - at least he did not see them
taken out - he thinks he would have seen
them had they been taken out -

Louis Sagouante. In May last year he was the H. B.
post at the Shaw's - was there when Teraquati
arrived there - he had a pack in the canoe -
that Teraquati told Thomas that the pack
belonged to the H. B. Co - and that he gave it
for a debt he owed to Mr Fisher - that the
W. himself carried the pack to the house by order
of Mr Thomas - on this the W. scraped the skin
that Thomas might mark it at least on one
side - saw Thomas write a letter of he gave
to Teraquati & told him to give to Mr Fisher
at the rate of 2 M - saw carried back the
pack ⁱⁿ a canoe of H. B. Co - that Thomas
wished to keep the pack, but Teraquati said
nothing could happen to it, as it was marked
as was his & he would carry it safely -

Does not Mr. Teraquati - saw him only
once or twice - thinks there were 2 other Indians
w. Teraquati when he left the Shaw's - there
was the brother of Teraquati in one of the canoes -

saw no marks on the Canoe in ^{of} the furs was
That when Tinagati got out in the pack of
furs into the house, Mr Thomas gave him a
glass of liquor —

Joseph Faile, was in the service of M^r G. in May 1827
at a place called the Alleemitts on the Grand River
that P^r told him that on his way down he had
found some Indians with a pack of the H. B. Co
mark on it & he had taken it — that he afterwards
saw a pack which was to be in M^r G's presence
was the pack of — he had so taken — So that
M^r G. concealed himself to avoid being taken on
this charge & told M to look out & let him know
if any one came to look for him —

I am now in the employ of the H. B. Co
that it did not appear that M^r G. made any
secret of having taken the pack — he not only
admitted that the pack was marked with the
mark of the H. B. Co

George Monier. to P^r to M^r G. for 5 years — In June 1827
he rec^d. a letter from him, dated 1st June at the ^{Pointe aux} Chenes
This letter w^{as} returned to him — on his demand this last
spring & he has not had it since — The letter regard^{ed}
other things besides the object of a pack of beaver — of
of. he now produces an extract as to what regard the furs
reads an extract the letter contained — that the P^r
& later that he had pursued the man, who owed
him

him, and took a pack from him by fair
plunder - he did not mark the pack upon
it, as it was safe in his possession -

Has had a law suit wth P^r M^r G. - who
sued him - he was arrested & confined one
night in Goal -

The name of Tarragrate not mentioned in the
letter - but understood he was the person, from
the circumstance that the P^r men had been
waiting for the man -

W^o. Tarragrate - In. letter of him -

That M^r G. asked for this letter at several
times from the W^{it} as being the letter which
he had written to W^m & wished to get it back
as he had heard of a criminal prosecution
against him & was afraid this letter might be
misinterpreted -

Angelique Levevre, wife of Capt W^m In June 1827
saw a letter in the hands of her husband w^{ch}
had been written to her by P^r M^r - cannot
tell the date of it - In that letter there
was mention made of a pack of beaver
w^{ch} M^r G. had obtained - in having taken
it from an Indian - the letter was in
English & she is not familiar with the
expressions

expressions of the letter, as she does not understand
that language. —

Ronald McDonald — lives at Pu Forteau — His Monie
L^r M^y — In Oct 1827. saw a letter from
M^y. to Monie in Monie's hand — in wh^{ch}
mention was made that he had taken a pack
from an Indian in a Canoe with the H.B. Co
mark on it — & that he took it as fair
plunder —

Charles Thomas — bro^r. back again — The letter now
produced is the same he sent by Tarraguate to
Mr Fisher with the Pack of furs —

The Shaws are far below Timis coming — 150 — 200
miles — The port des Chats is about 29 miles below
the Shaws — The River La Riviere is 12 or 14 miles
below the port des Chats —

Defence —

Pu Chauwinnipinnestki, 1st P^m in Spring 1827 he
met Tarraguate at the Shaws — on this side the
Shaws he fell in wth. him wth a pack of beaver in
his possession — he was very drunk — at that
time Tarraguate had the pack in his Canoe —
that T. requested us to take the pack into his
Canoe — he was loth to do it, but at last consented —

That J. gave him a dollar to take the pack
That J. told him that the pack had been
taken from ~~his~~ ~~face~~, at the Shaws, and that
by solicitation he had got it back again
and wished W. to take it into his Canot
That they made fire & J. had a letter of he was
drying before the fire, as it seemed to have
fallen into the water - where W. saw the
letter it was open & the sides of it a little
burn -

That W. left that place & went on about
5 leagues & lighted a fire, where J. followed
him about an hour after - That next morn
J. again requested W. to take the pack - &
that the W. told him he was a trader & would
money & if any difficulty about the pack
he must take it up himself - They then
went on to the portage de Chenes - They went
to Mr. M. G's house who asked J. if he had
wherever to pay him - The J. he had nothing -
after demanding frequently his due - the W. told the
J. to give him a couple of beaver skins he had
in his Canot - of he did - after this they
went to the first portage of the Chaudiere
from thence they came to the River de Lievre
then they found the father of one of the Wiks -
heard to day - J. having slept to talk to
him

him, they saw a Canoe coming down
whom they knew to be Mr they & they were
going to Montreal - They wished them a good
day, Mr G. gave the Indians a dram, and asked
Mr if he had a pack in his Canot, and asked
do you think that I will not pay him - The
Mr said he did not know, but he should himself
ask him - on this Mr G. ^{repeatedly} asked I to pay
him as he owed him - What on this I got angry
but the Pr was not - I was walking back &
forward uttering threats at any one who should
take the pack from him - Mr G. said he was wrong
to do so, and might be sorry for it - On this
Mr G. said he would ask him I again for his pack
if he did not pay him he would have
him conducted to the large house - on this
I turning to Mr G. - take it - meaning the
Pack of furs, in pay for the debt he owed him
on this Mr G. said he would take only what was
suff to pay him - I said take the whole -
when the pack was brot ashore - he said he would
cut the string & take what would pay him - but
I said he might carry it home & open it there -
After the Pr had got the pack into the Canot
told I he had better take back what was over
as he might have other debts to pay - On this

J

T. P. he would only take 15 dollars, as being
all that was due - on this P. told T. he
ought to know the weight of the Pack - it
was then weighed & weighed we ⁸⁴⁷ 49 -
Saw a paper in the P.'s hands a little torn
but does not know the contents of it -
That T. then sold the P. a small beaver
for 2 doll. & another for 5 - on this T. P.
what shall I then have to live upon - the P.
asked him what he wanted, he ⁸⁴⁸ 20 doll. of
P. gave him - & T. gave the 17 doll. to W. to
put aside - That P. afterwards gave T. a bottle
of rum and they went off together -

