

Gentlemen of the Grand Jury. -

Among the many benefits of a free constitution, the administration of Justice is a primary consideration, and more especially that branch of it, in which you are now called to lend your aid, as it regards the best interests of your fellow Citizens; in this respect, you are interested, not merely as a Grand Jury, but as members of the Community at large, for it concerns every man to have some acquaintance with that system of law, by which he is made accountable for his actions, to his fellow subjects and to His Sovereign, and by which the trial of his highest and dearest concerns, his state and condition in Society, his freedom, and even life itself, must be regulated and decided. — He will certainly be more likely to prove a good and useful member of the Community, and to demean himself well under all circumstances, if he knows what the law <sup>enjoins</sup> ~~requires~~, and sees in what manner, the respective rights and duties of men in their different situations are connected with the maintenance of that state of Society, and that form of Government, under which he lives. — It is therefore desirable, that in this Province, the great body of the people should be familiarized with that system of law in which they are so materially interested, that they may learn to appreciate it both in principle and in practice, by being called to participate in a more general administration of it. — It must certainly tend to raise a man in his own estimation, when he finds that he is entrusted by the laws of his Country to guard, or to determine upon the fate and fortunes of his fellow men — it must excite more of his attention to the interests of that Society, of which he is a member, and enable him better to understand its rights and privileges, by being occasionally called upon to investigate or defend them, and as his better feelings must always incline him to promote the great ends of Justice, those feelings will naturally lead him to enquire, how he can best qualify himself to act in so responsible a situation. — It must however depend upon the wisdom of a provident Legislature to extend the benefits of our Criminal law in such manner as to come nearer to the homes and habitations of the people in the different parts of this extensive District, that those benefits may be more readily and more equally

\*  
for whose  
benefit it was  
introduced

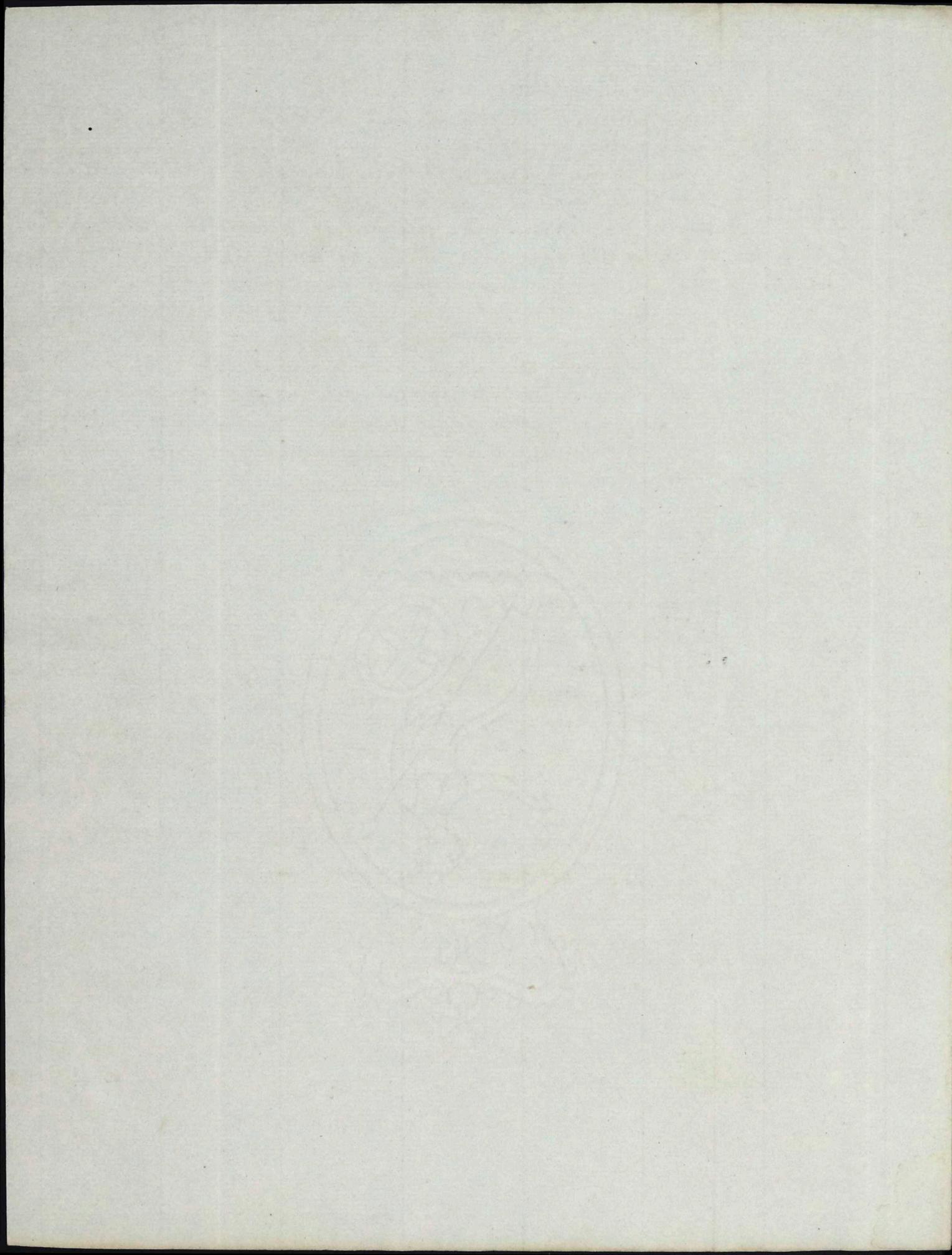
~~equally distributed, and a knowledge thereof become more general, by calling the people more frequently to the exercise of their rights under this law — Your representations in this respect may also be useful, should you consider the object to merit your attention.~~

As this law is now administered, You, Gentlemen, are called together as the Grand Inquest of the District, to — make those enquiries and representations, which the State of the District, and the interest of Your fellow citizens may require — A due consideration of the oath you have taken, must necessarily lead to a right discharge of the duties imposed on you as a Grand Jury, as it presents to your view the essential requisites on which those duties hinge, and precludes the necessity of much — comment or observation from the Court, particularly to men accustomed to fill the Office of Grand Jurors as you must frequently have done — This oath calls your attention to two essential principles which constitute and maintain the great ends of Justice, namely, Truth, and Impartiality — On these rests much of the security and confidence which link Society together, and on which depends the protection of the rights of individuals in their various situations and conditions in life. — If Truth be perverted or concealed, it is manifest, that Justice cannot be attained — Should a witness, regardless of the obligations of his oath, either falsely assert what is not true, or wilfully conceal what is true, with a view either to injure or to favor the party accused, how can the Court or Jury rightly determine, or administer justice indifferently between man and man? — It is therefore of the first importance, to ascertain the truth upon every accusation laid before you; and should any cause of doubt or suspicion arise in your mind in this respect, you ought to weigh and examine the testimony of the different witnesses — their situation in life, their connection with, or feelings in regard of the accused, that you may

may form a correct estimate thereon consistently with your oath, which enjoins you diligently to enquire, and to make true presentment to the Court of all the matters and things submitted to your investigation, or given you in charge — When you are satisfied as to the truth of the facts laid before you, the next great object is, to form a just and impartial conclusion, as to their effect — in this respect no rule can be prescribed, but the conscientious discharge of your duty — Whatever an upright and honorable mind feels to be right, it ought neither to hesitate, nor fear to express, more especially in the discharge of the high duties you are called to perform; and in obedience to the solemn obligation you have contracted, to make all your representations free of malice, without fear, and without favor towards any man —

Your more immediate attention will be called to the investigation of the different crimes and offences charged in the Calendar of the Gaol — these we are — happy to say, appear to have diminished in number, although some of them, are of a highly criminal nature — But as your enquiries are not limited to these offences but may be extended to any other object connected with the welfare of the District, the Court will be ready to receive any representation you may make in this respect, and to assist you in any investigation that may be need before you —

Montreal 24<sup>th</sup> Febr: 1834.



Messieurs du Grand Jury.

Entre autres avantages d'une Constitution libre, un des plus estimables, est une bonne administration de la Justice, et particulièrement en matières Criminelles, - d'autant que cela affecte plus immédiatement les plus chers intérêts des Citoyens - vous y êtes, vous-mêmes intéressés, non seulement comme Grand Jures, mais encore comme membres de la Société, vu qu'il est avantageux, que tout sujet connaisse le système de Loix par lequel il doit se guider dans ses actions publiques et privées, et par lequel sont jugés ses droits, son état dans la Société, sa liberté, sa vie même.

Il y a lieu de croire, que celui-là se conduira mieux, et sera un membre plus utile de la Société, qui aura une connoissance des loix, de ce qu'elles ordonnent, comme de ce qu'elles défendent, et qui appercevra les rapports des droits, et des devoirs des hommes, chacun dans son état, avec le bien-être de la Communauté, et le maintien d'un bon Gouvernement. — Il servirait donc à désirer, que dans cette Province la masse du peuple eut d'avantage l'occasion de connaître notre système de Loix, et qu'on ~~pourroit~~ aux moyens de le leur faire appercevoir, en théorie comme en pratique, en les appellant à participer plus généralement à l'administration de la Justice Criminelle.

~~Cela qui y est ainsi appellé, qui se considère comme chargé par les Loix de veiller au bien-être de ses Concitoyens, et même de les juger dans ce qui les intéresse le plus, doit avoir une plus haute estime de lui-même, et doit avoir aussi le désir, en s'occupant d'avantage des intérêts de la Société à laquelle il appartient, d'apprendre à mieux connaître ses droits et ses priviléges, pour être mieux qualifié, quand il est question de s'en occuper, ou de les défendre, sentant sa responsabilité.~~ C'est à une législature éclairée à pourvoir aux moyens de rendre plus efficaces nos Loix Criminelles, comme les avantages que nous y trouvons, en les faisant administrer en différentes parties de ce District étendu, sur les lieux mêmes où les offenses ont été commises

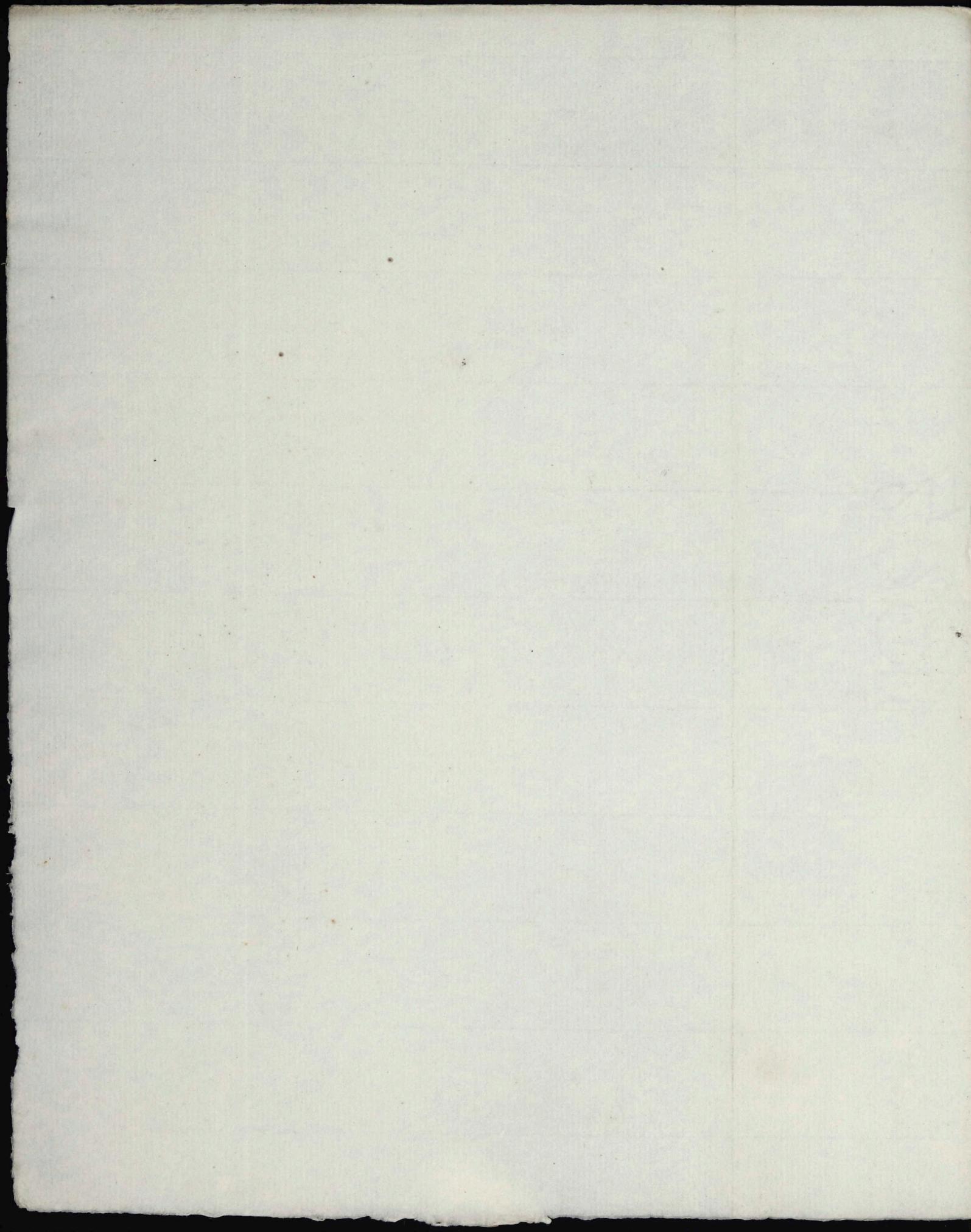
commises, l'administration de la Justice en étant plus prompte, seroit aussi plus généralement distribuée et cela auroit l'effet d'instruire le peuple plus promptement à l'examen de ses droits — Vos représentations à ce sujet, si vous jugez convenable d'en faire, ne pourront manquer d'avoir un grand poids. —

D'après le présent système, vous, Mess<sup>rs</sup>. êtes ici convoqués comme la Grande Enquête de ce District, pour procéder à cette instruction, et faire les représentations que l'état du District et l'intérêt de vos Concitoyens requierent de vous — Votre serment nous apprend vos devoirs comme Grands Jurés, de manière qu'il n'est pas nécessaire que la Cour s'étende à ce sujet, surtout en s'adressant à des personnes qui comme vous, avoyz souvent rempli cette charge. — Ce serment appelle votre attention à deux objets principaux, qui sont l'essence même de la Justice — Vérité et Impartialité — Sur cette base reposent vos devoirs et le bien être de la Société, comme la protection qui est due à chacun de ses membres dans tous les états, comme dans toutes les circonstances — Si la Vérité n'est pas connue — comment peut-on administrer la Justice ? — Si un témoin, coupable de parjure, affirme ce qui est faux, ou ne découvre pas ce qu'il sait être vrai, soit en favorisant le coupable ou en accusant à tort l'innocent, le Juré, comme la Cour ne peuvent qu'être trompés, et dès lors il n'y a plus de Justice — Il est donc de la plus grande importance de parvenir à connaître la vérité sur toutes les accusations portées devant vous, et si vous avez quelques raisons de soupçonner les témoins de m'être faites véridiques, vous prescrivez bien le témoignage, en vous enquérant de leur caractère, et des relations qu'ils peuvent avoir avec les accusés.

accusés, pour découvrir s'ils sont préjugés pour ou contre eux, ou s'ils sont autrement mal disposés, afin de pouvoir venir à une vraie conclusion suivant le Serment que vous avez prêté, qui est, "que vous enquerrerez diligemment, et ferrez une représentation vraie de toutes choses soumises à votre examen, ou qui vous auroit été donné en charge".