Then they came to the Chute à Blondeau, where
the P. overlook them, and gave them some fish
to eat - on arriving at the lake of 2 M. T.
came to thank him & ask him for his money -
that M. Fisk was their present & gone without
the W. gave him the money -

That T. told him, that when he came to
the Court House he would not tell the
things exactly as they were -

That T. told M. that P. had not stolen
the pack, but that he had given -

That T. is not a man worthy of credit,
and generally passes for such - would not
believe T. on oath -

X
Has been instructed in religion & says his
prayers - that he has said nothing contrary to
truth, had he done otherwise he would cause to fear
but does as he thinks he would be liable to punishment
of fire from the almighty -

He has had conversation at times with M'G
about this business - but never rec'd any thing from
him - but expects to get something from him as
he promised it -

That T when he first saw him was on the
side the Shawo, when he was so drunk as almost
to over-turn the Canot - that T told him he had
got liquor at the Shawo -

That Polassikie was drunk - when they saw him
at Hum River - T was in train - Heard M'G
tell the other P. to take the pack from T. & Canot
did not hear T forbid M'G - to take it - Did
not see T give a paper to M'G - but saw M'G
have it in his hands - did not see him tear it -

That he heard T make an agreement wth M'G
about Otter skins - but does not know the number.
saw M'G - pay T - pay 5 doll^s for one Otter skin.
There were others present when T told M'G. to take
the pack - Polassikie he thinks might have heard
this - as he was near -

Joseph Adam - was wth P^s when they came up wth T
in May last year - when they came to the Indians
the furs were in one of the Canots - One of the men

we took out the furs they were wrapped & he
g^d money to the Indian - saw no violence and
nor any opposition made - I was present -
& several other Indians - 4 or 5 - P^r had no arms -
the Indians had their firelocks -

Observed no disputes between M^r G. & the
Indians - every thing seemed to be quiet -

When he embarked with the P^r ² the intention was
to follow the Indians if they did for 6 or 7 leagues,
understood the P^r's object was if they went on
setting out was to look for furs -

Saw Chelou & another take the pack out
of the Canot - The Indian appeared like
a person dissatisfied with the taking away
the pack - saw no paper in the hands
of M^r G. -

Saw 2 or 3 skins taken out of the Pack
does not know by whom - saw money given
by P^r -

There were several Indians there & were
near enough to have heard & seen what was
going on -

Louis Lalanne - was present at the place where the furs were
taken - was on a visit at Mr. M^r G. when Terrage
& Peter Stems brot. some Castoreum sold it & was
p^d for it - I brot. in 2 beaver skins - g^d was
all

all he had - the skins were weighed - & put
to his acct - he owed them about £45 - to Mr G
D: he was sorry he had no more to pay - T then
got some things on credit - next morn^g - was
told that T had a pack of furs in the canoe
of Stems - on this 5 men were got up & they
followed the Indians to near the Beliveau River
when they went ashore - I found the party -
Mr called Stems aside - asked if he had a
pack of T's - he sd he had - but told Mr
to talk to T about it - as he was nearly
the carrier - on this he talked with T &
asked him why he had passed without letting
him know - at first we understood that T wd
not give up the pack - but afterwards that
he consented to the pack being removed, it was
done by Chalou - the Pack was weighed by
Stems - T was done by - made no objections
to its being weighed - T asked for money
from Mr - on this Mr gave him 10 dolls on the
supposⁿ the pack might amount to more than
his debt - Mr bot. also a small beaver & P. gave
him 2 dolls for it - and also 4 dolls for an other
skins - but T not appear^d satisfied P. gave T
another dollar - all this money was given to Stems
the Mr & his party were not armed, the Indians
were

were armed -

There were some pieces of paper handed to P^r in small pieces -

Ho P^r internally - has heard him make use of the expression four plunder, ^{as meaning} ~~was~~ that he had got all the furs an Indian had -

Has known T since 1826 - heard that he was the greatest scoundrel of all the Indians at the Lake of the 2 M^s - thinks he might be hired to swear any thing -

Has kn. P^r for 4 years - always considered him as a very honest man. -

X-

P^r proceeded to follow the Indians in order to get the furs in proof of his debt -

There was a H. B. on the pack of furs - knew this to be the mark of Hudson Bay Co

Heard P^r say something to Chelou, who in consequence went and took the furs -

M^r G. took the paper but so he could make nothing of it -

Reputation Dechamps - has T has heard him speak of the pack of furs - understood from him when he came out from his wintering he had concealed his pack - and had given

gives Mr M^r. 2 beavers, saying that he
had nothing else - that having heard that he
had deceived him Mr^r. pursued him & had
overtaken him at River de la Roche where he
had asked him for the amount of his debt

That the H. B. Co had used some violence
to get possⁿ of the pack - but he had continued
to get it back - that altho' it had the marks
of H. B. Co yet it was his intention to
pay Mr^r. - on this P^r sent one of his men
to bring the men ashore - & on this P^r was
about untying the pack of furs his deer
but the Indian ^o man kept the pack &
demanded only 3 otters, for yet he asked
5 dollars for each - & that after the pack
was washed he, the P^r. should keep an out
of it for him - The Indian told him
that if Mr^r. w^d give him money he would
give a favorable testimony for him -

Gives T a bad character - should not
believe him on his oath

Adolph Dilbert - went in pursuit of P^r
M^r. - came to him voluntarily -

Jon. Alger - to Mr^r. - in several years
gives him a good character -

Emery Lushenz-

David More-

James A Dwight

} To character

Knout. Mr Gully

Wednesday 3^d Sept 1828.-

Post
Ch. Just. Reed
Mr Luther Tucker

The King
or
Francois Belanger

} on Indictment for stealing
a Cow

Aimable Archambault - of St Hyacinthe - had
a cow in poss: of one Gauthier a fermier - on 27 May the
P^r asked of W^r to let him have the cow - he refused her
to P^r - on this the P^r o^d on going away said to W^r that
he would go and take the cow - & that he had as soon
be hanged at the age of 70 as at 15 - Gauthier came &
told W^r that the P^r had carried off the cow - W^r got a
warrant & on pursuing the P^r - on the road towards
St

St. Johns, he was arrested with the Cow in his possession. —

The P.^r had caused a public notice to be given of a sale he meant to make of his effects — & requested W. to attend as he wished to pay him what he owed him — the sale took place on 17 March, & W. caused the Cow to be purchased on his acct —

Jacques Gauthier —
Antoine Brodeur —

Verdict. Not Guilty. —

The King
Alexander M. Fee }
John Van Valkenburg } on Indictment for sheep stealing
acquitted. —

The King — }
Nicolas Leblanc } On Indictment for larceny —
stealing a harness & bridle value 9/ —
Verdict. — Guilty

Thursday

Thursday 4th Sept 1828

Post

Ch. Just. Reid
Mr Justice Touchet

Mr King

~~Jose M. Farland~~
~~Whewin called Joseph~~
~~Charles~~
In 13th Ordelette

On Indictment for steal^g
above the value of 40/- in
a dwelling house -

Dominique Ducharme, lives at Leekem
is a farmer - in Nov^r last he lost a malles
worth between 7 & 8 dollars, and two axes - value
one at 7/6. The other 5/- - These things were
in an out house - not attached to the house
he had seen these things the day before, the 2^d
of the month towards the evening - towards
4 or 5 in the morning next day he missed them
about the 17th of the same month he was told
that there was a man at one Pari's at an
axe for sale - went there and recognized the
axe, but did not see the man - Next morning
heard that the man lodged at one Charles's
in consequence got a search warrant and
found at Charles's, his mattress - found the
P^r there - he was lying on the mattress - the
other

the cap he never has heard of -

J^r B^t Quesnel - was present when Ducharme claimed his cap at Pare's - he saw the P^r at Pare's with the ^{same} cap in his hand - but he had gone away before Ducharme arrived. - Was present at the search at Charle's and saw the P^r lying on the mattress claimed by Ducharme -

Maxime Lafreniere - Constable - in Nov was charged wth a search warrant to search for effects stolen from Ducharme - found a mattress on which P^r was lying & it was claimed by Mr. Ducharme - The P^r said he had got these things on board of a boat - that while he was present the wife of Charle said that the P^r came generally to the house at night & took these things wth him -

Verdict - Guilty of simple Grand Larceny as laid in the Indictment

The King }
J^r B^t Ouellette } On Indictment for Burglary -

Augustin Perrault, lives in Montreal In Nov. last there was a number of caps in a small house distant about 10 feet from the dwelling house

house but within the same enclosure at
it - W. had an ape worth 10/6 & a terrier
at 3/- There was an ape of Roussau
10/- an ape of Perron 12/6 - one of Michel
Raymond. 2 apes, Chat Perrault 14/- about
the beg. of Nov. - W. had shut up the shop
at night about 7 o'clock - it was then
about dark - about 15 days after the
apes were found in the hands of Mr
Debut -

F.

Cannot go into the boutique without
going through the yard in of the boutique
is enclosed with the house -

He saw all the apes the evening before in
the boutique -

He shut up the boutique & locked it.
he hung up the key in a concealed place
known only to the workmen - when he
went out he shut the door of the yard
at - was after 7 o'clock -

Went to the boutique only about 10 o'clock
next morning -

Martin Lafresque, Constable, under a search
went

want - went to house of on Charlie at the
Cote de Paul for axes which had been stolen
from Cerat - found several axes in the Garret
& then found the P^r and was told by Madame
Charlie, that it was the P^r who brought them
axes there in the night time - the P^r was present
& said nothg - The axes were brot - to the
Police office -

^x
That Charlie has a bad character
& his wife also

From Rousseau - had an axe in Cerat's house, it
was put there at night & was missing next
morning - the door of the boutique was open
and all the tools gone -

Dileste. Comtable, In Nov. last he gave a
want to Lafresne - who brot back the
axes now shown which have remained in
his possⁿ ever since -

M^r. Rousseau - identifies the 2^d copy of Chas Perrault
12/6 - his own - that of Rousseau - & that
of Perron -

Museum

Maxime Lafroniere - says all the axes he found to
found at Charles he delivered to Mr
Deble the high Constable -

Verdict Guilty of Simple Larceny
to the amount of 20/-

The King }
George Rolland } On Indictment for ~~stealing~~
private - Simple Larceny -

Jidou Quocher -

Aug^r Garceau -

Verdict. Not Guilty -

Friday 5th Sept 1828

Pres^t
Ch. Justin Reed
W. Justin Toucher

The King }
Nathan Pierce } On Indictment for Burglary
Miranda Whitney }

Friday W. Martin, lives at the Mountain
about the 3^d or 4th Oct. last a burglary was
committed in the house and several things stolen.

and

and in the morning when they got up they found some of the articles stolen in the orchard - That one Wm Eardly Wright lived in the house & a great number of his effects stolen - That soon after the theft, a bag full of cloaths was found concealed in the mountain, the greater part of which belonged to Mr Wright - That Anne M Martin recognized the bag to belong to a person living in the house - That at the time of the Burglary the 2 Pris^{rs} lived in the house - When they came there they had no money -

Nancy M Martin - knew that her fathers house was broken open several effects stolen - saw a bag brought to the house of the last sort brot to the house w^{ch} some of the stolen effects had been found - this bag belonged to Meranda Whitney the P^{rs} - and w^{ch} has seen her use it as a bag for dirty linen - M Whitney lived in the house at the time with the other Pris^{rs} as manswife

That the P^{rs} ^{x²} great coat was stolen the same night -

John M Martin - knows nothing

Duncan M Martin - says nothing
acquitted

The King - }
Louis Laramie }

On Indictment for breaking &
entering a house in the day time
& stealing out thereof sundry goods
& effects -

Jane M^cIntosh, wife of James M^cIntosh of
Stanbridge -

2 shirts. 12/6

8th sup^r. 5 -

1¹/₂ County Call 3. 9 21/3 -

James M^cIntosh -

Robert Edmonds - neighbour -
P^r S. he had bot the ^{linen} cloth from a pedlar
in the store -

Shirt - not like the one he wore -
another in his pocket -

Defence

Benjnⁿ Skimmerhorn - M^cIntosh proposed an
arrangement with the P^r in Goal -

Chas^s Trudeau - character -

Joseph Altard - On part of Crown

Stanley - Skimmerhorn -

Touss^t. Leveille -

Verdict. - Guilty. -

The King
Saml^r Cawthers } on Indictment for an assault

John Baird, about 8 Feb was pass'd down the street, heard a noise, din Deft's shop saw one Hamilton eat his put on a plough & himself on the floor as if he had been thrown down - he got up. app'd intoxicated - went towards Cawthers Deft wished to get him out - run him out of the shop & throw him down, & then kicked him several times in several parts of the body wth heavy galuch shoes - Deft got up & went towards shop again, by this time Deft had thrown himself wth a large stick - just as the man was entering the door, he struck him wth this stick wth the stick, & Hamilton fell as if shot - a man took him up & carried him to some distance - Mr. W^{ts} that the man was dead, and went to enquire the name of the man - W^{ts} went for a surgeon who came & gave Hamilton assistance