Lorsque vous croirez connoître la vérité, il s'agira de former votre jugement avec justice et impartialité, — d'après les faits. — On ne peut vous prescrire aucune règle à suivre à ce sujet — votre conscience seul vous dicte votre devoir — nul homme doit craindre de déclarer ce qu'il croit juste dans la droiture de son âme, sur tout un Grand Jurié dans l'exercice de ses hautes fonctions, s'étant solennellement engagé de faire ses représentations sans crainte, comme sans préjugé en faveur de qui que ce soit. —

Votre attention sera appellée spécialement à une enquête au sujet des crimes et offenses dont est fait mention au Calendrier de la prison — et vous — sommes flattés de voir, que le nombre en est diminué, quoiqu'on y en voit, <sup>encore</sup>, d'une grande énormité — mais comme votre instruction ne doit pas se borner à connoître de ces offenses, mais doit s'étendre à tous objets qui regardent le bon ordre et le bien être de la Société, dans ce Bistrot, la Gare sera toujours prête à recevoir vos représentations, et à vous donner son assistance. —



Court of Kings Bench. Criminal.—

Thursday 24<sup>th</sup> Feby 1834.—

Present

Ch. Justice Reid

W Justice Pyke.—

W Justice Holland.—

There not being a sufficient number of the Grand Jury assembled from the bad state of the roads occasioned by the late bad weather, the Court adjourned till to-morrow —

Friday 25<sup>th</sup> Feby. 1834. —

Present

Ch. Just. Reid

W Justice Pyke.—

The Grand Jury was called and sworn —

The King  
vs D. Normandin }

on motion for a new trial —

Mr. Mondelet for Defendant the principal fact was on that submitted to the Defendant upon facts & article, and the question of the identity of the Defendant was not ascertained, and that the answer of the Defendant was not absolute or positive as to impute crime to

defe

1. The Court charged the Jury of<sup>at</sup> Law in this that the answer of the defendant was sufficiently to bring a verdict against him - That it was necessary that the identity of the被告 should have been proved -  
1. Leach Ch. 327. King v Brady - an affidavit made to obtain letters of administration to a deceased Sailor Monk, proved that the plaintiff had answered to the Intervener but no proof that the defendant was sworn -  
1 Leach. p. 50. 51 - when signature of defendant was proved that was sufficient - here there was no signature -  
2. McNally. p. 468 - 2 p. 473 - 3. Clarke 1138 - Archbold on Pleads. 362 evidence in Court law -  
1. Chitty 576 on Court law  

---

  
2. The answer of defendant was not such as would render him subject to crime of Perjury - not perjur  
3 Bar. Ab. Perjury - oath must be absolute - & b<sup>th</sup>  
& swearing as a man thinks, or believes, cannot be guilty of Perjury.  
4 Bla. Ch. 10. p. 137. Tomlin's 3 Vol. v Perjury -  
1. Hawk. ch. 69. sec 1. p. 318 - sec 2. p. 319 - Hawk. Law Ser  
v. Perjury. 2<sup>d</sup> div. art. 6. Archbold. 362  
Distinction between not recollecting - one m'aillant de sa  
conscience - and the existence of a fact, of qd. the  
party could not be ignorant - the defect of memory  
ought not to expose a man to the effect of ~~mens rea~~ criminal  
prosecution -  

---

  
3. The charge of<sup>at</sup> Law is not conformable to the  
evidence - There are 3 receipts in the proceedings - only  
one of qd. is authentic - one of the others he admitted, albeit  
not in form - the third equally informal. The defendant  
denied - but the Court remarked upon the probability

of the Defendant admitting the first receipt, because it was in form, but denied the last, because it was not in form as he had hopes to escape - but the Court observed nothing as to the other receipt not in form which Defendant also admitted -

The character of Defendant was proved as well subsequent to the facts in question as before to have been good - but of this the Court made no observation to the Jury -

In case where a new trial should be granted - Imp. 655  
Pra. 440 - 445. - Starkie Ev. p. 435. 436 - 1. Chitty 625<sup>2</sup>  
Bar. Abt. 5<sup>1</sup> Vol. v. Trial p. 244 + Ias. Law Dec. 1<sup>st</sup> Trial

1. Atts. Genl in answer - denies the authority being applicable evidence of identity was positive - The Juror at bottom of fact last - confesses that the oath was taken - & by the record it was ascertained that Plaintiff who deposed was off on the Circuit & this was proved by other witnesses - Other act here was the act Judicial act of the Civil Court - distinguishing him from the cases cited -

2. Swearing to the best of one's belief, is sufficiently absolute to incur guilt of perjury - Hawk. p. 433 + op. of Hawk has been held too general - see note on this topic -

3. The object of the receipts & the character of Defendant can be of no avail if there is lack of evidence of the Defendant's guilt.

Mondale in reply - repeated nearly the arguments he had already used -

The King }  
n  
Beaude &  
Penot -

On conviction of Defendant for ~~Forgery~~  
on Defendant recd. in arrest of Indict -

Mr Bodier for Defendant The writing upon  
which the accusation is founded does not  
warrant a conviction for Forgery - The only  
offence here would be a misdemeanor at Common  
law. The act not being unsigned by the party -  
Mr Atk Gnd - The instrument in question is one  
of instruments mentioned in the Stat. of Feb. 2

The King }  
Pierre Normand

On Indictment for privately stealing  
in a Shop - value 8/-

The Defendant being arraigned  
pleaded Guilty -

Saturday 26<sup>th</sup> Feby. 1831.-

Pres<sup>t</sup>  
Ch. Just. Reid.  
Mr Justice Ryke. -

The King }  
Fran<sup>m</sup>. Chartier

On Indictment for Forgery -

Sam<sup>t</sup>. W. Bullock one of the Partners of H. B. & Son  
poss<sup>t</sup> of a record in a case in a cause between  
Fran<sup>m</sup>. Chartier ag<sup>t</sup> Samuel Bullock concluded  
Feby 2<sup>nd</sup> 1827, a def<sup>t</sup> recd on 20 Oct 1827

In that case the o<sup>r</sup> Dr Charter was up on Oath  
and administered the oath to him - he produces this  
Answer & Interrog & Answer of s<sup>r</sup> Drs Charter -  
you read  
will not swear that the Defendant in this cause was  
the man

Alborough - His Defd - he was 1<sup>st</sup> off his action of  
S. Bullock - he frequently came to work to get papers  
in the Cause, & particularly the Exam with Cause -

Samuel Bullock - lived at Yamarka Mountain for  
about 18 years - His Defd - other father Simon - they  
both understood English as well as French - In  
March 1826 he made an ex<sup>r</sup> of a lot of land with  
S. Charter - before this he wanted to get this land  
as adjoining his own - it was 3 acres by 17 or 20 - He  
Mr understood that Dr Charter had some claim to  
the land so was unwilling to let it go - He had  
some time before agreed w<sup>t</sup> Simon for ex<sup>r</sup> to give him  
£25. to boot - but was <sup>refused</sup> ~~willing~~ to get concur of  
the Defd - Mr on 13 March <sup>1826</sup> day in passing the  
deed - he got Collins to come to house of Work to pass  
the act - ask for Drs Charter - who came in and  
said he had no objection to his father exch<sup>r</sup> land  
as the land of Bullock had 2 houses on it & it would  
accommodate his sister who was hard been married  
& out of the 100 dollars the debt of old man owed  
to Vital before should be paid - Dr went away  
& Collins drew out a bond - signed by Simon Charter

Dr

Frank had gone away before this was done  
The paper now produced is the bond which  
was drawn out at the time -

By this Act. S. Charter binds himself to  
make a good tithe to Mr -

That one Andrew Bangle was indebted to Mr and  
gave his note to Simon Charter for £25 -  
it was payable in Decr 1829. w<sup>t</sup> interest - That  
Bangle d<sup>r</sup> Vital before a debt of 100<sup>£</sup> of Simon  
Charter owed him d<sup>r</sup> up the balance in different  
articles to Simon Charter -

Mr took poss<sup>n</sup> of the land in April 1826 - gave  
up poss<sup>n</sup> at same time to Fr<sup>s</sup> Charter & thinks  
that Mr assisted his father to move on - That  
Fr<sup>s</sup> Charter never s<sup>r</sup> he was the first master till next  
fall -

The Mr w<sup>t</sup> Fr<sup>s</sup> Charter & Fr went w<sup>t</sup> 10 to  
the village to pass deeds of the lands - but they were  
not executed - there being some difficulties about  
the rents & about encumbrances on the 2 lands  
the next day, not having effected an arrangement  
Fr<sup>s</sup> Charter went off displeased - That after the  
100<sup>£</sup> d<sup>r</sup> had been paid Fr<sup>s</sup> Charter brok. an action  
of W<sup>t</sup> and Simon Charter went to the State  
Chas not returned - That Fr<sup>s</sup> had been examined  
on oath, & it was on his answer that Mr adopted  
proceedings ag<sup>t</sup> him - About time Mr instituted  
his complaint ag<sup>t</sup> him, he absented himself and  
was absent for 2 - 3 months dur<sup>r</sup> afterwards

taken

baten at night at his house -

x<sup>2</sup>-

That during the proposals about the land, sometimes Dr. converted to it, sometimes objected to it -  
The court always understood that this was the only lot in regard of which the contract was made & not another lot belonging to S. Charter -

That Mr. has no recollection having s<sup>d</sup> that his object having s<sup>d</sup> that he would run, or turn Charter to pieces if he could -

After the warrant issued agt Charter, he escaped to the States, and was very anxious to have him taken and might have s<sup>d</sup> he would lay any trap to catch him - Hazard recollection that he ever said

~~Never~~ that he intended to harass Charter till he would oblige him to give up the land, nor was the present prosecution made w<sup>t</sup> that view -

Henry Collins - lives at Marks Mountain - In March 1826  
has a kn. of a contract between S. Charter & Bullock  
it was at house of Bullock, on land of he was to get  
in sp. from Charter - That S. Charter told him  
of the agreement between him & Bullock - & it was in  
regard of the land on which Charter lived then - It was  
then stated by Bullock, that it was unnecessary to  
make any contract without consent of Dr. Charter  
etc - Dr. Charter was sent for & came in - when  
Bullock stated the agreement made between him &  
his Charter father, as to the Russell farm agt that  
of S. Charter, but that nothing can be done without

his consent - on this Dr. Charter & any bazaar  
he made w<sup>t</sup> his father he would consent to -  
on this the bargain was struck. That Bulllock  
was to give a 100 doll<sup>s</sup> payable in 2 Years, that  
as this Frank said his father had better get  
a little ready money to pay what he owes  
to Vatal - but as Brangley the person who  
was to pay the money might advance enough  
to satisfy Vatal's claim, it was agreed to  
by Frank Charter, who in consequence went  
away -

<sup>desire</sup> That Dr. S. Charter both understand  
the English language - Mr. M<sup>r</sup> then drew up  
a bond of he signed as a wife -

That Mr. P. 7 doll<sup>s</sup> of the money to S. Charter  
by an order from Brangley -

That Bulllock in April after, took poss<sup>n</sup>  
of S. Charter's farm -

That there was a suit brought by Dr. G.  
& recover the land & lost on Oct 1827 & on  
this Bulllock came to sue out a wa<sup>t</sup>. agt.  
Dr. Charter for damages over their return. he could  
not be found - he had gone off, & he was  
absent during the summer season - it was  
understood he was lurking about, and means were  
continued to arrest him -

f-

understood that S. Charter up charged the land on  
gk

igh he there was for the Russell farm -

John Plummer, now at Clarkes Mountain, - his partner  
J. Charter - Has a ptn. that J. Charter in Jun  
1826 took poss<sup>n</sup> of the land he got from Bullock  
and that Bullock had poss<sup>n</sup> of the land which  
Charter possessed -

That in the fall of the year 1826 Bullock asked  
Mr. to go to the village we hear as he was going to  
poss the deed about the land - Near the village  
he saw Dr. C. - walked a little way w<sup>t</sup> him.  
d talked about the exchange in question - Mr.  
went to the tuff office - found there were encumbrances  
on the lands and areas of rent on both - q<sup>t</sup>  
occurred some difficulty & they were talking about  
the mode of settling all this & from what passed  
it would appear that Dr. Charter was perfectly  
well acquainted with the nature of the exchange  
q<sup>t</sup> had taken place - that being at Dyer's office  
where Mr. Carpenter acts for the Sup<sup>r</sup> a then Dr. Charter  
& of the exchange was not then effected, it should  
not be done at all - and it was not done all  
parties returned - at own of one Doreen. Dr.  
Charter s<sup>d</sup> that there was so much difficulty he  
would not now agree to the exchange - on this  
Mr. S. he had better repay Bullock his money  
Dr. C. if we are to pay it back, w<sup>t</sup> it is to  
be p<sup>d</sup>. back, we shall have the same time to pay it

as Baynard had been allowed to pay it originally  
and altho' they had their money, yet it did not  
amount to more than \$80 dobb.

That before going to Marks Village, in Augt. he  
had a lot of land running across the head of the  
land of Dr. Ph - of Bullock then told he told  
Mr. he had better apply to Bullock himself <sup>for the fence</sup> as  
he was not in good terms w<sup>t</sup> Bullock - that he  
had frequently asked a fence from Bullock  
on the lot ~~between~~ of the Dr. Ch. property and  
the lot of Bullock possessed a fence had it in  
exchange from old Union -

W<sup>t</sup> Gauthier lives at S. Osawie, his father - lived in 1826  
there so that S. Ch. had a lot of land and  
the son Tel a lot adjoining it - so that Bullock  
occupied a house on S. Charles's farm -

W<sup>t</sup> that Bullock took poss' of the lot of  
land promised by S. Charles in the Spring 1826  
that Dr Ch. assisted his father to move on the  
land of Bullock -

That after the upch. Dr. told Mr. he was very  
well satisfied with the exchange his father had  
made or he got 2 lands for one & two dollars  
beside, & that he would at last get a fence  
as his father had neglected to make the fence  
between them - W<sup>t</sup> that Dr Ch. called on  
Bullock to make his part of the fence -

Has

Has a kn. that H told him he had rec'd. in  
past paye. of the land a Cow - some wheat  
from Andrew Baugle, & that his father had  
rec'd. something or an<sup>t</sup> also -

Has seen J. Ch. & his daughter on the Rennel land

Mr. named Bullock Plummer & Lefkin, to Village a  
pass deed -

The that Bullock was prosecuted by Dr. Charter to  
obtain poss<sup>n</sup> of his land -

The that Bullock instituted a complaint ag<sup>t</sup> Dr.  
Charter for Peccary - when Charter went off, and  
was about about 3 or 4 months - he was afterwards  
apprehended in the night time -

¶

Charles LeFevre - lives at St. Hyacinthe - his land of  
J. Charter & the adjoining land of Dr. Charter -  
Know that in Spring 1826. Bullock took possession  
of the land he had, and went to the Rennell  
farm & cultivated - heard of the ex change from  
Dr. Charter - qt had been made between J. Charter  
& J. Bullock. Understood that Bullock gave 100  
dollars <sup>or</sup> ~~in~~ ex change -

Defence.