Mr Hamilton - on 8 Feb last was in Deft's shop - was had worked for him, & went there to see him - & to settle a small bal^{ce} of acct wth him - W^{ts} in liquor at the time - asked Deft if he owed him - the Deft told him that he was drunk & desired him out -
and

and knocked him down - & does not know
what happened to him afterwards - he was
sent to the Hospital where he was confined for
a considerable time owing to the severity of
the ill-treatment he had received. -

x^o
went from Hunter to Depts

James Campbell is a surgeon - was called upon to
see ~~the~~ ^{a man} ~~that~~ by Mr Baird - about 1 o'clock
in the afternoon - The man was so much
disfigured & bruised, that he cannot now
recognize him - he had numerous contusions
on various parts of the body - & he was in
a state of insensibility - he had a severe blow
on the head - he was removed to the Montreal
General Hospital afterwards -

x^o
Thinks it is not very probable that the man
rec^d these contusions from falling on the ice
his ~~was~~ insensibility might have arisen from his
intoxication & the blows he had rec^d -

re-~~ed~~ by Town

Thought the man's life was in danger when
he saw him -

John Baird - was present when Dr Campbell
examined the man in question, who was the
Widow Hamilton -

Depute

Defence

Robt Thomas Hunter - his Dep^t - Mrs Hamilton came into his shop to see one of his men - where they drank together - We went away & left them there - when we came back again, H - began to get a little tipsy - & having work to do order him away - he s^d We was a biggest rickal - s^d he was going to Dep^t to get 1/3 he owed him - there was something s^d by him about a row - but cannot say what it was -

His Dep^t to be a peaceable man -

John Bradwell - was at Dep^t's shop when H - came there - Dep^t ordered him out - on this H - came up and laid his hand on Dep^t's shoulder & asked him for something, but he does not know what it was - H - did not then use any violence to Dep^t but before this Dep^t had ordered him out of the shop twice - when we saw H - next he was lying on the ground - The Defend^t - turned H - out but he came back again & insisted on coming in - there was some snow on the ground -

We lived wth Crowther for 13 months, and always found him a quiet & peaceable man. -

John Hagan - His H - he came into the shop - he appeared to be drunk - we told him to stand off - H - s^d he was in proper trim to speak to Sam^l, meaning Dep^t - he
there

then asked Defd. to settle with him - on this
Defend. ordered H. out of his shop - altho H.
did not go out - Defd. pushed him down
& saw H. lay hold of Defd. as if to save
himself from falling -

Barnard M'Dermont - H. is in good order to speak
to Carothers at this moment - Defd. was then
speaking to another man - on this H. laid
his hand on Defd. & asked him to settle wth him
on this Defd. ~~but~~ ordered him out of the shop
he would not, on this Defd. ~~thence~~ pushed him
over a plough - he fell - & having laid hold
of Defd. they fell together - The push was
not violent, but the plough occasioned H. his
fall - on this H. got up & sprung up with his
hands extended towards Defd. they closed
together & both fell - H. was put out - he
came back again - and Defd. ^{purged him} struck him
~~with a stick~~ ^{over the threshold of the door} - when he came in again and was
advancing towards Defd. - when Defd. struck
him with a stick -

There was ice & snow about the door -
& on the pavement. -

Catherine Prior - says nothing -

Verdict. Guilty -

Saturday 6th Sept. 1828

Print
Ch. Just. Reed
Mr Justice Foxler

The King }
Edw^d. Rossall } on indictment for an assault wth
intent to murder -

Antonio Demers of Quimai - to 2^d Court
he was alone Beauvolet's - while there some
persons called out to B^o - wth abusive language
& when B^o - came out, they directed him to get
on behind the Calash - on this the P^r got out
of the Calash and assaulted the M^r the M^r
defended himself - & gave him some blows - on
this the D^r - laid hold of an adze and
assaulted the M^r with it on this the M^r saved
himself into a house where D^r - struck at him
but it fell on the door & hit him on the finger -
on this the M^r saved himself by getting up into a
gallery, where P^r - wanted to follow him - that
M^r - succeeded in arresting the P^r - & taking him
to goal -

This happened at Beauvolet's, which is a little
out of town - the P^r - did not fall on coming to strike
the M^r with the adze - There was another man

in the Calash with the P^r but he remained
quiet - then were several persons present - some
of them cried out to the P^r not to strike with the
adze - That a man laid hold of the adze
& wrenched it from the P^r

Celestin Normandin de Beausoleil - lives in lower part of
2. sub on the 2. int. about 6 o'clock evg - the
P^r passed in a Calash wth another man & called
up the W^m he asked if he wanted - the W^m
~~then~~ told him to come near the back of his Calash
on this, the last W^m told W^m that he was not a
dog & to come to his work - on this the P^r jumped
out of his Calash went up to Dumais, struck 2 or 3
blows at him, wth Dumais defended - they then
fought together - the P^r had the worst of it - on this
he cried out when Dumais let him go - the P^r then
took an adze and ran upon Dumais wth it when
Dumais ran to get into the door, the blow fell partly
on the door & partly on Dumais & cut his finger -
The W^m took the adze from the P^r when he took
up an end of a plank and came up to W^m & said
to him you wanted to save Dumais, I will now
have your life - but W^m escaped from him - on this
P^r went in search of Dumais & was opposed by the
women who had broom sticks in their hands - but
he took them from them & all used them - he not
finding Dumais - he took the sticks from them &
the Carter who was with him wth Dumais's hat
and

and told him to take care of them -
The P^r then wanted to fight wth Stetson - The
P^r was at last arrested & bro^{ught} to Gaol. with the
assistance of several persons who were there -
F-

Joseph T. Gaudet - saw P^r running up a gallery & was
met by some women who had broom sticks in their
hands - but he laid hold of the broom sticks & was
about getting up the gallery into the house - he
then came up to one Stetson & wanted to fight with
him - Stetson laid hold of him & threw him down
he then went in to another part of the house - he
came again and wanted to fight with Dumai -
who called for assistance and P^r was arrested &
brought to Gaol -

Arch^d Brown - saw P^r come up to Dumai & wanted
to fight wth him - Dumai got the better of him - on
this Dumai P^r took up an adze & run at Dumai who
run in at a door, & Beansoblet pushed to the
door - but P^r aimed a blow which was warded
off from the door & it fell on his body, but cut
his finger - thinks that had the adze struck
Dumai it would have endangered his life -