In P<sup>t</sup>o Charbonneau, cap. militia of St. Hyacinthe

W Bullock & Charter - on 13 March 1826  
W<sup>r</sup> was at house of S. Charter - told him to  
stop - as he was going to change lands w<sup>t</sup> Bullock  
W<sup>r</sup> was present when the parties came there, saw  
Mr Collins there who was to take down their agreement  
that they found an act by w<sup>t</sup> S. had given 2 acres  
to his son, but on condition of its being repaid when  
his son came of age - on the Bullock's<sup>d</sup> he did  
not mind that act - that he would exchange  
with father & give him £25 payable in 4  
years & did not want the consent of the son  
That it appeared to W<sup>r</sup> that S. Ch. doubted his right  
to speak the land, as it belonged to his son. Other  
Mother also asked him why he did so, & it was  
not his - The wife remained there all the day -  
The work did not see Mr Charter there -  
That before this, Mr Charter was consider'd the Prop'r  
of this lot of 2 acres -

That there was no fence between the acre of the  
father

W<sup>r</sup> Bullock - that he would have no great opinion  
of him - he follows the profession of a D<sup>r</sup> - he would  
not believe him on his oath - Mr Charter - always  
passed for an honest man - W<sup>r</sup>. That one of his  
children is deaf & dumb -

Bullock passes for a man who is not averse to deceive  
the world -

J. Ward

Frank Proverb - lives at S. Ives - That on 13 March 1826  
he was at the house of S. Charter - arrived there  
about 5 o'clock A. M - he asked W. to stop as he had  
an ex change to make - about an hour after they  
left Bullock was there - an act was produced when  
S. Ch. & he did not know whether he had a right to  
exchange - on examining the act it was found that 2  
acres of land was given to the son - and it was the  
subject by him when he came of age - on this Bullock  
S. his act would not prevent him exchanging  
w/ the old man, as he could settle w/ son -  
That Mad. Charter was there - that Collins was not  
at Charter's - Charbonneau last went there -  
About an hour after they went to Bullock's  
when he spent the day & the candle even lighted  
when he went away - That he thinks that Collins  
was at Bullock's when he went there - That  
Collins then made the writing between the parties -  
That during all the time W. was at Bullock's  
Fr. Charter was not there -

That there is no fence between the acre of the father  
& the 2 acres, but between the three acres of the 2 this  
acre there is a fence -

To Bullock for 7 years - passes for a dishonest man -  
W. would not believe him on oath -

To Charter for 7 years - passes for an honest man

T. C. Plummer - he knows him for a meddling fellow  
with other men's matters -

Member it was on the 13<sup>rd</sup> March 1826. he was  
at the house of Bullock -

Sraphin Benoit - lives at Marks - Is Bullock  
& Chartier - for several years -

Witness stopped at the house where the writing  
was made out on 13 March 1826 - did not see  
Is Chartier there - arrived there about 12 or 3pm  
of clock & staid about 5 minutes -

Re. the character of Dr. Bullock is, that there  
is no dealing with him, or in endeavoring to  
take unfair advantage -

He would not take him on his oath -

Knows Chartier 16 or 17 years - a man of good  
character -

That the fence between the three acres and  
the other part of land is good -

It is several years since he has heard ill spoken  
by several persons of Dr. Bullock - that he was  
more evading than others, & he would not therefore  
believe him on oath -

Marie Louise Chartier - mother of defendant was  
at Bullocks when an exchange was made  
of a lot of land between her husband & Bullock  
it was on 13. March - does not know tht  
that the defendant was not there that day -  
and never agreed to that exchange

that

That she went for Frank who was cutting wood  
at his house to come to the house to see the contract  
and he refused to come —

That Dr Bullock & he would torment Frank for the  
piece of ground where they lived —

That Dr Bullock is an artful man —

That Dr Bullock spoke to Mr. in French —

It was about 7 o'clock in the morning when  
she went to Dr Bullock, Collins was there, and  
he ~~soon~~ began to make out the writing immediately,  
when she went away, she left the other persons  
there —

Jonathan Buttle — was that 5 or 6 months before the  
exchange took place the Defd called for to be  
present to hear him forbid his father dealing  
with Dr Bullock in regard of the lot of land  
in question, as the To Charter had a deed  
of it — one abigail <sup>Habut</sup> never was present —  
that defendant has a good character

That Dr Bullock is reported an honest man —  
also is Mr. Plummer — who is often applied to settle  
matters of disputed —

Abigail ~~Charter~~ — That at house of Lemnah Potter  
Dr B. & old Charter came there — Charter warned  
both his father & Dr. Bullock not to have any dealing  
about the land, as it was his —

This was in the fall before the exchange took place —

To Dav. Letro. vs Dr Bullock & Charter for about  
6 years - between the lot of 3 acres & one acre there  
has been always a good fence - then never was  
any fence between the one acre & the two acres -  
Always heard that Bullock was a man  
who endeavored to trick this & the other person  
and for would not believe him on oath -  
always understood that Charter was a very  
honest man -

Gibb Fuller has known Bullock for 12 or 13 years  
never had any misunderstanding w. him  
that the general character is that he does not  
deal so fairly as other men - and what he  
would consider as a bad character -

Knows Mr. Collins - his character is not so good  
as some, nor so bad as some - considers it  
not so good as it ought to be -

Was present when Charter advised Bullock to  
leave the premises -

Knows Plummer - frequents the tavern -  
he takes him to be a middling man - does  
not consider him to bear a good character -

K. Charter for 13 years, he is an industrious man  
& never heard any thing agt him -

When Charter warned Bullock to quit the  
land - he d. he has not had any affair with him  
but with his father - that in Charter's opinion  
was

warm, Bullock lets him to be quiet & he wants  
and for some whisky - That Charter & he could  
not buy him with whisky as he had some others

Knows Gauthier - he is a horse jockey - not a  
character to be depended on -

<sup>L</sup>  
Knows some difficulty w<sup>t</sup> Collins -  
Wife of Mr and Plummer had some words together  
Would believe Bullock on oath, if he were not  
persuaded by his intent to do wrong - Does not think  
he would intentionally swear falsely -  
That there is somewhat of a party spirit among  
the people of his parish

John Durrel - lives at Bracka Mountain - <sup>has</sup>  
Bullock for 5 - 6 years - about 27 <sup>July 1830</sup>  
he used w<sup>t</sup> bring him to town - & he was coming  
to see if he could take this case out of Court, & settle  
it home w<sup>t</sup> Charter - had been trying it some time  
to settle by arbitration - When he began w<sup>t</sup> Charter  
he meant to hurt him all he could, & to tear him  
to pieces if he could, but now he appears a good  
neighbour & he did not intend any more to  
hurt him - That Charter was an ignorant  
man, and did not understand the questions that

had

had been put to him, that when Mr. Jeant  
saw he was likely to beat him about the land  
he would take him upon another turn -

That Bullock required of Mr. to apply to Chester  
to come to some settlement w<sup>r</sup> him - if Mr. did,  
and to leave the business to arbitration -  
It appeared to Mr. that Bullock was tired of  
carrying on the business at law and wished to  
come to some compromise about the business -

Amant Chartier - That Mr. David Bullock says  
~~that~~ the lot of land was convenient for him  
but what it would be would have at -  
Is the fence between the 3 acre & the acre - it is a  
good fence - no fence between the acre & 2 acres -

John Murphy - was charged with a warrant to  
apprehend Chartier - arrested him on 6 April  
1830 - he was quiet & peaceful -

Marie Graville, widow Lare, knows Bullock soon  
he came to Marks 14 or 15 years ago - She cannot  
speak well of him - there always a number of  
people about his house drinking & making a noise  
Knows Chartier since his birth - gives him a good  
character -

act of 20 March 1815. sale of 2 acres in question  
by Charter to his son -

29 Sept 1817 act of sale of 3 acres by J. Charter  
to his son -

- writing of Bullock to Mr Charter to settle matter  
on fair & honorable terms -

Defund closed -

Provost called follows Mr

Jonathan Burge - Mr. M. Collins about 16 years -  
he has been a magistrate the greater part of the  
time - is one of the exec. Committee for a School  
house & Churchwarden - he is considered  
as an honest man -

- Knows Plummer he bears a good fair character  
so considered -

Judith Bangs - Mr. Charbonneau & Pauly -  
they came to her house the morning after the  
bargain between Bullock & Charter - they  
& they were present at the bargain, and that  
Frank Charter had given his consent - it  
was Pauly who spoke in English. Charbonneau  
did not speak English but seemed to agree  
in what was said - Never heard anything  
of the character of Bullock, - Knows Collier  
who

who is considered to be a respectable man

Samuel Bullock thinks in the words of the agreement  
he went over to Chartier's house but he never  
asked for any letters, nor was any paper ever  
seen or understood French nor read it, nor  
could he understand the contents of a deed in  
that language - There never was anything  
said about ratification of the deed -

That Charbonneau & Poulin came to his house  
in the afternoon, about some time, & after  
Chartier had been gone -

Henry Collins called again - Mr. did not go to Chartier,  
In words of the agreement - saw no deed  
or act produced to his knowledge, nor was  
anything said about ratification if any deed  
was Charbonneau & Poulin's in the evening  
in the close of the day -

Cannot say that no paper was shown to Mr  
Bullock - only he did not see it -

The Jury after having deliberated about an  
hour returned into Court and said by their  
foreman that they find the Defendant  
not Guilty -

Monday 28<sup>th</sup> February 1831

Prest

Ch. Justin Reed  
W. Justin Ryke

The King  
or  
Thomas Gibron }

On Indictment for stealing two hives  
the property of <sup>value £5</sup>

The Prisoner on his arraignment  
pleaded, ~~Not~~ Guilty —

The King. —  
France & Normandy }

On Defendt's motion for a new  
trial — The Rule obtained by Defendt  
was discharged.

The King. —  
Charles Martinbeau }

On Indictment for stealing 25 bundles  
hay, value 5/- the property of Aimé  
Dugas —

Aimé Dugas, lives at Boucherville — last 18<sup>th</sup> he had  
hay in a garage on the common — about that hay had  
been stolen out of — early on 23 feby. last he perceived  
that hay had been stolen — grand jury said not Cadavet  
little door forced open — shut it up again & took away  
the Cadavet — on 23 feby he perceived the traces of a  
team had gone to the barn, loaded & driven off — by the  
traces they knew of had fallen & the hay strayed on  
the ground — observed that chausseur à semelle, had  
chausseur

a pavilion, & rode on left foot - followed the tracks to the house of Mr. Brown in the yard  
no tracks of any train, but no other that had  
made the road & come back - asked Mr. if  
he had hay - observed his chausse - qd was  
chaussee de concrete - & on left foot a litter  
of cart or dray tying his chaussee - Mr. opened  
a door stored hay - qd Mr. P. it was not his  
hay - Mr. said he had no other - observed in a  
piazza a bundle of his hay - he took down  
the bundle, & knew it to be his hay from the  
quality of the hay - denied having taken it -  
Mr. took a couple of men & returned to house of  
Mr. appropriate to take bundle of hay & compare it  
w/ the other hay - to exp. the other parts of the  
group to see rest of hay - & then bld men  
to take a handful of hay & compare it - &  
so examine the tracks on the snow - thinks  
there might have been taken 25 bundles, and  
values it 5/-

X-

The Mr. bears character of a dishonest man -

high  
moral  
but upright

Antoine William - on the 23 febs. last he sent Mr. Mr.  
w/ a load of hay at his stable, about 4 off in  
the morning - there had fallen a little snow -

L.S.

Jos: Beaudoquin - lives at Boucherville - on 23 feb<sup>r</sup>. last Dugas came to his house & told him that  $\text{Pr}^e$  had taken hay - went w him &  $\text{Pr}^e$  asked to see his balements - went there - saw a bundle of hay lately tied up - Dugas s<sup>d</sup> it was his -  $\text{Pr}^e$  s<sup>d</sup> no - the  $\text{Pr}^e$  would not let them take the bundle to compare it w<sup>t</sup> that of Dugas -  $\text{Pr}^e$  said - s<sup>d</sup> he had it from one Pascal -  $\text{Pr}^e$  refused to allow them to esp. the other parts of his buildings - they then took each a handful & compared it w<sup>t</sup> that of Dugas - they found it to correspond - they took the track of the train - & followed it to the grange of Dugas - & there observed this - Chausson de Couvent - & a ligier de trap on the left foot -

\*

Joseph Denner went on 23 feb<sup>r</sup>. last w<sup>t</sup> Dugas to the house of  $\text{Pr}^e$  saw a bundle of hay of Dugas said was his - observed his chausson de Couvent & on the left foot it was tied w<sup>t</sup> a ligier, or cord took a handful of the hay, & followed the tracks - to grange of Dugas, & there recognized the hay to be of the same quality - The  $\text{Pr}^e$  refused to show the other parts of his balements -

Defense -

Alexis Gaudreault, Apfeman - the day after this he was  
at

at the Pr house - he exam'd his buildings - he  
saw about a bundle & half of hay from -  
Knows brother of Pr knows he has a farm -

Aimé Dugas the Pr neither said yes nor no, that the  
banks of the train, were his - but said that  
he had not gone out of his house that morning -  
bundle of hay is worth \$ a 6 copper.

Jos. Jaudoin - There is no argmt in his land -  
was at house of Pr two hours after this - he  
had time to have put away 25 bundles of hay -

Verdict. Guilty.

The King  
George Powell } On information for persuading a  
McCarthy } soldier to desert -

Lawrence Byrne - Soldier in 66<sup>t</sup> Regt about  
28 or last he went into a house in Sub. where  
he found the Pr and a soldier of name of  
McCarthy - it was in the evening - observed that  
the Pr was speakg to McCarth - heard the  
Pr say to McCarth if he took his advice he would  
make a man of him - that he had never been  
so well as since he had left the service - that  
he had been a soldier in the 19<sup>t</sup> Regt and  
had deserted from it & gone to the American  
service

McCarthy is a  
soldier in the  
66<sup>t</sup> Regt

serve - That is McCarty's. he would not  
deserve his King & Country so far - on this Dr  
Adam said both King & Country - said Dr. pay  
for a glass of Spirits I told Mrs of home to  
let McCarty have what liquor he wanted, &  
W. would pay for it - That on this the W.  
arrested the Dr. and on the road to the guard  
house he attempted to escape -

2d -

That McCarty was tipsy - the Dr. who had  
deserted from the 17<sup>th</sup> Regt. of British Service, and  
gone to the American Service -

We arrested in taking the Dr. to the main guard  
he was arrested for what he had said to McCarty.  
That when the Dr. was arrested by the Comptable, he  
did not say he was ready to go with him -

John Bannon - was at house of Burn on S. L. Sub.  
on 28 Oct last, the Soldier McCarty was there -  
saw Dr. in close conversation w<sup>t</sup>. McCarty - they  
had been drinking - The Dr. had M.C. across his  
knee - & W. heard Dr. say, to M.C. If you will  
come w<sup>t</sup> me I will make a man of you -  
M.C. & now can I <sup>deserve</sup> my King & Country  
The Dr. & damn the King & Country - I have

never

have never been better since I left the British  
service - & deserted the 19<sup>t</sup> Regt. of Foot and  
went to the American & I have never wanted  
a friend so much since I have joined that service -  
On this the Dr. called for a glass of liquor &  
told the woman of the house to let McCarthy  
have what liquor he wanted, as the Dr. would  
pay for it -

Understood that when Dr. got to W<sup>e</sup> he would  
make a man of him, if he would go w<sup>t</sup> him

It was now near 8 o'clock when W. told  
2 of soldiers to take McCarthy to the barracks  
as this Dr. interfered so he would not let  
him go, as he was a friend of his & it was  
a long time since since he had seen him -  
W. called on the 2 soldiers to assist in arresting  
McCarthy to the main guard - if they did  
and on the way the Dr. wanted to escape when  
W. drew a bayonet & told him he would not  
allow him on this Dr. damned the soldiers &  
their Country - they lodged the Dr. in the  
guard house -

2

The Dr's soldiers had been in the house when  
he

he went in - about 7 or 8 o'clock - first thing he observed was the Dr. said to Mr. G. if he would go along w<sup>t</sup> him he would make a man of him -

~~John George~~ McCrae - Soldier in 66<sup>t</sup>. Regt. Dr. McCarly's a soldier in that Regt. for 5 years - on 25 Octr last was at Farrow of Beford - saw Dr. & McCarly there - they were drinking together - heard Dr. say, he had been in the 19<sup>t</sup> Regt of Foot - & had left it & went into the American Service & was never better off than when he had left the British Service & into the American Service - but Dr. McCarly - if he w<sup>t</sup> to go with him he would never want plenty of trouble - He understood Dr. woman that McCarly sh<sup>t</sup>d desert w<sup>t</sup> him

that McCarly could not stand his King & Country - the Dr. said down ye King & Country you will be better off so go not in them to remain here -

that the Dr. was not willing to let McCarly go to the guard house - the Dr. was arrested also assisted in taking to the guard house - he attempted to escape

P

The Dr. had been drinking - but was able to walk - the Dr. did not say in form as the W<sup>t</sup> heard, whether the 19<sup>t</sup> Regt he had left was the British Regt - & also heard

heard the P<sup>r</sup> say he had deserted from the American Service -

Defense

Daniel McCarty - was in the room w<sup>t</sup> Dr. drinking, does not recollect he asked Mr. to leave his service - & he had been in the American Service - that his wife & children were in Halifax & he was going to join them -

x<sup>2</sup>

It was w<sup>t</sup> Dr. he got so drunk - he was so drunk that he does not recollect what passed - He met the Dr. by chance - had never seen him before -

Thomas McGovern - recollects evg th<sup>t</sup> Dr. was taken up at Bayne's house - saw them come in - sat down at same table w<sup>t</sup> Mr. - did not hear any conversation between Dr. or McCarty - When Mr. left the house, Karmitsky had come in, was there when he came back -

That he was afraid that McCarty would not be able to go home he was so drunk, and the Dr. asked Mr. to come back & take charge of the old McCarty -

x<sup>2</sup>.

Others Karmitsky was in room when Dr. & Mr. came in - but is not sure - when they came in, they sat down at same table - When Mr. went away Karmitsky was in the house - when Dr. returned

the

The Dr<sup>r</sup> had been arrested -

Peter Kamiskay - soldier in 66<sup>r</sup> came in when Dr. L  
McCarty was there - went into a back room -  
where he remained about 1/2 hour. - when he  
came back McCarty was lying over one knee -  
very drunk -

Heard the Dr<sup>r</sup> say he had been in the Yankee screen  
shop deserted from it - did not hear him say he  
was going back, or where he was going -

Heard the Dr<sup>r</sup> asked if any one would take home  
McCarty no person ans<sup>d</sup> to this - on this the Dr<sup>r</sup>  
Dr<sup>r</sup>. he would take him -

That Bannon s<sup>d</sup> he would take up the Dr<sup>r</sup>  
as a deserter, & Bannon & 2 soldiers took him  
away - the Dr<sup>r</sup> s<sup>d</sup> he was ready to go see them.

2-

When Mr. returned back to room where Dr<sup>r</sup> &  
McCarty, saw Byrne & Bannon there -

That it was not after the Dr<sup>r</sup> mentioned his having  
been a deserter that Bannon s<sup>d</sup> he would arrest  
him for being a deserter -

Baird, major of Regt - not up -

Verdict Guilty.

The King  
David Darling? An Indictment for Petty Larceny

George Mead, merchant in town has violin  
strings in sale - has a retail shop - In the 10<sup>th</sup>  
or 11<sup>th</sup> day last, the Dr. asked for bass-violin strings  
a parcel were shown him - some costing 6 doz in the  
package & some of superior kind of 4 doz in the  
package - he chose one of the common kind - he put  
down 2/9 - the change the boy had not, but called  
to Mr. W. to give it - Mr. W. did not change - the boy un-  
packed up strings observed that there was one of  
the doz. of four<sup>th</sup> missing - sent a boy with a  
written note to get a string to it & Mr. boy returned  
shortly with one of the strings so stolen - sent  
him back a 2<sup>d</sup> time to get another string to  
the violin, & another of the strings was sent -  
on this the Dr. went to house of Dr. & there  
saw a third string of the same kind on the  
counter - he accused the Dr. of taking them -  
the Dr. said he had purchased them from Mr.  
Haldeman - Mr. went to Haldeman and  
asked to see him the Dr. had not purchased  
such strings from him - while there the Dr.  
came there and asked of Mr. H. if he had  
not purchased the strings in question, Haldeman  
denied having ever sold such quality of strings  
from him -

That one doz. of strings was stolen from his  
Shop

Shop, which he values at 8/- a g/- & even part  
of the goods in his Shop -

It was on a Monday or Tuesday - his brother called  
to Mr who was up Stairs, who came down, and  
saw Dr in the Shop, who said he had lost one  
string and

that the strings missing are of a peculiar description  
were sent him from Philadelphia to try. - That  
similar strings might have been sold by those  
persons to others in Montreal -

The Dr had been in the employ of Mr and left  
it - the Dr agreed to return -

Never Dr or suspected that his brother Joseph had  
stolen the strings & that this process was to ascertain  
whether this was the case - said it was not commenced  
in order to avoid a prosecution on the part of the Dr

Joseph Head - is Clerk of last Mr about middle of  
January last, the Dr asked for Violin Strings - Mr  
showed them - laid out 4 packages value of each  
in one cover, but in parcels of one doz each - another  
parcel of 7 p there were 5 doz & some odd strings of the  
kind - Dr was not satisfied - so he would take em at  
7 p - said he wanted a knot of hair of was 1/6 - he  
laid down 2/9 - & not have change - he went to the  
back door, leaving only the Dr in the Shop - and  
Mr called his brother - it was not gone 1/2 minute  
his brother came down & gave the Dr his change

Mr

the 10<sup>th</sup> began to pack up the strings, when  
he observed there was one of the packages consisting  
of his brother seemed to make light of & told him  
to look for them - the O<sup>r</sup> was still in the  
Shop - and on it obvious that he was gone  
he had laid 4 doz. on the Counter & found only  
3 - the O<sup>r</sup> went out of the Shop - That  
no other person could have taken them strap  
out the O<sup>r</sup> as no other person was in the  
Shop -

That a day or 2 after, the O<sup>r</sup> and the Brother  
of W<sup>r</sup> came to the Shop and S<sup>r</sup> Dear Joseph  
Did you lay out the strings - the W<sup>r</sup> said  
he did - he then asked do you think I have  
taken them - W<sup>r</sup> if he did not he could  
not say what had become of them -

Considering the strings of were sent back from  
the O<sup>r</sup> with the violin are a part of the  
strings in question -

X-

W<sup>m</sup> Turnbull Peiril Was requested by Mr. Head  
on the evening of 11<sup>th</sup> Inst last, to go to the O<sup>r</sup>  
to get a string put to it - the next day went  
& P<sup>r</sup> asked for a bass string - the O<sup>r</sup> said  
the violin was not in order to get strings put

to

to it - W returned next day w<sup>t</sup> another violin  
and got a string from P<sup>r</sup>. wife fr of he had  
1/2 this he carried back to Mead who recognized  
the string to be his - The next day went to  
P<sup>r</sup> when the P<sup>r</sup> was out, and bought another  
string - of he also showed to Mr. Mead who  
recognized it to be his - On this Mr. Mead went  
to P<sup>r</sup> w<sup>t</sup> H<sup>r</sup> and charged P<sup>r</sup> with stealing  
the strings - This P<sup>r</sup> denied, and said he had  
but the strings he sold to W from Haldemann -  
They went to H<sup>r</sup> who s<sup>d</sup> he had sold a string  
to P<sup>r</sup> but it was a 2<sup>o</sup> or 3<sup>o</sup> string - while  
then the P<sup>r</sup> came in dashed in H<sup>r</sup> - if he had  
not got such strings from him - Mr H<sup>r</sup> said  
he had not sold such to P<sup>r</sup> on this the P<sup>r</sup>  
P<sup>r</sup> he had sent a person to purchase the strings  
H<sup>r</sup> P<sup>r</sup> he had no such strings in his possession.

2-

The P<sup>r</sup> s<sup>d</sup> the W could get good bass strings at  
Mr. Meads and first strings at Mr. Haldemanns

—  
Lewis Haldemanns keeps a retail shop in town - In  
last month, Mr. Mead called akered of W had  
sold a string of a violin he showed to P<sup>r</sup> W  
said

he had not - on this the Dr<sup>r</sup> came in when the  
Mr. C<sup>r</sup>. He had not purchased such strings to  
Dr<sup>r</sup> as he had never any such to sell - the Dr<sup>r</sup>  
said it was very strange, as the boy had told  
him he had lost them from Mr.

The Dr<sup>r</sup> has at different times sold strings  
of a different kind etc. the Dr<sup>r</sup>

<sup>2.</sup>  
That Mr. Mead told us the reason he  
followed up this pros<sup>r</sup> - was that the Dr<sup>r</sup>  
had threatened to prosecute him -

Hutton Perkins - about 6 weeks ago he went w/  
Mr. Mead to Dr<sup>r</sup> house, when Mead asked  
him to give him the strings he had taken  
from his shop -

Geo. Mead called up again soon exams the strings  
produced by Mr. Reid, says, these are the same  
strings which were lost & taken from his  
shop -

Defense

~~Henry Manning~~ -

Benj<sup>n</sup> Hart - vs. Geo. H<sup>r</sup> Mead - says he would  
not

not believe Geo. Horne had no bro. Mead on  
these auths -

2-

W<sup>r</sup> had a suit with Geo. H<sup>r</sup>. Mead in gl<sup>c</sup>  
Geo. Mead was a witness on the marriage of Geo. H<sup>r</sup>  
Mead, Geo. Mead swore differently from the truth  
in direct contradiction to what his two other  
elder brothers had sworn -

The boy swore that a certain pedal had not  
been placed on the other instrument - did not  
know the fact himself -

Duncan Curry is Dr for 4 or 5 months - always considered his  
character to be good -

Knows that Dr has got money to buy strings, for  
purpose of atten<sup>d</sup> a ball -

James Baird - Has been Dr 6 months - That ~~Mead~~ he has  
had dealings with him - his general character is good  
& W<sup>r</sup> has become his bail -

Charles Mead brother of Private pr<sup>r</sup>; says nothing -

Henry Manning - has known Geo. Mead to gamble 30 dol<sup>s</sup>  
& 1/2 - & to have given things out of his  
brother's shop -

Geo: Savage is Dr 16 years - his general character  
that

that of an upright honest man - & an ingenious  
mechanic -

Alex Wing -

Thomas Godwin - has known Dr about 6 or 7 months - lived in  
his house 3-4 months, always considered  
him to be an honest man - he was at the  
time in the employment of the Meads -

Alex Wing - has known Dr about 8 or 9 months -

he has always enjoyed a good character - he  
was in the employ of the Meads - has a  
large family -

Gothit Leabolt, musical instrument maker - on being  
shown the strings in question - says he has  
strings of the same kind, there are some of two  
or more of 4 lengths - the only difference he observes  
in the strings now shown, are those in question  
are rougher than the others - If a fiddle  
string were taken out of his shop he could  
not take upon himself to swear to it -

That there is a number merchants & traders who  
sell fiddle strings in Montreal - Mr. import  
sells strings -

John Hilton - has Dr 3 or 4 months - always considered  
him an honest industrious man -

Young Manning - has a knowledge that Mr. ~~Stearns~~  
purchased

purchase 4 or 5 strings of strings - each of which contained 2 or 3 strings - they were of the best kind

Defense closed

Mrs Ch<sup>r</sup> Radgir to Gv. Mead - about 18 months, he is a respectable man in his situation in life she would have confidence in him -

John Boston - has known Mead about 2 Years gives a good character - as also his younger brother Dr. Mead, who always appears to be intelligent & of fair character -

Charles Middleburgh, one of the jurors has known Mead since about 6 months after he came to the Country - considered him an acquisition to the Country and an honest upright man -

Gv. Mead called up again - the peculiar difference in every bit Finch the machiness has jumped, so as to create a difference in the ~~smoothness~~ uniformity of the smoothness of the string -

Other individuals may have part of the same kind of strings to other persons in Montreal -

Verdict, Guilty - recommended by the jury to the consideration of the Court -

Tuesday 1<sup>st</sup> March 1834.

Pres.

Ch. Justice Reed  
Mr Justice Pyke.

The King  
Ewen Cameron

Our Indictment for an assault with an as  
soc intent to menden our Ewen McPhee. —  
& for common assault. —

Ewen McPhee, about 29: alank passed the house  
of Dffr. towards hour of father's witness. There  
were two persons with him — after he had passed  
hour an acre, heard his name called — was told it  
was Mr Cameron who called him — he came  
up shooke hands w<sup>t</sup> Mr Larkins why he did not  
come in & give them the news — & he could not stop  
was then going away, saw Dffr. coming up stapped  
w<sup>t</sup> an iron instrument in his hand with one  
J. Bt. Dovral — Dffr. came up & s<sup>d</sup> to Mr. he  
owed him a grudge on acc<sup>t</sup> of his brother David  
abused him & his family — & then struck at the  
Mr with this iron instrument & almost knocked  
him down — cried out to Dovral to arrest him —  
as he w<sup>d</sup>. be afraid he would lop his eye — Mr  
Dffr. said he would have his liver or his eye —  
on this Dffr. twisted his hand in his hair & attempted  
to put his finger into his eye — he again called to  
the young man to assist him & relieved him from the  
Defende

2

There were 2 persons w<sup>t</sup> him in another train & a third person in another sled, besides several other persons in advance of them. —

Was on good terms w<sup>t</sup> Defendant made use of no offensive expression towards the wife of the Defendant before this assault — Cannot say what the iron instrument was of it had — That he carried this in a concealed manner — That Duncel had also in his hand an iron instrument about the size of a pipe stem —

Alex Goudie — was w<sup>t</sup> McPhee when he was assaulted by Defendant — Mrs Cameron called all the after he had passed the house — shook hands w<sup>t</sup> him & talked w<sup>t</sup> him till Dfndt came up, who had his hands folded before him, & told McPhee that he owed him a grudge & struck McPhee on the face who fell — He had his face much cut about the eye — this fingers hit —

3

Saw no instrument in the hand of Cameron, nor in the hand of Duncel —

Duncan McPhee, is nephew of Ewen McPhee — saw Cameron strike McPhee in the face, & it streamed w<sup>t</sup> blood — & he was much cut under the eye as if done w<sup>t</sup> a sharp instrument — Heard Defendant heard say that he would have his brains or liver —

Louis Bertrand was w<sup>t</sup> McPhee when he was beat by Defendant — W<sup>t</sup> & 5 others were in front of McPhee

heard cries behind them - & Mr. said to his brother  
They are fighting - Mr. returned, and found the  
Defendant holding McPhie ~~at~~<sup>in</sup> the right hand &  
was striking him to the left - Mr called to Dyer  
to loosen McPhie - he would not - Mr took  
up the instrument of - he saw Defendant throw  
away, it appeared to be the sharp part of an  
ax - on this the wife of Defendant came to strike  
him - & Mr drew it back & from her - he  
also threw the iron instrument he had picked  
up onto the floor, in case the woman might  
suppose he wanted to use it at her -

That the wounds of McPhie had on his face  
were such as might have been produced by  
the instrument he saw the Defendant throw away

Archibald Rae, Surgeon - about the end of March or 1<sup>st</sup>  
April last, McPhie came to get his assistance  
he had several wounds round the eye - thought  
these wounds might have been inflicted by a  
blunt ax - the eye was not injured - had the  
blows reached the eye, death might have been  
the consequence - It was advised by Mr. & McPhie  
to keep the house for a few days -

The wounds had rather the appearance of an  
abrasion than a cut -

Defence

Defence

In P<sup>r</sup> Mr. Deival - was at Camerons on 29<sup>th</sup> March last - That about 9<sup>th</sup> or 10<sup>th</sup> in the morning, Mrs. Cameron saw McPhie pass, she appears to ask her husband to be allowed to speak to McPhie - he at first seemed unwilling, but at last she went out - she spoke for some time w<sup>t</sup> McPhie, at least they began to dispute very loud - on this Cameron said he was going out to give McPhie a beating - Dyer was not dressed at the time, his shirt sleeves were open, she was in this state before then persons passed, on this W<sup>e</sup> went out w<sup>t</sup> Dyer - saw Dyer have nothing in his hands - thinks that Dyer had his hands open & crossed before him - That Dyer struck McPhie, - this was after some high words - thinks that the blow struck McPhie on the right cheek - on this McPhie fell and Cameron over him, on this the W<sup>e</sup> raised up McPhie, & being raised up he asked for his revenge and called for his men - That McPhie waited till his men were coming up, when he attacked Cameron, and W<sup>e</sup> saw him strike Cameron - That W<sup>e</sup> requested of the men to let them alone and then fight it out - On this one of the men cried out to McPhie to kick Cameron with his feet - That after receiving the kick, Mr. Cameron turned pale, and W<sup>e</sup> considered the matter finished - and they were parted, and W<sup>e</sup> took Cameron back to his house - When