Deferre -

Jean Moreau - The P^r asked him to bring him in his
Calash

to one Martin's - in pass^s Beauvoilts - he
called out to him - to come & speak to him - several times
B. asked what he wanted - Dumai s^d something
but did not hear - on this P^r got out of the
Calash, went up to Dumai & showed his fist
asked D. what his business was - & immediately
they laid hold of each other - they fought - the
P^r then got up & took off his cloths - & they fought
again - he fell - the P^r got up took up an
adze & went towards Dumai who escaped - the
P^r then came up to Beauvoilts, about Dumai
B. app^r to be afraid & withdrew from him
the P^r then took up some things with a hat & gave
to W. to take care of them -

Verdict. Guilty -

The King }
Joseph Claprod } Our Indictment for Perjury. -

The order for the elections to be had for the
Province to be held & returned by 25th inst - dated
5 July 1827 - produced & read -

Thomas Douglass, Clerk of Crown in Chancery for this
Province & as such has in his possession the
Writ of Election for the Borough of Ware
Henny

Henry to be had under the general order of
Elections for the Province - Produced & read -

Henry Frebassa - lives at St. Henry down there in
July last - was returning officer at the late
election & acted as such in July 1827. -

S. M. Moulton - is one of the Proctors of this District,
the Book now produced was deposited in his
office on 20 Aug 1827. by Henry Frebassa ^{last Nov}
and is the Poll book of the election had at
~~St. Henry~~ ^{St. Henry} on the 25 July 1827 - on that book
is found under date of 31 July the name of
the P^r as a voter, his trade, a brass-founder -
reads, the description of the lot by virtue of
the P^r. claimed the right to vote -

^{bro't up again, says}
Henry Frebassa - the Def^t - came forward as a voter, as
being a proprietor - he was objected to by one of
the Candidates, & the oaths No 2. & No 4 required
by law were administered to him by the writs
Dep^t swore that he ^{of ground in the Borough of St. Henry,}
was Prop^r of half a lot bounded on one side by
Mr Jones & on the other by Felix Labrie - of the
annual value of £5⁰⁰ - & had been in the
actual possⁿ thereof for 6 months before the election.
Before administering this oath the Def^t - was
particularly ad monished not to take the oath, & he
was also ^{told} the nature of the property he ought to have
to

to enable him to vote - & admonished him as to
the consequences - The Def^r - voted then as
a Prop^r - for Mr. Nelson -

x²

Is certain that Mr. Stuart told the P^r he must
have a good title, translativ of the property -
~~cannot say whether~~

Has always seen the P^r ^{in about 7-8 years} ~~always~~ living ^{in a small} in a small
house on a lot in Sault - he built the house on it.
The value of the half lot may be ~~worth~~ ^{£10}
land, building & all. -

He would not sell any his lots for £10 -
nor for any money, as he does not wish to sell any of them -

Mr. Marie Mondelot, Pub. Not. for the Province -
some years ago he was charged as such to make
a papier terrier of the Siguining of Sault -
he is in consequence in possⁿ of an act of
Concession of a lot of land in that Siguining
made to ^{Felix} ~~on~~ Labrie, ^{the 12 March 1822} the deed now produced
is made and signed by M^r Wells, as Agent of the
Siguining of Sault - that Labrie has made his
mark, & that the signature S. M. Mondelot
& D. A. Davelin, are of his proper hand writing
as a public Notary & that of D. Davelin, also
as such public Notary - (The deed was read)
all the grants were made in the name of M^r Wells
the agent. -

x²

Felipe Labrie - lives at St Ours - is prop^r of lots at Sorel -
 had a concession a lot of land there from Mr Wells
 in March 1822 - it consisted of 66 feet in front by
 132 in depth - From that time the W^r has always
 remained the proprietor thereof - That before he
 got this letter he had ^{obtained an assessment of the interest of} ~~promised~~ from the Gov^r thro'
 Col. Barnes ^{in this lot} about 15 or 20 years ago - That about
 7 years ago the P^r applied to him to build a small
 house on the lot, of w^{ch} w^{as} granted, & told him, that
 as long as he conducted himself well he should
 remain - but if he did not, the P^r was to quit
 the lot and carry away his house - the P^r was
 to pay 10/ of \$ an - to w^{as} for the whole lot -
 the P^r first built the house & then enlarged it -
 part of the materials the P^r found on the ground
 W^r never sold any right of property in this lot
 but merely a right of possession & at the time
 of the decision in July 1827 the P^r had no other
 right from the W^r - For the P^r's own use it
 would be worth more than 2/6 of month for the
 rent - in the place where the lot is & the use the
 P^r makes of it, it may be worth 5/ of month.
 & with the lot & the house was worth at least
 10/ of month - there was no particular explanation as
 to building on the half or on the whole - W^r had made
 no improvements on that lot until lately, as he is now
 about building on the lot - hitherto he has made no
 use

use of the lot - The P. pays Mr 10 of yearly
gr. P. gives him for the whole lot - but
when the building he is now making is erected
he means to let it to others than P.

x²-

The buildings erected by P. is a dwelling house
& there is a small shop joining the house - the
shop was first built -

Joussot. Labille - lives at Sorci - He that P. voted last year
at the Election - We advised him not to do it
telling him he had no right to vote, as Mr Labrie
would turn him out - & if he gave his vote
he would be sorry for it - P. & he did not
care for his advice -

Has seen the building on the lot, not the
Chimney not large enough to hold a kettle &
the house not fit to be a stable - It was
generally known that P. was then only which
his uncle chose -

x³

It was between 9 & 10 o'clock in the morning
when he spoke to P.

Louis Paule has lived at Wm Henry until about 2 years
lived there 10 years - Was present at the election
July 1827 - The P. voted there - He the lot & building
by virtue of gr. he voted - this lot was always
considered the property of Mr Labrie. - It

is a very small house, it may be called a
house because people live in it - but that are
many cattle of - would not go into it, it is so
small - There must be no other house to let
when a decent person would rent such a house.
It might be rented for 10 of \$ an. for cattle. -
There have been 2 Elections at Soul since this
house was built - The P^r did not vote before -
he was refused - at Mr Uncecke's Election
in 1824 - The P^r was cautioned not to vote.
and received explanations that he had not
the right - The P^r seemed to think he had
the right to vote, and to do it at all hazards.

2

That they must be very poor people who
would give 10 of \$ an. for this house -

Robt Jones - has been a resident at Soul for 40 years
upwards - was at the Election there in July 1827.
~~The~~ ~~Draft~~ ~~to~~ the lot of land on of. there is a build^{ing}
in of P^r lives - It belonged originally by Col. Barnes,
later got it from him - Col. ~~of~~ ^{of} ~~was~~ held it
some time as agent of Col. Barnes - The building
on it is very indifferent - at first it was about 10 feet
square without floor, & in of - a bellows was put
afterwards an addition of - about 8 feet - was made
for

for person to live in - It is not a place ^{that} any
decent person would take to live in - and is of
no value to be rented, not being habitable
by a ^{any} human being - I considered Lebric as the
Prop^r - and the P^r - there only by permission -
In 1824 - there was an election at Soul - the
P^r came forward, but was rejected as he
would not take the oath - the P^r had no
better qualification at the election in 1827 than
he had before in 1824. -

The P^r and his family live in this house. -
at the election in 1824, he may have told
the P^r that he had as good a right to vote
as several others - never gave a note to
Gingras to bring the P^r to vote in 1827 -
on the contrary he advised the P^r not to vote
as he had no right. - The P^r came & offered
his vote for Mr Stewart & Mr. told him he
had no vote -

Defence -

~~Simon Bonin -~~

Louis Marcoux - lives at Soul - 100 P^r - for 7 years last
never heard any thing of his character -
knows ~~the~~ where the P^r lives - the house is habitable
the P^r & family live in it - there are many houses
worse

worse than that in the Country - In a person who is a trade such as P^r, ^{Mr} thinks that he would not leave it for 1000 £ worth -

Mr. Labelle, the wit - never heard any thing of him except that he is given to liquor -

Was seen him at the election in 1827 and he was often in liquor & hardly able to walk

Since the election in 1827 - he has heard something of the character of the P^r in Three Rivers -

Mr. having heard that from the P^r that he had been told by Mr. Stuart, Mr. Jones & Mr. Von Island. that he had a right to vote, the W^r then told him if they said so, then the P^r had a right to give his vote for Mr. Nelson. -

The W^r did not bring the P^r to the Pole, ^{he went there} without being solicited by W^r and that Mr. was present like many others, but declines answering the question further -

Chimney is built of earth for a Smiths or shop -

James Walker - W. P^r is nothing of his character - the house is habitable for P^r - he has lived 6 or 7 years there wth his family - If he had no other habitation he would not give more than 100 £ for it.

That Labelle is a drunkard - saw him drunk at Pole

That a decent person would not rent the house if they could get another - He has lived in as bad a house at

at Prescott, in 1813 & 1814 — These must be persons
who would live in the house —

Mari Josette Nave Labrie — sister of the wife Labrie
about 6 or 7 years ago the P^r asked of W. to
ask Labrie for a lot to build on — he agreed
& s^d. as long as he behaved as an honest man
he should have it & he should not be turned
out — since that time the P^r has enjoyed
the whole lot — The P^r built himself a
house on the lot & the husband of W. assisted
him — he built a boutique & then a house
which although small is habitable and
water tight, ~~I better~~ ^{than} one which
belonged to W.

*

Verdict. Guilty. —

Monday 8th Sept 1828

Pres^t
The Ch. Justice
Mr Justice Toucher —

The King
Jst Audet }
& Lapointe }

on indictment for Petty Larceny
1 bag & bushel of grain —

Denis Amiot — propr of wheel
Paul Alexandre de Grandbois — the mother —
Alexandre Grandbois —
Vareisse Bouyret de Dufort

Defence

Jerome Primault — characte —
M^r B^t. Liblane d^e
Frd Trudeau — d^e
Jos: Trudeau — d^e

Verdict. Not Guilty.

The King.
Noyac^r the Carpentier } On Indictment for forgery.

Etienne Boursier de Lavigne — lives at Chateauguai
~~was~~ marguillier in charge since Jan^y. 1828 — He the
P^r who came to him for a certificate to obtain a
license to keep or tavern in the parish — the W^r
offered saying there were enough in the parish already
the P^r now afterwards applied to him — we did he
ever sign any certificate to the P^r for such an object
knows no other person of his name in the parish of
Chateauguai to his knowledge — or of the name of
Eugene — or any of that name Churchwarden —

Amable Foucher — lives at Chateauguai for 18 years —

was then

There thro' the whole of this year - the P^r came to
him wth. a form of a certificate for him to
sign. That he was a job parson to keep a
 Tavern in that parish, about 5 & 8th April last
The wife signed it as a Notable - That he
never signed the certificate now produced
was present after signing that the marguerite
refused to sign the certificate of the P^r
demanded - the P^r never asked the Wth to sign
another certificate to him - The signature
Amable Toucher subscribed to the certificate
now produced is not his hand writing -
There is no other household in Chateaugrain
of his name -

Michael Connolly lives at Chateaugrain, He P^r
The name Michael Connolly is his hand
writing I was made to certify the mark of
Jean Le Couron to the said paper - There
was a man of the name of Jos. R. Jarvis
present at the time - he was the man who wrote
the paper - he put his name also as a witness
and we saw him write it - at time Wth subscribed
There was no other signature but that of Jean
Le Couron, but neither the signature of Lavigne
nor of Toucher -

X^d

That

That Coron was boasting that he was —
marquillon in charge — and on this Jarvis
wrote the name of Coron, who put his mark
to it — That Coron & he had been Marquillon
in charge for several years & that his clerk put
~~there~~ was as good as if now in charge —

David Ross — Chairman of Dr. Jossion — is agent for
the Secular of the Province for granting Licenses
that ~~the~~ about end of April or beginning of
May, when approved by him he puts his
initials on it — & he did — The P^r presented
this certificate to obtain a license to keep a
tavern in the parish of Chateauguai — W^r in
consequence obtained such license —

Has often seen the P^r before at his office
to get licenses — cannot say how often he has
been there for that purpose —

One Auger, ass. Clerk to the Clerk of the Peace, as such
he receives the applications of persons demanding
licenses to obtain a bond to obtain such license
thinks that on 29th April the P^r applied to him
for that purpose — the certificate now presented
is that presented by P^r — in consequence he was
admitted to give bonds for the above purpose &
got a certificate accordingly — P^r & P^r for his certificate —

Defense

Amable Toucher - He P^r since March last - he is
a man of a very weak mind - esprit simple
does not think he could comprehend the
business of a number of signatures - has
heard that he had been interdicted - He
that one Jarvis had lived some time in his
house - P^r is his 2^d neighbour & he sees him
every day -

There are occasions in which the P^r could
not distinguish between good & evil -
Does not think that P^r would in many
instances deny wrong, if he told a lie -
he is not able to manage the affairs of
his own family - he has ruined himself
in doing so - The P^r lived at Doulauges - see as interdicted
while there -

Saml. W. Monk - Poorty of N. B. - proves the
introduction of P^r -

Verdict. Not Guilty

Tuesday

Saw him at Dunham flatts in this
Province - in Summer 1824 - first saw him
passing from a Tavern ^{a store to} ~~to another house~~