W<sup>e</sup>

We went out - he had a knife & a powder horn  
got the horses away on going out -  
Saw the place where Cameron in the dark, was  
swelled -

x

We resided at Cameron's at the time - that at  
time he saw McPhee pass by we did not go out -  
no talk of McPhee from what Chantre they came  
from - does not understand much English - cannot  
swear positively to what passed between Cameron &  
his wife, before he went out - Mrs G. was the  
first who went out and in the direction of the  
carriage of McPhee - she was still in the house  
but could not understand what Mrs G. said  
to McPhee - that he heard Mrs G. call McPhee  
the short day spoken together - We saw  
Goudie - as he struck Cameron - that after  
they had talked together 4 or 5 minutes Cameron  
went out - Mr. followed him - that the  
ax must be very small to have been in Cameron's  
hand, as he did not see it, & he saw his hand  
and going up to McPhee he struck him  
immediately - does not think that Cameron could  
have used any instrument on his hands when he  
struck with McPhee - that did not see Cameron  
strike in the manner described by Mr. Gandy  
that Bertrand came up when the parties were  
closed a second time - did not see Bertrand  
attempt to separate the two men - that we  
lets him not to press upon them let them fight  
it out - That it was Goudie who told  
McPhee

back

Mr John to Doctor Cameron —

By favor that on second attack, he heard Mr John say. Give me my revenge, or I will take my revenge — —

Julie Lamirande - last spring she lived at Mr Cameron's that in the morning Cameron was washing his hands of face, when Mr John passed - Mr C. asked of her husband if he would allow her to go and speak to Mr John - he at first was opposed to it, but at last agreed to it - That Mr C. went out and spoke to Mr John - cannot say what she said but heard Mr John call her a liar - he spoke loud enough to be heard at the house - on hearing this Cameron went out - upon this Cameron had on his drawers only - his shirt sleeves fastened up & was washing his face - she saw nothing in his hands - when he went up to Mr John Cameron had his hands crossed before on his breast - that it was Mr Cameron who struck Mr John & knocked him down, and on this Mr Duval separated them -

she was near them when they fought - saw nothing in the hands of Cameron when he gave the blow - that it was Mr Duval & Mr C. who took Cameron off Mr John - Was then all the time - did not see Cameron throw any thing behind him - she was close behind him at time - that Mr John's man Duncan struck Cameron — There

were

were two battles - a Mcphie gave the first  
blow the 2<sup>d</sup> time - That Mcphie called  
out to his men to come to his relief and not  
~~to~~ allow him to be killed -

Lord Cameron complains of having received  
a kick -

That she heard Duncan Mcphie say to  
Duval, excuse me - excuse me - when Duval  
said to him, are you not ashamed to strike a  
person in the back -

Saw nothing in Duval's hands when he  
went out, & if he had had anything in his  
hands, the Mr would have seen it -

Did not see Gaudie, <sup>X<sup>a</sup> British</sup> the 2<sup>d</sup> time the parties  
fought, but saw Duncan Mcphie -  
heard Mcphie say he would have his revenge

Colin Sinclair - to an acknowledgment of Mcphie  
James Campbell is a magistrate - No parties -

Verdict. Guilty on second count only -

The King  
or  
Joachim Brossois }  
otherwise called  
Joachim Bourdignon

An Indictment for a rape upon  
Angélique Verner, wife of Augustin  
Barretta. — on 16. Nov<sup>r</sup>

—  
Angélique Verner lives in parish of St Clement  
wife of August Barretta — on the 16 Nov<sup>r</sup>. last her  
husband was from home — she was alone with  
her daughter a girl of 14 years & some other children  
of younger age — Mr P<sup>r</sup> came into the house, it  
was about 8 o'clock in the evening — he is her neighbour,  
he had been in the habit of coming sometimes to the  
house — Mr P<sup>r</sup> knew that her husband was  
absent — Mr P<sup>r</sup> took the young child out  
of her arms & pushed her into a room, and  
then threw her on a bed, and enjoyed her as her  
wife and her resistance — He had the same  
enjoyment of her as her husband has with her  
as his wife — The same evening she informed her  
husband on his return — That she did not make  
her complaint until the 25<sup>r</sup> Nov<sup>r</sup> she came to  
town w<sup>t</sup> a neighbour and went to the Police offices  
at the P<sup>r</sup>

The P<sup>r</sup> comes frequently to her house before  
this —

lives at Beauchamps — the P<sup>r</sup> purchased  
the

She lives on & he loves from her husband about 7 or 8 years, & her husband is since then a Journalist - Since then the Dr. used to come to the house - he is newly married to a handsome woman - the Mrs. is 38 years of age & has had several children - That she at present lives in the house of dos. Travis & keeps house for him he is a widower -

That she slept with another woman when one Marvis came into the bed by the permission of this woman, but not by command of Mr nor by her desire -

That it was in the grand chamber that the Dr. saw her - That she used called out to her daughter to light a candle - told her also to call some of the neighbours - but she did not go -

That she lives about 1/2 before your house Mr Brown a magistrate -

That her husband was the first person to whom she told this -

That 3 or 4 days after the Dr. came back to the house - the Mr. did not speak to him - The Dr. also returned a second time -

That the Dr. came to her chamber offered her money to go to the States & not to appear agt. him on this prosecution -

that

That it was the 24 or 25<sup>th</sup> Nov. she came to Montreal  
the warrant was taken out, the next day, but not  
executed until after New Years Day - the warrant  
was left at the Police Office to be executed immediately  
but does not know the reason, it was not executed  
until after New Years Day -

Oliver Verner - daughter of last, will be 16 years of age on  
May next - was in the room where the Dr. came  
in, her mother was there, w<sup>t</sup> her two other children  
the youngest about 11 months - the candles had  
not been lighted -

Her mother was in the small chambre when the  
Dr. entered - Mr. was in the kitchen - her mother in the  
~~next~~ further chamber the Dr. went into room where  
her mother was without stopping - her mother was  
at her work - That the Dr. came in twice - It Monday  
& Tuesday - on the Tuesday when the Dr. came her mother  
was sitting near the stove, when the Dr. went to take  
the young child from her mothers arms & give it  
to Mr. the Dr. took her mother into the other room  
where they talked together some time, when her  
mother said, she could never consent to do that -  
The Dr. then threw her on the bed when she cried  
to Mr. to light the candle, the Mr. did so, when  
the Dr. came out & extinguished the candle, saying  
he had no occasion for a candle when he came there.

So neighbour to Mr. they were in habits of friendship

and

came frequently to the house -

That Marois & Dr. were both accustomed to come to the house -

### Defense. -

Robert Morril, lives at Beauharnois for nine years  
knows the Dr. for 8 years, she is a mad old  
lady and he enjoys a good character -

Since this prosecution by the Dr. the woman is  
lightly spoken of in the parish -

That it is known that Mrs Brown is a  
magistrate -

This woman lives not far from Marois, a widow  
and this gives occasions to talk highly of her -

Dr Bougie - to the Dr. he enjoys a <sup>good</sup> character

Josette Doros - to Dr. a man of good character, has known  
the woman a year last fall - the work was such  
the woman came to the house with one Marois  
We allowed the woman to sleep in her bed, and  
in the course of the night she found this man  
had been introduced into the bed, without her  
consent -

Charles Bizaillon, ambigiste in Montreal, to Dr. has heard  
of the character of Angeline Turner - bad character -  
In Nov. last she came to his house - about 8 at night  
she went with Marois - returned at ten and say  
went away with him -

Antoine

Antoine Daugneau - Is Dr a man of good character -  
Mrs Aug. Verner - she passes for a woman of  
loose character - The 2<sup>d</sup> day after Dr was  
arrested, the W<sup>r</sup> was in company w<sup>t</sup> Aug. Verner  
and speaking of this affair, he asked her why  
she had made her complaint ag<sup>t</sup> an honest man  
she said, if the Dr had come to make his arrangement  
& given her a land on River St. Louis, she would  
have made no complaint ag<sup>t</sup> her -

Adrien Hebert. Is Dr good character - Is Aug.  
Verner, is a woman who is of light character -  
has heard her say, que le diable lui coûteut le  
col. et le favorit point son Mari com. sur il  
n'y aurait pas de moyen -

### Witnesses for Crown -

Michel Langlois - Is Aug<sup>e</sup> Verner, but little -

### Verdict. Not Guilty

The King & Gilbert d'Douglas on indictment for assaulting John Hooper  
Stone with a knife & wounding him with  
intent to murder him -

The Jury being sworn, and no evidence laid before  
them in support of the accusation, the gave a Verdict of Not  
Guilty -

Wednesday 2<sup>d</sup> March 1834. —

Present.

Ch. Justice Reed

Mr Justice Ryke. —

The King  
Andrew Hellerstein  
Ann Newman  
as principals +  
and  
Bridget Handley  
as accessory after the  
fact

On Indictment for Burglary —

Martin Duval — lives in St. Ant. but rents a house there w<sup>t</sup> he lives under lease than upper part to Pierre Laferte — on the 30<sup>th</sup> Dec. last his house was shut up as usual — in that night effects were stolen of the description & value stated in the Indictment — These effects of belonged to him were in a coffre in the bureau de pompe, there was an exterior door, but not shut, —

In the morn when he got up he found the effects were stolen — 3 or 4 days. after he saw the effects in the bureau de pompe —

\*  
\*

Pierre Laferte — is son-in-law of Duval — on 30 Dec. last effects were stolen in the yard & in the bureau de pompe there was a Saw of Leon Aubutin q<sup>t</sup> he had borrowed value 7/8 — a robe de fumé, of his wife — an mouchoir de coton — Some days after he saw effects at the

Otter

Angel Laferte - on 30 Dec last she lived w her father  
at his house - when sundry effects were stolen  
Laf. she recognized some days after at the O'Brien office

Mary Conroy in Dec last she lived in same house  
w O'Byr on the 30<sup>th</sup> Dec last Kellerian & Newman  
went out & were absent about 1<sup>1/2</sup> hour - when  
they came back Newman took w no of adults  
of apparel, saw w her also an ap & a saw in  
the hands of H. These p<sup>re</sup> lived together in the  
house - saw the O next day carrying out some  
of these effects - That they were afterwards claimed  
by Dowd & Laferte - That Malo came & seized  
her effects & who took them away - That Newman  
& she had stolen the effects in the street, Suburb,  
when she went out w H - That she was so bold  
as to go into the house & take the things out of  
a trunk, & a piece of furniture having up there -

2-

That Newman passed for her mistress - she was  
not a servant & not a boarder - nor for charity -  
red no wages -

The O returned together to the house, does not know  
at what hour it was - when they returned they had  
the stolen effects w him - That H. had the saw &  
ap - he got a pair of boots from Newman which  
he fitted on -

2. by Newman -

Dishes a glass of liquor at times, is seldom drunk

had not drank much before that day - does not remember what she drank whether 3 or 5 glasses -

Louis Malo. Constabt. - except a warrant for stolen effects  
w. w. Deval - to house of Hall & L Newman -  
where they found a part of the effects stolen -  
there were among these effects a Saw in wood, and  
a number of tools appear'd to be broken  
that Newman's. She had been w. Wilson &  
Hellerstein in the St. Ant. Sub. when their effects  
had been stolen. Not she did not go into the  
house with them, but waited for them on the  
street -

x<sup>o</sup>

Did not find any of the effects in the poss'n  
of H -

That the Pos appears to have in the house when  
the effects were found -

Louis Martier - keeper of stolen effects at Police Office - as  
such he re? from Mr. Malo, the effects now  
produced -

Martin Deval recognizes the Saw of Dunkerton. of iron  
also the ax - of wood in the yard -  
grit - tables - double & single - lead blue  
for books - tables - were in the coffee saw his  
property - except the cutlery of were hung up -

x<sup>o</sup>

x-

Dr. Leferte - his son - the robe blue & other articles  
belong to his daughter -

Jacob Abdalla - In Law's. Handley got a gilt to  
name of Shelly, in oak - paid it for 3/- and  
took 1/3 for it - Asked if it was older, she  
said it was not -

That Dureel came there 3 or 4 days after and  
claimed the jacket - it was now produced  
but had got it from a person to sell, who  
wanted Niobis for it - that a person of the  
name of Kellertan had it & gave it to sell -

Margaret Conroy - has seen the grey jacket in question  
on Kellertan, after the theft & before it was sent  
out to be sold -

That L. & N. lived together in the house as man  
and wife - & the effects were put into the room they  
occupied -

x-

That K. lived in that house & not until a  
month before this theft -

That one Weston used to come and eat in the house

That Handley dined from time to time in the house  
when the house -

Defense of Kellertan

Albert Mueller W. H. for 2 years always considered  
him

him as an honest man -

The Conway she has the character of a woman  
of bad character -

That K. lived with his mother near to H<sup>r</sup>  
That he gained wages - & supports his mother -  
That he used to go to the house of P<sup>r</sup>

H<sup>r</sup> that K. went often to house of Newman

Geo: Hellerstein. th P<sup>r</sup> is his brother - he always lived  
w<sup>t</sup> M. he was in the habit of going to  
this house of bad fame - he gains wages  
supports his mother with th H<sup>r</sup>

Michel Moreau. th K. has voyaged whm for  
10 - 12 years - in the batteaux - he lives w<sup>t</sup>  
his mother -

Jane Sticke Mrs. M. Conway - That M. was in  
the house the night that N. went out &  
K. was not with her - That K. used to  
come & go to the house - That he did not  
stay in the house -

Lived a week in that house - it was after  
the theft at Durval's - was then 2 days before  
New Years Day - That it was about 8 o'clock  
when

when they came back - Newman had a bundle  
new worths in money & the other -

That Miss Conway was drunk that night  
swear to have gone with them if she had  
not cut her leg -

Verdict of Kellestein & Newman, guilty of  
Petty Larceny - & Guilty of Hardly

The King } On Indictment for Murder  
v. Alexis Boyer }

Josette Bertrand, widow of the late Joseph  
Boyer - Made a donation to her son the Dr  
she occupies one half of the house the Dr & his wife  
the other half - on the 28<sup>th</sup> Sept last the Dr & his  
wife were absent at a noyes - that on the  
Monday night they were absent & on ~~tuesday~~ morning  
the wife came back on tuesday morning and afterwards  
went back to the noses in the afternoon came  
back together in the afternoon - That same  
afternoon they both went away again & about  
Sun eve the wife came back alone, the Dr soon  
back about 7 o'clock at night - That on his arrival  
the woman came up to the Dr he <sup>the</sup> recole to  
but this she did 3 times, the 3<sup>rd</sup> time he pushed  
her & her weight & she fell & in her fall she

bro't

brought down the W<sup>m</sup> w<sup>t</sup>, her and remained  
under the wife - The wife got up ~~and~~ again  
and went towards the door, that she went  
to the door, and saw her fall down the person  
but did not see the P<sup>r</sup> lay hold of her -  
upon further asked - says, that on getting  
up, the woman appears to be disposed to  
run off. The person is slippery, she on this  
called to her the P<sup>r</sup> come here, your wife is  
fallen down - The P<sup>r</sup> took her up in his  
arms, when the person was slippery, and  
he fell down at her on the person -  
Does not know whether he laid hold of the  
arm of the witness before D. fell -  
Did not see the P<sup>r</sup> lay hold of the D.  
by the hair before she fell down the person.  
Remembers having given her declaration on  
oath before a magistrate on town ~~soon~~ <sup>in village</sup> after  
this affair happened - This declaration <sup>contains</sup>  
the truth - but at that time she was frightened  
or had been frightened, and did not tell  
the things exactly. The matter was serious &  
she was alarmed - it contains things that  
are not true - they told her she would go  
to Gaol and other things of this kind - she  
cannot tell who threatened her - but she  
has had time to reflect and examine things  
correctly

worrell - That sometimes her memory is good and sometimes not, and she can recollect things of have passed a considerable time past very well - She feels that she is old & cannot live long

✓ That before she saw D. <sup>fall</sup> down the perron she saw the Dr. lay hold of his wife by the hair, but not with violence - it was not to drag her out of doors he did this, as she went out all alone   
brang out if  
in the door She did not say before the Magistrate, that she had Dr. had seized the D. by the hair of the head & had dragged her to the door and that the D. had laid hold of the arm of the Ws - says, perhaps she may have said this, she will not say no - but says now -

That the D. - did not lay hold of the arm of the W. nor drag her after her a certain distance.