Saw him afterwards about 3 or 5 days at
Ebenezer Gleasons at Dunham - he was
looking at some horses, and we understood
that P^r meant to purchase a horse -
Saw him the same day pass by house of the
Witness at Dunham. -

Believes the P^r to be the same man altho'
it is some time now since he saw P^r

f

The shop & tavern where we saw P^r are both
much frequented - there was no concealment
used by him. - The people in that part of the
Country ~~and~~ frequently come to Montreal -
We has in some cases mistaken one man for
another -

Saw the P^r last March in Guelph -

Jonathan Serjeant - lives at Dunham - lived there in
1825 - I saw P^r at Eb. Gleason at Dunham
in 1824 wants to purchase a horse - saw
him try the horse - was in the house with him.
Saw him afterwards in Montreal Gaol - That
about 3 years ago towards evening he met a
man in the road, ~~at~~ ^{at} St Armand - who asked
W^r. if he knew Mr Gleason - told W^r his
name

name was Burke, & to give his compass to
Mr. G. & that he was the man who had
bought the Moses mare - & that he had rode
that day from Luperavia & had passed
by the Cape Road - he mentioned also
some circumstances, of Mr. having come down
a path to the door where Mr. purchased the
mare, of which made Mr. suppose the Mr. was the
same person he saw at Gleasons purchasing
the mare -

x³

Was mistaken one man for another -

John Fellows - lives at St Catherine - Mr. Pr
for 12 or 13 years - knew him when very young
was in the habit of driving Mr. in a Carriage -
believes his father & mother lived here & his name
one of his sisters - He the Mr. was condemned to
death & was pardoned - The first time Mr. saw
Mr. after his pardon, he came to house of Mr.
in Spring 1820 - he slept in the house, & Mr.
supposed he came to see his sister who lived w
Mr. at the time - he breakfasted w. with next
day - asked him, Edmund what brot you here
& told him the consequence if he were taken, and
begged him for the love of God not to let him
see him again - About 1 year after the Mr.
can

came to house of W another man who he
s^d was his brother in law - it was on a
Sunday - a wife went away & left him - does
not recollect to him seen the P^r again
till 1823, at house of W^r when he told W^r
that he had been at Quebec -

Amasa Gilbert, lives at the foot of the Current
near Montreal, where he has lived 5 years
In 1824 & 1825. The P^r took breakfast
2 mornings at his house - The P^r had a
horse w^h him - the passed part morn^g he
was alone - next day he had a man with
him - he staid each morning about an
hour at his house -

^{x^d}
P^r breakfasted with the rest of the boarders
at the house - he did not ask for a private
room - nor was he disguised in anywise -

Josette Imbault - wife of Mr Fellow took her the
P^r saw him at her house 5 or 6 years ago
it was in summer - he came there in the afternoon
he was alone - he eat ~~at~~ at the house -
He as a knowledge he was pardoned - after that
for 5 or 6 years ago, she has seen the P^r
several times at her house in different years -
The P^r denies him when young - is married
for

for 11 years - one of the P^{rs} sisters lived at his house - knows P^r family. -

Never saw the P^r ^F - but heard that P^r was pardoned -

Jacques Imbault - lives at Cote de Catherine near town
His P^r - for 15 or 16 years - now he was condemned
& pardoned - saw P^r about 5 or 6 years ago at
his house - it was in the afternoon - he was alone,
the M^r had brot. up one of P^{rs} sisters who then
lived at the house -

Charles Imbault de Matha - lives at St. Catherine His P^r
saw him about 5 or 6 years ago in summer at St
Catherine - he took a drink of water then - went
off - had not seen P^r before for a long time
~~therefore not seen~~ -

Francois Imbault - lives at St. Catherine - His P^r saw
him between 5 & 6 years ago at St. Catherine between
10 & 11 o'clock in the morning -

Mathew Brass - saw the P^r once - in town on foot
cannot say how long ago it was - cannot tell
his own age - that several summers have elapsed
since he saw the P^r thus in the street. -

Genevieve Titus - lives at St. Athanase in this District
His P^r - then are now four years the P^r came
to

to his house sarked for what he wanted - the
first time he came he had a horse - the 2^d
time he had a fine man of she went to
see - he ~~did not~~ took collation w. the Ws
and the young woman in the house - 2^d ^{when} he
went away he was going to the States -

About 2 months after the P^r came back
w. a horse - he had what he wanted and
went off -

He came another time with another man -
never staid all night at his house -

Came in all 5 times to his house - the last
time he came was in the summer a short
time before he was arrested - and about a
month & a half before the robbery at Bowker's

Joseph Demers - lives at St Mathias - says nothing -

Joseph Desrosiers lives at St Athanasie - thinks
he saw the P^r about 3 or 4 years ago at
St Athanasie in the summer time - at Made
LaRoe's - ~~thinks~~ saw him there at different
times there in the course of 2 or 3 months that
summer -

Frans Couvrette - lives in Montreal, Ws. P^r that about
4 or 5 years ago in the fall - w. drove the P^r
four

from Longueil - I conveyed him to about
2 1/2 leagues beyond St Armands -

His brother of P^r who resembles him very much
d^o who sees the one sees the other -

Thomas Small - lives in Griffin town - says nothing -

Mary Glass - does not know the P^r -

Deferree. -

~~Jeanne Bouchee~~ -

Benj^r Schiller - was present when old Inbault
went up to look at the P^r in order to recognize
him - as the Council had put up another person in
lieu of the P^r the W^r ment^d this to some person near
him, but not to the W^r does not know whether
the W^r heard him or not. -

Eustache Beneche - His Fellow - blacksmith -
knows only one man of that name, lives at St. Catherine
W^r worked near Fellows' house - has known him
for 11 years - cannot say he is a drunkard, never
saw him unable to do his work - but has seen
him at times deranged by liquor - but not so much
as not to do his work -

Ignace Boucher - His In^o Fellow - lives at St Catharines
he is much given to liquor - he is neighbour of
Fellow - He has been 11 years - always given to
drink, but for 3 or 4 years back he has been
more so than usual - That he drinks to the
degree to affect his mind - ~~so~~ not to be able
to do his work. -

Guillaume Vallé - Doctor of Physic - says nothing

Verdict. That the Prisoner -
returned to the Province contrary to the
conditions of his pardon -

Wednesday 10th Sept. 1828

Prest
Ch. Just. Reed
Mr Justice Foucher

The King
Joseph Martin }

On indictment for Grand Larceny

Fran^o Dav. Menard - lives at St Cosme -
last fall he had an Iron stove, which he left on
the outside the door about St Michel last year
it was worth - 15 doll - it was stolen from the
door

door she missed it on the Sunday morning -
it was brought back last Spring & laid near the
fence of his house -

Marguerite Monjean - last Sept. lived 8 days in a small
Caban - the stove was brot. & laid at the door of the
house - on Saturday morn'g the stove was missing -
upon the information of the brother in law of the Pr
he was arrested - and four days after, the stove
was brought back & laid near the fence -

Mari Bluteau - last Oct. the Pr. wanted to hire her
brother to go with him for a part of a stove - her
~~father~~ brother refused on this the Pr. went away
return back with his cart in q^t. he had something
the work asked the wife of Menard for some
apples, which were in the garret of a stable, &
on taking out some apples, she found there the
plate of a stove - that next day the pres.ⁿ wife
turned us out of doors -

She is unable to work from her want of sight
and is obliged to buy her bread - is married with
Antoin Payet -

Antoin Payet - says nothing
Verdict. Not Guilty -

The King }
or
M^r Gillenray }
del

On Defend^r mo. for copy of Record of
acquittal —

M^r — for Defend^r — there was no
probable ground for the prosecution —

Altho' Gov^t acts 14 East — 302 —

The King }
or

M^r Cherrier for the Defend^r — moved that
the Indictment in this case should be
quashed as having been irregularly brought
before the Court, the same having been at an
early day in the Term ignored by the Grand
Jury, but afterwards laid before them a
second time when it was returned a True bill

Cont^d. to next Term

The following Sentences were pronounced
on the Convictions had this Term —

The King }
Nicolas Leblanc }

On conviction for petty Larceny
Judg^t — 3 months impris^t in Goal

The King }
J^r B^r Ouellette }

On conviction for Grand Larceny
Judg^t — 6 months in Goal

The

The King }
J^r B^r Queletto }

On Conviction for petty Larceny
Judgt - 3 months impris^t. in Gaol

The King - }
Lorius Laramme }

On conviction for breaking & entering
a dwelling house in the day time, no person
being therein, & stealing therefrom above
the value of 5/-

Judgt - Sentence of Beatta recorded as lun

The King }
Sam^r. Cawthors }

On Conviction for an assault
Judgt. Fined £5. -

The King }
Edw^r Redsal }

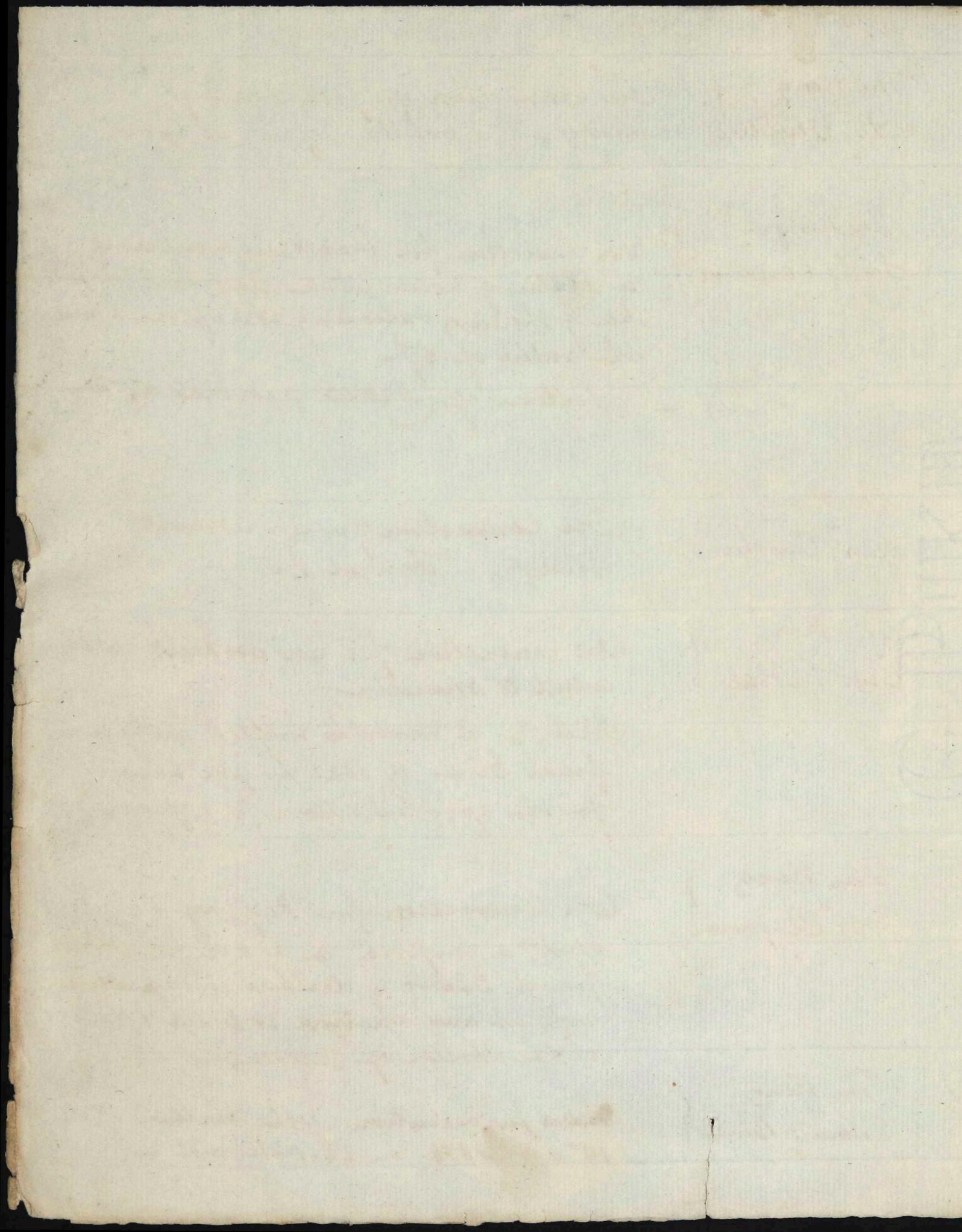
On conviction for an assault with
intent to murder
Judgt 3 months impris^t. in Gaol
fined £5 - & that he give security
for the good behaviour for 1 year

The King }
Jos: Clapwood }

On Conviction for Perjury -
Judgt - Impris^t. in Gaol for 6 months
fined £20 - & declared incapable to
vote at any election, or to sit & vote
in the House of Assembly -

The King }
Edmund Burke }

Orders for Execution of the Sentence of the
10th Sept 1818. on 26 Oct next -



01-97