She does not remember hearing Dr. before the Magistrate that the Dr. had seized the D. by the hair & thrown her down the perron -

The perron has 10-5 steps - it may be about 2 $\frac{1}{2}$  feet high -

That by fear & trouble she Dr. that the Dr. had made the Dr. make a tum after she was down the perron, & that then the Dr. went hold of her - Said

did not see the face of D. covered w<sup>t</sup> blood  
but she said so before the Magistrate —  
When D. came into the house she sat down  
P<sup>r</sup>. put himself before her because which  
happened as she was on her side of the house  
not to save her from the blows of her husband.  
If she d<sup>t</sup> this before the Magistrate, it was  
from fear —

She did not say, or does not remember the  
q<sup>r</sup> to the P<sup>r</sup> why do you strike your wife  
do, you will kill her — she may have said  
so before the Magistrate, but does not remember

~~D<sup>r</sup> did not see the P<sup>r</sup> long~~

That P<sup>r</sup> did not throw down P<sup>r</sup> a second  
time in dragging his wife <sup>towards him</sup> ~~nor did~~ cannot  
say whether she d<sup>t</sup> no or not before the  
Magistrate —

That the P<sup>r</sup> made D. fall when in the  
house, as she d<sup>t</sup> <sup>on his</sup> <sup>coming in</sup> at first, but not after D  
returned into the house from the perron —

That when they were going to carry her to bed  
she told P<sup>r</sup> that D. was dead, & this in order  
to frighten P<sup>r</sup> but he carried her gently to bed —  
but W<sup>r</sup>. did not think she would die —

That was an act. of the blows the P<sup>r</sup> had given  
to D. that she d<sup>t</sup> this —

The P<sup>r</sup>. did not appear very angry — 2

It was the O<sup>r</sup> who carried his wife to bed  
at <sup>9<sup>th</sup> time</sup> ~~when~~ he observed the D<sup>r</sup> had a ~~heat~~ on her face  
that the D<sup>r</sup> lay on the bed perhaps above three  
hours after without stirring — when she stirred  
she told the W<sup>r</sup> to carry the Cradle & child out the  
other room she app<sup>d</sup> then assoupi & W<sup>r</sup> warmed  
cloths to apply to her feet & stomach — that it was  
the O<sup>r</sup> who first observed the D<sup>r</sup> was dead — saying  
ma pauvre femme est morte — & n'ot elle est froide,  
W<sup>r</sup> heard D<sup>r</sup> ~~singue~~<sup>singue</sup> a soupir & she died immediately —  
she then sent for some persons to come then — when  
2 or 3 neighbours came in, the W<sup>r</sup> with <sup>being unwell</sup> D<sup>r</sup>  
when D<sup>r</sup> went to wed<sup>r</sup> she did not complain <sup>not</sup> when she returned —

L

Then It is 4 Years since P<sup>r</sup> is married — there are  
3 children of that marriage — that she observed  
that D<sup>r</sup> full of a heat not at time — this she  
has seen twice — that at the least thing that way  
so<sup>d</sup> to her she fell on this mat —

That at weddings people dance and amuse themselves  
When P<sup>r</sup> return<sup>r</sup> he was in liquor — when he r<sup>d</sup> the D<sup>r</sup>  
was ready to go to bed —

The O<sup>r</sup> did not push the D<sup>r</sup> very violently & when  
she fell on W<sup>r</sup> D<sup>r</sup> did not complain of any hurt —

The D<sup>r</sup> was bare headed, & the hand of D<sup>r</sup> was on her  
hair, does not think it was to hurt her —

When D<sup>r</sup> run out, the O<sup>r</sup> was at the chimney & H<sup>r</sup>  
was the first who observed D<sup>r</sup> had fallen down the

The person - it may be 3 or 4 feet high and  
W told P. that his wife had fallen down  
The person - when he went immediately  
held hold of her to take her up - & D. who has  
perhaps fallen by her mal - The P. in taking  
her up in his arms, they both fell and the  
decoard struck at one of the stipes - thinks  
it was on the head, as the head steady was  
marked with sound - D. came into the house  
sat down -

The P. asked what made her go out - She  
P. she felt her mal coming on & she went out  
to take the air -

On this W washed the mud off the D. - and  
in carrying the D. to her bed, P. fell down -  
thinks he fell from chagrin & W herself  
felt much chagrin -

That D. has complained of being hurt - She  
only spoke once after falling on person - but  
does not attribute her hurt to P. - He appeared  
much affected with what had happen'd to her  
reproached her with having gone out of doors

That W was much affected by what happened  
and one of her sons took her to town - and she  
was told if she did not give her deposition  
so as she would 'go to jail' - & when she  
arrived here she was half dead, much worse  
than she is at present -

She did not understand all that was taken  
down in the deposition she then made - She  
can neither read nor write -

She has since seen the father of D. and the  
rumor spread strongly <sup>that he had left his wife</sup> of that ~~the day before~~

When D. was put on the bed, she observed D had a wound  
on her face when P. D. he would not let the world  
that his wife should have such a wound.

That the person is made of pieces quarries - it was  
on one of them that the D. fell. —

Josette Buzcillon, was neighbour of P. was intimate w/  
the D. - she was in the habit of ask. M to take  
charge of her children when she was from home -  
that on 27 Sept last she went w/ her husband to a  
manufg. - was called to take care of children - The  
P. D. fell on Tuesday morng. - in a cart w/ her nieces -  
she s<sup>d</sup> she was going back to the mroes, as her husband  
was in vigor & had made much train, & she was  
going back for him - D. returned on tuesday abt 9  
a<sup>m</sup> w/ her husband P. D. he was going back  
to a Compt. - was present when he went away,  
second time P. D. do not come w/ me to the  
Compt. if you do tu t'en souviendra - They went  
off together - D. s<sup>d</sup>. She wanted to prevent her husband  
from fighting - D. was attached to her husband. -  
The D. rem<sup>d</sup> alone on tuesday eveng - she asked us  
for soup - we gave her some - when D observed  
that it was the last soup she would eat - and  
encouraged to persuade M to remain w/ her. and  
spend a long h w/ D. appl. to be appaid, saying,  
she feared D. would come home & make mischief  
she was much affected & cried - The W. did not

stay

but went away between 7 & 8 (the Dr. was not  
then arrived - the only person in the house were  
the Dr's mother & <sup>young</sup> children & Dr. - The Dr.  
was about 26 years of age & had been married  
about 16 years, when we left her, <sup>but right</sup> she was in  
perfect health -

I knew Dr. for 5 or 6 years - went frequently to the  
house, never heard or knew she fell from Mal  
That next morning Mr. <sup>won't</sup> ~~said~~ that Dr. was dead  
by Dr. Bissell - who said the suspicion was that  
her husband had killed her - I found Dr. in a  
bad condition - she had wounds on the face on  
one of which was pulled up with paper & <sup>out</sup> gauze  
in order to conceal it - There were other wounds  
on other parts of the head, and all the hair  
rooted as if it had been pulled ~~down~~ <sup>with much force</sup> -  
There was much blood where she lay - she had  
a large ~~task~~ or the shoulder - one on the breast  
one on the thigh & <sup>a wound</sup> one on the foot as if done  
with a cutting instrument - Was employed  
to lay out the body -

Saw the Dr. in the room - he did not appear  
affected. Mr. asked, how his wife had died,  
he said his wife tore bit it in Mal, she had fallen  
on the person of had surrounded her death -

Whilst in the presence of the Dr. she saw the tailor  
of one of the shoes of the Dr. hair of it was stuck  
into the ~~head~~ <sup>shot</sup> - of it she recognized to be the hair of  
his wife - The Dr. was then asleep <sup>this was</sup> the next morning  
about 8 o'clock - before she laid out the body

Other

The second day after she heard the P<sup>r</sup> say to some young men in the room of his mother, that he did not regret more the death of his ~~wife~~<sup>wife</sup> than the spattering on the ground - that he was the cause of his wife's death but did not explain in what manner -

The D<sup>r</sup> was a woman of good character & conduct & much attached to her husband and family -

That the mind of Louise Bertrand is not sound now as it was some time ago - and particularly since the death of the D<sup>r</sup> - thinks she cannot give so good an account of the circumstances of her death now as she could have done soon after her death

X<sup>2</sup>

She was very friendly w<sup>t</sup> D<sup>r</sup> - has heard P<sup>r</sup> repeat D. that she gave away her effects to people to take care of her house -

That it appears to M<sup>r</sup> when D. asked him to stay with her, that she was afraid her husband would return & make du train -

That from what Brown told her she went to the house of P<sup>r</sup> under the impression that P<sup>r</sup> had killed his wife -

That persons some time that people are papered up to staunch the blood of a wound -

The person has 5 or 6 steps - of about a foot each - observed there was much blood there & hair also in the mud -

Heywood Dagnan, father in law of P<sup>r</sup> father of D<sup>r</sup> lives about a league distant from P<sup>r</sup> on the

29<sup>th</sup> left last he was apprized of the death of his  
daughter - Indian Person told him - went down to  
the <sup>oak</sup> found D. <sup>dead</sup> on a bed - there was much  
blood under her and on the bed - her face was  
covered with blood - observed that she had several  
wounds upon the head & face, in particular  
as if it was forcible - there was blood from the  
outer door through the whole room to the place  
where she lay - it had been washed, but the  
blood still appeared in patches -

Observed there was hair in different places - in  
the floor, etc to know to belong to his daughter.

D. was 24 years of age - she always had good health.  
She never fell D. unwell from her birth to her  
death -

It is only since her death that she falls into fits  
and no person ever knew that she did so.

x

That he has said that the P. was guilty, and  
from what he saw & heard he  
has always been of that opinion, and has said  
that he came to give his evidence before at under  
that impression, although he has said nothing  
but what he saw and heard, and considers  
that the decision of this question does not  
depend upon his opinion ~~but~~ his evidence.

Angeline Rinville, born at St. Constant - at about 1/2 past  
from P. was sent for on Monday of 29 Sept  
to go house of P. found D. suspended on her bed  
she was dead - observed wounds on her -

The

The Dr<sup>r</sup> brot a candle - The Mr<sup>r</sup> came to her house  
in the morn<sup>s</sup> called on Mr<sup>r</sup> to come to his house his  
wife was dying, the Dr<sup>r</sup> o<sup>r</sup> his wife had drubuged  
him last night more than usual & he had much  
gronde' & she had gone out and fallen on the porron  
& hurt herself, as sh fell into fits - The Mr<sup>r</sup> said  
she never known the Dr<sup>r</sup> to fall in fits - That when  
the Dr<sup>r</sup> brot the candle, he told the Mr<sup>r</sup> called the  
de<sup>r</sup> three diff<sup>e</sup> times, <sup>read him a little book from before</sup> for this the Dr<sup>r</sup> it was -  
unnecessary to call her, as she was dead <sup>when</sup> before he  
went to call the Dr<sup>r</sup> that Mr<sup>r</sup> called D<sup>r</sup> <sup>in this way</sup> in order  
to comply w<sup>r</sup> information of Dr<sup>r</sup> that his wife was  
dying, but not dead -

Saw several wounds on D<sup>r</sup> one particularly  
on the head - there was a variety of wounds on  
the face & head, the arms, and different parts of  
the body - the arms were black -

Saw a quantity of blood on the floor - That  
Marianna Robert took up a bundle of the hair  
of the D<sup>r</sup> near the foot of the couchette - and  
observed hair in different other parts of the house -

The D<sup>r</sup> had very fine hair and a large quantity,  
but there was little of it remaining on her head  
it had <sup>nearly</sup> all been pulled off

That while her husband was gone, she was alone  
at the Dr<sup>r</sup> she observed <sup>thin</sup> that something had very  
extraordinary had happened that night in the  
house, I how com<sup>r</sup> at that they <sup>had remain</sup> all alone -  
that had sent for no person - she also <sup>asked</sup>  
whether asked the Dr<sup>r</sup> how came the D<sup>r</sup> by her  
death

He was smoking his pipe w<sup>t</sup> great indifference, a  
smoking his pipe  
threw the ashes.

Death - he said, I know ~~she is dead~~ by my fault  
but I did her no hurt -

X

That P<sup>r</sup> Dr. that he had scolded more than usual  
when he came home, she had gone out & fell on  
the person - as she fell in fits -

That Mr. knew that once that the Thunder  
boomed at his house, his wife fell into a fit, but  
this is somewhat different from falling fit -

that on leaving her house her impression was  
that P<sup>r</sup> had beat his wife - and when he saw  
the woman dead, she had some suspicion  
that the P<sup>r</sup> was the cause -

That by the D. falling on the person without  
striking on her head, the hair might be torn  
off, but not in such quantities as she observed -

That by saying that his wife was dead by his  
fault, but that he did her no hurt, she supposes  
he meant to say, that by his scolding her she had  
met with accident in falling on the person as  
he said, & had occasioned her death -

Ullalie Daupraine, is sister of D - went to town about mid-day  
there were several persons there - knows that a woman  
picked up a Cordon de cheveux with hair attached to  
it & it was lying on the floor - That the D - never  
fell into fits, that she doesn't - this malady is not  
known in the family -

That this is possible to have happened without her  
knowledge -

Marguerite

Marguerite Boissé - aunt of Dr. was at Dr's house when he died on the evening of the Tuesday - she was in side of the house of the old woman mother of Dr. it was in the evening - On his arrival Mr D. & the old woman Maman came to the other end of me - when Dr arrived ~~that on the Porch Mr Dr pushed his wife & she fell on the porch - the old woman stepped up between~~  
they went all three to the door, the Dr opened it when we asked what he had done with ~~Madame Voitier~~ <sup>q' always kept</sup> he said, that he had <sup>left</sup> put it at the neighbours - and then turning toward the Dr. the Dr asked her why she had taken away his <sup>she denied it</sup> ~~Voitier~~, and pushed her, she was on the inside door and fell ; on this the Dr went away and did not return into the house - she did not hear of the death of Dr till next morning.

When Dr got up after being thrown down, she had no hurt or injury - the Mrs went to put on her dress <sup>went away</sup> to notify her niece that her husband was arrived - heard nothing of noise or disturbance in the house while she remained in it - She lived in the house for a year and always observed <sup>poor</sup> attention to his wife, as she was in the habit of going there at other times. ~~never~~ saw any disturbance between them -

François Lancelot, was at Dr's house about 1 or  $\frac{3}{4}$  hour before sun rise - to see Dr. Besson & wife & Dr Brown & wife & Dr May Flavelle were there - saw Dr. on his bed - she had a strong wound on her face, & other wounds on the head

head, there were also wounds on the different parts of the body - & the person of the house and a person falling down that person could not have killed herself - saw several wounds on the arms shoulders, and other parts of the body - her hair was all pulled out - he found a jagged <sup>on the floor</sup> at the ~~wooden~~ <sup>say more fit</sup> ~~poste~~ - and ~~about~~ at the ~~base~~ or poste - saw blood on floor - There was a table it was full of blood, & on removing it was scattered about -

Saw Dr who was sitting <sup>on a chair</sup> smoking his pipe he did appear desmonte. -

That in questioning the Dr he said, that if his wife was dead, it was his fault, if he had not scolded her it would not have happened, but she went out to take the air and fell on the person, it was the cause of the accident -

L

It is was black spots he saw on the body of the D - had she fallen down the person she must have been rolled very strongly to have met with so much injury - and does not think she could have met with so many bruises -

That the wound on the face might have been occasioned by D. falling on the corner of the person

The Dr did not appear disposed to make any affidavit when he was arrested -

10

continues -

Louis Albert defore - went to house of P<sup>r</sup> about  
yr past 8 in the morn<sup>s</sup> - There were several persons  
there - saw of the hair saw the wounds on the body  
he cannot say whether these wounds happened  
by falling from the person, but thinks so many  
wounds could <sup>not</sup> have been ~~caused~~ <sup>occurring on the way</sup> That it appeared  
the hair of the D<sup>r</sup> had been forcibly torn arraché  
and that was his opinion. —

2-  
It was not possible that D<sup>r</sup> could have  
done himself so much injury by falling from the  
person — nor that she could not have red  
so deep a wound by falling on the corner of  
the person — that a coup de pied might do it

In B<sup>r</sup> Trudeau - he was at the house of the P<sup>r</sup> about  
3 o'clock to take down the verdict of the Jury —

André Faillé - has a knowledge to have seen the  
P<sup>r</sup> give the D<sup>r</sup> des tappes & des coups de pieds -  
last summer -

3.

Joseph Faillé - K<sup>r</sup> P<sup>r</sup> that being in company w<sup>t</sup> the  
P<sup>r</sup> the wife ment<sup>e</sup> that he was going to marry her  
till the P<sup>r</sup> observed he had better not, that he who  
was married was obliged to submit to many things  
as for himself he would rather not be married, and  
he did give something that his wife was not an  
expensive, as he would then be better than he was —

This happened about the beginning of last fall - That the Dr. said something about 50 dollars that he would give that money in regard of his wife - it would seem that it was if she were dead - That Mr. cannot speak positively being at time somewhat in liquor -

X<sup>1</sup>

says that Dr. he would give 50 dollars that he <sup>now</sup> were not married

Basile Laplante lived at Engagi' w<sup>t</sup> Dr. has a know that he ill-treated his wife - quarrelled often w<sup>t</sup> her - She observed a good conduct -

Sure Dr. gave his wife des ch<sup>r</sup> grenades to his wife -

Dominique Daudelin - was Engagi' of Dr. he said that he ill-treated his wife never saw him ill-treat his wife -

- The Dr. always behaved well to his wife when he ill-treated her it was in a laughing manner

Antoine  
Antoine Landot, Cap<sup>t</sup> Dubuc de Fourtante made an enquiry on body of Dr. on 29 Sept<sup>r</sup> but went to house about 10 o'clock - the body was still exposed on bed - saw the wounds were one.

on the crown of the head - That this wound  
could never have been inflicted by the person  
falling - There were wounds on the face  
a wound on left foot - There were black  
spots on different parts of the body -

The hair of the D was scattered about I  
saw some of it picked up on the floor  
and he has no doubt but the hair must  
have been forcibly arrested -

X<sup>2</sup>

Saw no wounds on the body, except the  
head & the foot or upon the body. does not  
think that person's foot being caught by the scaper  
on the person, they would have fallen on their head  
to cause the wounds <sup>such as</sup> he saw on D -

Here the Court directed the trial to be  
~~suspended~~ till to morrow morning at nine  
Clock ~~in the morning~~, and directed that the  
Ling should be committed to the charge and  
custody of the Sheriff, to be safely kept in  
some convenient apartment, and to bring  
them then into Court. -

Thursday

Thursday 3<sup>rd</sup> March 1831

Precut  
Ch. Inst. & Mr Justice Pyke

The Kingz  
Alexis Boyer

The King having returned into Court  
were called over & severally answered  
to their names -

In P. B. before Capt. Dr Milice, - here at Constant  
was at the exam'n of the body of the D - went  
there about 8 o'clock, saw Mme. Brunelle there -  
She saw the d<sup>r</sup> on her bed having her body &  
head covered w<sup>t</sup> blous - a wound on the side  
of the head, one in front - one on the crown of the  
head - There were black spots on her arms and  
on several parts of her body - Much of her hair  
had been pulled out - and her hair scattered  
about on the floor - Saw the Dr there - did not  
appear affected - he was smoking his pipe -  
Saw blood on an escabaut -

<sup>R</sup>  
Knew D she was of a raptre habit - The person  
is a 5 steps - The D could not have had so many  
wounds & bruises by falling down the person, if  
she had fallen down in a fit - Thinks that D.  
must have been thrown down & have been so  
injured, & that by being thrown down, it must  
have been w<sup>t</sup> more violence than if she had fallen  
by herself -

That

that the D. must have had her hair pulled to be twisted in the manner as it was

Mrs. Laplante, was at home of P about 8 or 9 o'clock, went in after last trip saw D. on the bed observed that the D. had been torn like a sheep by the wolves - saw a blow on the side of the head - one on the other side of the head, one on the crown of the head - besides many black spots on her body - That one half of her hair at least was forcibly torn from her head -

There are 4 or 5 steps of the person - Does not think that D by falling down the person could have done herself so much injury - unless she had twisted herself about like a fish in the water - nor could her hair be so covered with blood & mud & twisted forcibly from her head -

The report was that the Dr had murdered his wife and the Mr. had that opinion

Asa T. Alexander, Duke attended at inquest at home of P on 27 Sept last - saw D. extended on her bed her clothes much besmeared with blood & mud - It appeared to have remained there in the state she had been placed there without moving - Under her head on the pillow there was a wonderful quantity

of blood, & it had flowed there after she had been put on the bed -

The marks of violence were principally on the head - one extending from the forehead down upon the nose ~~dragged~~ about 6 inches long the bone was naked - On the right side on the temple - it was a bruise - that on the back of the head was the same - as if it had been rec'd. in falling -

That the wound in the front must have been inflicted ~~out~~ by coming in contact with something very hard -

This wound might be inflicted either by the body coming ~~up~~ against a hard body, or of violence a <sup>hard</sup> body being forced ~~up~~ - It is probable this wound was inflicted with a blunt instrument ~~body~~ - it might have been inflicted by a <sup>blow of a</sup> stick - thinks a man's fist could not from the length of the wound have been inflicted -

The wound on the temple might have been produced by a hard body, or by the fist, & has seen similar wounds from fists -

I saw no other marks of violence of any consequence on the other parts of the body - There were some slight discolorations - such as are usual from slight blows -

Mr

The Dr. dissected off the scalp & removed  
the skull. & found an extravasation of blood  
between the Dura mater & the Craze immediately  
in contact with the wound in the front —  
In his opinion the pressure on the brain is  
sufficient to cause death — & this extravasated  
blood would have caused death — This was a  
sufficient cause and he observed none other —

Her hair was very much dishevelled and  
hanging about her head — did she appear to  
have had much hair — He did not perceive that  
there was much wanting

That a blow inflicted diagonally on the front  
could without breaking the skull, could  
break the small vessels & produce the extravasated  
blood, would detach the Dura mater from the  
Craze & produce the extravasated blood —

And had the blow been strong enough it would  
produce this effect — I think that such violent  
blow must have been inflicted —

The injury from the side of the head on the  
back of the head ought have been produced by  
falling <sup>accidentally from</sup> the person by the mere weight of the  
body — but both could not have been produced  
by the same fall —

I think that a fall from that height on the  
person

person would have produced the diagonal wound in front of the head, the force to produce this must have been greater than could have been produced by such a fall

It was utterly impossible that by the same chute the three wounds on the head could have been produced -

X<sup>2</sup>-

That the D. might have been dead 12 or 15 hours. By a fall of this kind some of blood vessels of head must have been ruptured & the extravasated blood produces an effusion - that this effusion will combine with sufficient effort until such a pressure arises as that on the brain that the patient may die - or it may produce a Coma

That there may be a Concussion of the brain from a blow - of produces Coma and the person loses all motion - a Coma would ensue immediately on the blow being given - That Concussion of the brain may happen otherwise than by a blow - & by falling on the feet -

That a person falling from the top to the bottom of the person without falling on the head, could not produce Concussion -

That extravasation of blood may arise hours  
after the blow -

The blood here extravasated was clear blood -  
The wound was diagonal & in a straight line  
There are three kinds of wounds - contused wounds  
may be given by a club - and given where the  
bone is near will be nearly like an injured  
wound - The skull was laid bare in a straight  
line - I thinks the edges of the skin would be  
a little jagged by being inflicted by a club -

Does not think the height of the person is  
sufficient for the weight of the body to produce  
such a wound by falling on the head -

Nor could the weight of P<sup>r</sup> or his wife on  
his arms falling on the person have occasioned  
such an wound -

This ~~wound~~ wound might have been produced  
by a fall if done w<sup>t</sup> sufficient force -

That a hysterical person might produce the  
discolorations such as he saw on D -

Exam'd. the body as far as breast & arms - does  
not recollect any discolorations on the breast -

Saw a bruise on right temple - there was no  
division of the substance - It is possible that a blow  
here may produce extravasation of blood in another  
place - That a fracture may arise from in a  
different place from that where blow is given -

The force of the blow alone will produce  
a rupture of Veins -

That this ~~conussion~~ extravasation of blood  
might have taken place from ~~any~~ other cause  
than the blows given or contusions on the head -

Ullah Dajnean, sworn yesterday - ~~repeated~~  
~~same~~

From Denau de Jeremie - Since the Dr. has been in Gaol  
Mr. has seen him there - Spoke to him & asked  
for what cause he was there, said it was for  
having killed his wife - but he hoped to get  
out of prison on Caution -

That he met Dajnean, who appeared much  
impressed in his mind of Dr.

The old Gaol moved to be permitted to produce  
& read in the evidence the deposition made by  
Joseph Bertrand - The law allows to us  
Defend. the right to produce the deposition before  
before the magistrate to controvert the witness  
of a witness - *See Lamb. 2 Leach 632.*  
Rep. Oldroyd - C.L. Rev. p. 88 -

Mr. Hart for Dr. The deposition was not taken  
in the presence of the Dr.

Has no right to impeach the credit of the Crown  
witness -

- 1 Phillip. 367. 8. 9 - Malitia not absent in dead

- 2 Stark. p. 208 - King v. Smith -

McNally, Esq. 14 & 15 -

Lamb's care, was only to ascertain whether the Dr.  
was available — p. 638. Leach. King v. — and p.  
563.

The law of Olthrop does not apply — it was then  
on consider after Indict no obligation at least

The Court granted the motion, — ~~consequently the~~  
<sup>time</sup>

Samuel Gale — on 1<sup>st</sup> Oct last he was one of the Justices  
of the Peace for the District of Clermont, & such  
he took the deposition of Dorothy Bertrand —  
the deposition is submitted by Mr. — he exam'd the  
W<sup>m</sup> particularly before he took down her  
declaration, the case was a particular one and  
the articulation of W<sup>m</sup> was feeble — the W<sup>m</sup> treated  
her with much douceur.

By the Court — There was a person with her who  
spoke part of the time with her, but every question  
was now towards the woman, and very indulgently  
shewn her — and no person interfered to influence  
her opinion or her declaration.

That the woman appeared to be suffer — and the  
circumstances of the case were such as to affect her

Mr. — Sir George, before 1<sup>st</sup> Oct last was a Clerk in Police  
Office — that Dorothy Bertrand came to offer to  
Capt Hamilton, he was present during the time she gave  
her deposition — She was at first a little agitated  
but on telling her not to be afraid for there was nothing

<sup>\*the best written down</sup> to enterprize w<sup>r</sup> her - Mr W<sup>r</sup> then dictated  
under the dictée of this woman what she  
had to say -

L

That there were two other persons w<sup>r</sup> Capt  
Lancelot, cannot say, whether they were two  
Militia Men -

The Court admitted the deposition to be  
read, after informing the Jury that the  
contents of this deposition could in no respect  
affect the P<sup>r</sup> as evidence of his offence, but merely  
to controvert the testimony of had been given by Issette  
Bertrand.

Defence -

In P<sup>r</sup> Classe & Bertrand - live in same Parish &  
w<sup>r</sup> P<sup>r</sup> for 10 months - & render him service in  
the neighbourhood - The P<sup>r</sup> always made bon  
menage w<sup>r</sup> his wife - That on one occasion  
she brayait, the pilastre took fire & killed a  
tombie in defiance - & on that occasion  
quarrelled w<sup>r</sup> her wife also -

Louis Buvier, Mr P<sup>r</sup> since his infancy - he is a man  
of good character - un caractère d'honnête homme  
et a longeur vu un bon accord entre lui & sa  
femme & ils font un bon menage -

Daniel

- Daniel Arnoldi - Surgeon Montreal has much to do w<sup>r</sup>. treatment of wounds - has treated wounds in the skull - That a heavy woman falling from top of a person 5 feet high w<sup>r</sup> her head on the lower step might fracture her skull & <sup>skull</sup> ~~head~~ sometimes broken w<sup>r</sup> less force
- Crane*
- That persons of a upright habit may be subject to fits.
- That a person falling in this manner would be stunned, & could not get up immediately.
- That a concussion of the brain might happen from lesser & not even from a greater cause.
- That persons who have had accidents happening to the brain have lived afterwards & recovered their usual health.
- That falling from such a person would produce such a wound as described.
- That a blow given w<sup>r</sup> a club might produce a straight cut or otherwise.
- A person afflicted w<sup>r</sup> hysterical fits is debattement bien fort quelque fois - & en se debattement pourrait se faire mal sur les bras & la tête même - & might tear her hair out -

G<sup>o</sup> Dr Stevenson - Medical Gentleman, Montreal,

obstruction to  
Cerebral -

a person falling from 5 feet height might  
inflict an ~~wound~~ a dangerous wound on  
the head & cause a Concussion of the brain  
this would not produce immediate death -  
a person falling on the head, is more likely  
to cause injury than if he fell otherwise -  
ex: the head of a man who fell from 3 feet  
of ground much extravasated blood, between the  
Dura mater & the Cranium -

That a person falling on the road striking  
on the head might so injure it as to cause  
death -

Joseph Godin M.D. For a long space of time - he has  
always enjoyed the character of an honest  
man - & made good money w<sup>th</sup> his wife -  
his head hurt the least thing that agitated  
her she fell down senseless -

Louette Defevre mother of the D - the D. ~~woman~~ had  
falling fits - she only once saw her fall.  
senseless - That on one occasion she had  
occasion to tell Dr. that when D. was in a  
certain situation he ought to attend to her as her  
blood might stopper - once when 2 men were  
about to fight she once fell senseless - she was  
near in a state of pregnancy -

The D. always enjoyed good health -

allani Robison - lived 15 days w<sup>t</sup> P<sup>r</sup> - saw nothing  
during that time of disagreement w<sup>t</sup> the between  
him & his wife -

Jeremie Boyer - was at the Court - came home w<sup>t</sup> D  
in same vestue the Mardi — Th<sup>e</sup> D. had  
passed the night before at a wedding - returned  
home about 5 o'clock in vestue of P<sup>r</sup>

~~He~~

Louis Berthelot . That he stopped at Deignan's since  
the P<sup>r</sup> was in Gaol - he stopped on the 7<sup>th</sup>  
he asked P<sup>r</sup> if he knew P<sup>r</sup> told him that  
he considered P<sup>r</sup> as the murderer of his daughter  
& that he ought to be hanged —

Cloud

Mr Hart for P<sup>r</sup> contended that there was no  
evidence to go to the Jury -

Kinder Guilty -

The Court therupon pronounced sentence  
immediately on the Prisoner, to be carried into  
execution on the 5<sup>th</sup> inst. and afterwards  
respite the sentence to the 8<sup>th</sup> April next

Friday 4<sup>th</sup> March 1831

Prest

Ch. Just<sup>ce</sup> & Mr Justice Pyke

The King.  
or  
Benjamin Labourin

On Indulment for burglary -

François Dicaine was sworn to interpret  
between the witness, the Court Jury & Pres<sup>r</sup>.

Marie Dicaine - Lived in the house of Frans Dicaine  
on the 24 Dec. last, & that Frans Dicaine  
lived in it - that on 24 Dec. last when the  
midnight mass bell sounded she left her  
work and went to the Church - she left  
a Cinture of belonged to Jac. Leferne <sup>in Jac</sup> value  
it at 10£ - it y avoit une troupe de pendu  
ou elle enfiloit son jet, <sup>des</sup> quelques &  
autres effets - cela  
lui appartenait - et y avoit une eau françoise  
une piastre françoise - et y avoit un eau  
americain d'autre petit monnoie - estimé la  
troupe à grande debs - Qu'il a été de  
retour chez elle à deux heures - Quant elle est  
sorti le Interprète dirait y étoit -

Qu'à son retour la Cinture, & la troupe  
avoyt échappé plus -

Que le Pr<sup>r</sup> y avoit été ce soir, & l'a vu  
travailler à la Cinture -

F-

Il quitta sa maison à minuit pour aller à  
la messe - & en fut sorti à 2 heures - Que  
quand

quand elle est entrée, elle a trouvé D'caire  
dans la maison, qui a allumé la chandelle.  
De l'après que la chandelle fut allumée elle n'a  
vu un carreau de vitre de cassé. —

Jacques Laforce - Qu'il a acheté une Cendre de la dorme-  
lunerie, qui n'est point achetée dans le temps. — et  
a donné 2 francs à compter de trois — Qu'il a  
vu la Cendre à minuit — avant Marie Dicairie  
qui la travaillait dans le temps — Que le lendemain  
à 9 heures a été que la Cendre aurait été volée —  
Qu'il a par après vu la Cendre entre les mains  
de D'Yardier voisin du P<sup>r</sup>

\*-

Ne connaît pas les mois de l'année —  
Que Desjardins est un Marchand, et vend des  
Cendres — Qu'il a reconnue la Cendre pour leur  
appartement, quoique qu'elle n'avoit rien d'extraordinaire  
pour la distinguer des autres — Con. le P<sup>r</sup> qui  
restoit chez son père à Vandoeul — travaille avec  
lui dans la buse — quelque fois il alloit en voyage

William Harvey doct. of Medicine à Vandoeul a  
envoya le P<sup>r</sup> en ville d'un warrant, il l'apris —  
le P<sup>r</sup> a prématurément mis le fait — le lendemain  
en le ramenant chez lui le P<sup>r</sup> a dit qu'<sup>si</sup> cela  
pouvoit se faire il remettroit les effets — parlant  
des effets pris chez Dicair le 24 Octobre —  
dans chez son père, le P<sup>r</sup> demanda à sa mere

se elle

elle voulait lui remettre la poche - ce qu'elle fit, en prenant la poche de dessous l'oreiller dans le lit - cette poche a été rendue à Lafosse et on a envoyé chez Desjardins chercher la Cuntin - à Lafosse a reconnu devant le P<sup>r</sup> que c'était la Cuntin qui avait été volée chez Dicaine le 24 Dec.

Que Lafosse a été chercher la Cuntin chez Desjardins

Jacques Lafosse callid up ayant - Qu'il a été avec le  
dernier tém. chez la mère du P<sup>r</sup> pour avoir le  
Sac qui avait été pris - et a entendu le P<sup>r</sup>  
demander le Sac à sa mère - & qu'elle la  
lui a donné sous l'oreiller du lit - & lui a été  
rendu - Que il a vu ce même Sac pendu  
dans la maison de Dicaine le 24 Decembre  
dernier -

Qu'il y avait un grand espace dans le  
Sac - et l'a rendu à la Sauvagère -  
le dimanche apres - elle l'a reconnu pour  
être appartenir - Que quand il fut chez  
la mère du P<sup>r</sup> il a été de la chercher chez  
Desjardins la Cuntin, par l'ordre du fermier  
général - et il l'a rapporté chez la mère  
du P<sup>r</sup> en sa présence -

2-

C'étoit le dimanche apres la mort de Mme  
Jacqueline

qu'il a vu le sac pour la dernière fois -

Marie Ricaine called up again, says - That the  
2<sup>d</sup> day after the theft, before returning the  
bag to her it had been stolen - There was  
only a needle in it - The value of it was not  
when stolen -

François Ricaine - is master of the house n<sup>e</sup> 1<sup>r</sup> la Rue  
de la Poste - Dait que la bavaroise avait  
une certaine de la poste & un sac aux quelques  
objets - Le témoin est arrivé après la dévoration pour  
aller à la mort de minuit - et a fermé la  
porte de la maison à la clé, & il est revenue  
la première - et a rentré par la même porte,  
et a allumé une chandelle - La fem. s'est  
aperçue le premier qui une carreau fenêtre  
avait été cassé - Aperçue ce moyen on a pu  
tirer la tangente environ la fenêtre - & en  
regardant il s'est aperçue que c'était une  
fem. par les pieds -

Il y avait des étrangers dans le village cette  
nuit là -

Que le P<sup>r</sup> avoit entré chez le témoin cette nuit  
avec ses frères deux autres femmes pour attendre  
la mort de minuit -

John S. Mathewson - Lays à Paris - our plainte  
contre

contre le Dr pour vol, il fut arrêté, et  
accusé devant lui pour son examen - et  
il en conséquence pris son examen volontaire  
maintenant produit -

Here the examination of the Dr was read

Dépense -

Frans Heyteman conv. le Dr<sup>e</sup> depuis dix ans - et ne connaît pas beaucoup son caractère -

Margot Brabant — avec le Dr & sa famille depuis q  
ans, ~~son caractère~~ on connaît rien contre  
son caractère —

Verdeut. Guettig

The King  
vs. Robert Jervis } An Indictment for forgery at  
common law -

Amable Toucher, is a proprietor of land at Grateleywood  
nowise so in 1828 - knew one ~~Hopson~~ the  
Darlington at that time in Grateleywood  
never signed a certificate in question to  
grant Darlington a license to obtain  
~~a license~~ keep a house of public entertainment  
There was no other person of the name of  
Amable Toucher in that parish - Knew  
one ~~Etienne~~ Lavigne in <sup>s<sup>o</sup></sup> parish deceased

The

The certificate was read -

X<sup>2</sup>

We signed a form of certificate before us a Mr.  
gt. was found not sufficient - There was no  
person then present - I recd it - there were  
no other signatures to it at the time - The form  
in thus signed was written like that now produced.  
That Mr. signed this first paper as Notable, for  
Darpentigny as an honest man - Darpentigny  
could not write - Know th P<sup>r</sup> at that time  
he was consider'd as an honest man, on the  
sum of Mr. Allegys -

Andrew Toonan

Michael Connolly In 1828 he lived at Chateauguia  
The certificate & signature M. Connolly never  
produced were written by him - saw the  
mark of In L<sup>o</sup> Crown put there to, but there  
was no other mark or signature on the paper  
when he signed - that James P<sup>r</sup> signed at  
same time w<sup>t</sup> Mr. as witnesses to the mark of  
In L<sup>o</sup> Crown - never knew that Thomas Lawry  
or Amad<sup>b</sup> Toucher signed that paper -  
Does not recollect having sworn that the P<sup>r</sup> said  
he had put the 2 last signatures of Toucher &  
Lawry to the certificate in question -

On this fact being so shown to the att<sup>r</sup>  
Genl abandoned the posse & the Dftd was freed

The Slue  
n  
Mary Kenneway }

An Indictment for stealing above the  
value of £10 in a dwelling house -

Margaret Connors, lives at Montreal - in the  
month of October last a silk plaid worth 20/-  
a plaid mantle worth 4/- and a woman's shawl  
value of were stolen from Mr - The wife  
was living with her mother and these effects were  
in the house - That the Sister of Mr was gone  
at some time & effects, made enquiry after &  
found that Dr had gone w<sup>t</sup> her to Quebec -  
went there & found the mantle on back of Dr  
& the shawl on her daughter's back, the plaid  
was pledged by the Dr - The Dr at first denied  
having taken the things -

Lives in College Street - When she found  
the goods, the Dr found his Sister also at  
Quebec - That her Sister did not say she  
had taken these articles, but said that Dr had  
advised her to go back and take more things -  
Has serv<sup>t</sup> Dr for 4 years - may have had a few  
words w<sup>t</sup> her of little consequence -  
Had mention made of passage money of her  
Sister to Quebec - that the plaid was pledged  
In the payl. of £5/0 part of this passage money -  
<sup>as 12 year</sup>

Ann Connors - Is sister of last Mrs. Knows  
her well had the articles in question - Knows  
that

that P<sup>r</sup>. took these articles to Quebec with her  
W<sup>r</sup> went with P<sup>r</sup> to Quebec - saw her sister  
then, and knows she got back the articles from  
P<sup>r</sup>

2-

saw P<sup>r</sup> at Mrs Beans - That when her sister  
saw W<sup>r</sup> at Quebec, she asked her where the things  
were which W<sup>r</sup> had taken - That P<sup>r</sup> took W<sup>r</sup> to  
place where she lived, and told her carry the things  
she took to that place - That W<sup>r</sup> got the plate  
in her sister's box - That her sister wrote her  
time to tell in Court what she told the magistrate  
in Quebec - That her mother asked W<sup>r</sup> why she  
had gone to Quebec - gave her no answer - was afraid  
she would go to jail - Got the mantle & shawl  
also in her sister's box -

### Defence

Margaret Connroy - When she saw her sister at Quebec  
she asked her why she had ~~taken~~ come to Quebec  
if she had taken the things - Her sister s<sup>r</sup> that  
the P<sup>r</sup> had the articles -

Ann Connroy - Her sister where were the things - W<sup>r</sup> told  
her that P<sup>r</sup> had pledged the plate - her sister &  
P<sup>r</sup> were together, when she saw her sister the 2<sup>d</sup> time

Verdict - Guilty -

The King  
or.  
Joseph Tachancey } An Indictment for Petty Larceny -

John Lacey - on the 22 Febt was on a tavern  
had been employed to sell cassis for Mrs. M<sup>r</sup> Gruber,  
he was counts his money to see what he had &  
what he had sold - the Dr<sup>r</sup> came up & asked  
him to change a french Crown - asked Mr. if he  
had four q<sup>r</sup> dollars - Mr. said he had not - then  
asked 2) q. & 2 quarter dollars & 6 copper. q<sup>r</sup>  
Mr counted, & Dr<sup>r</sup> took up the money & went  
away w<sup>t</sup> it without leaving his Crown piece.  
The Mr. pursued him asking if he w<sup>d</sup> give him  
the 5/6 & do not trouble him - Dr<sup>r</sup> threatened  
to strike Mr. and went towards end of the  
new market where he took up a piece of  
a stick, and then began to run off - The  
Mr. called to the guard to stop him - he went  
towards the Champs de Mars where he was  
arrested - The Mr. then asked for his money  
as he did not wish to trouble - took out the  
5/6 & put back in his pocket - Mr. went &  
got a combath shad Dr<sup>r</sup> answered -

X-

Mr was counts his money when Dr<sup>r</sup> came up  
he pays Mrs M<sup>r</sup> Gruber every night, & is allowed  
10<sup>r</sup> per the dollar - he had just time to put his  
money on the Counter - did not call the Dr<sup>r</sup>  
to cause return his money before he went out,

and

and Mr. had not time to ask for his money before  
Dr went off -

Did not see Dr lay down any money on the table,  
has often changed money without having first seen it  
produced -

When Mr. went after Dr when he saw Mr following  
him the Dr walked off Mr asked for his money  
the Dr s. he had not his money, and told Mr to go  
along - & lifted up his hand to strike Mr. Then  
Dr. then walked up after Dr towards the head of the  
new market -

Patt Stoffat. Ley. en b6<sup>e</sup> Rue - on 22 Feb last saw  
Mr last Mr in pursuit of Dr he cried out to  
stop the Doctor at the time the Dr was crossing  
the road towards the Champs de Mars at a quick  
pace - Mr cried so loudly to stop him at other  
end of passage - he was stopped - Lacey accused  
him of debt 5/6 - Mr told him to get a Constable  
The Dr took a 5/6 piece & some silver out of his  
pocket but did not see him give it to Lacey,  
but Dr did give it to him in a public house -  
Lacey went for Constable - Dr was put into guard  
house - gave Mr the 5/6 & offered another 5/- to Mr  
if he would let him go - Dr gave the 5/6 to Murphy  
Isent Dr to the Police office -

The Dr appeared frightened, particularly after  
he

he had given the 5/- & he wanted rather pay  
the money than go to Gaol - & he would  
pay the money in the public house -

The Dr. denied having stolen the money from  
Lacey - even after he had delivered the 5/- from  
him -

John Murphy - was sent for as a constable - but <sup>s</sup>  
he was not a constable - but went to the  
Sergeant of the Guard to see what was the matter  
and that he had Dr. in charge - went forward  
when Dr. recognized him - and asked Mr. to  
 settle it for him - Mr. asked him why he  
 took the money - does not ~~answer~~ account his  
 answer - his <sup>s</sup>. the man has got his money  
 alluding to the 5/- he had left w<sup>t</sup> the Sergeant  
 and held out some other money to settle the  
 business -

X<sup>D</sup>  
Dr. saw the 5/- given to Mr. by Sergeant,  
& conceives the Dr. alluded to the 5/- he had  
 sp<sup>t</sup> to the Sgt. for Mr. Lacey - & considers  
 that the settling the business was by the other money  
 he offered to Mr. The Dr. did not deny  
 having taken the money, he almost acknowledged  
 it, but cannot say, what he said -

The Dr. appeared frightened -

Defence

John

John Lacey - tried up again - The P<sup>r</sup> said something about a public house, but W<sup>r</sup> did not understand what he meant - The P<sup>r</sup> wanted to give more money than the 5<sup>£</sup>/<sub>2</sub> to settle the affair -

Julien Barbille - Is that P<sup>r</sup> had money in his poss' n the day he was arrested. saw sat one off like a dollar about 50<sup>fr</sup>/a brown cloth change does not know where he got that money - Is P<sup>r</sup> about a year - he pays the house rent of his mother -

Appoline Fratier, mother of P<sup>r</sup> Is that the day her son was arrested he was to get money from Larochelle - said he had not money enough to pay the rent, but that Larochelle would make it up - That it is the P<sup>r</sup> who is her only support -

That her son never was accused before -

D<sup>r</sup> Malo: Comptable - recd a Subpoena to serve on B<sup>r</sup>. Larochelle - but could not find his domicil - on the 10<sup>e</sup> Inst<sup>r</sup> he had a warrant aff him & could not find him -

Verdict. Guilty -

Saturday 5<sup>th</sup> March 1831.

Prest.

Ch. Justice & Col Justice Pyke.

The King. — }      On Indictment for Murder  
Joseph <sup>n</sup> Delaunay }

Marie Larassée - dem. au fb. & l. en Janv de  
l'an der. elle dem<sup>t</sup> en la même maison avec le Pr<sup>e</sup>  
et y avoit le P<sup>r</sup> le témoin, le frère du Pr<sup>r</sup>  
et Joseph Cullinan - a connu le D qui étoit  
Journailler - a vu le D à la maison le 2 Janv  
dernier, personne ne voulloit le recevoir, étant dans  
la dernière indigence - Il est venu au matin  
vers le 9 heures - il se plaignoit alors - il devoit  
plus qu'il ne mangioit - et étoit sobre dans le  
temps - il est parti vers les 8 ou 9 heures pour  
aller à la côte des meys - le tems a quitté sa  
maison - et a son retour elle a vu le D assis  
près du Poil dans la maison - le tems est parti  
vers 2<sup>me</sup> fois et n'est retourné à la maison que  
le lendemain vers les 9 heures - A son retour  
le lendemain elle a vu D - <sup>avant qu'il tombe</sup> mort entre 9 & 10  
heures - Que lorsqu'elle est partie le Vendredi  
vers les 5 heures le Pr<sup>r</sup> de Cullinan étoit dans  
la maison - la sue du Sang sur le plancher -

Con. D. depuis longtems - c'étoit un homme agé d'une  
forte complexion - beaucoup adonné à la boisson,  
et dont ce qu'il ramassoit étoit déposée en  
boisson

boisson, alors ils s'est réfugié par tout - Sait que le Dr. avait des gardes pour lui, et il avait pris l'habitude de venir dans la maison - Depuis le Dr. n'ayant que 2 chemises sa femme en a donné une - a lavé ses hanches -

Que 3 semaines ou 15 jours le D- est venu à la poche demander l'entrée disant qu'il avait été battu et maltraité par le Wabch - qu'il - paraissait maltraité, avait les yeux noirs, et était plein de sang -

N'a pas connaissance que le Dr. aye jamais eu de difficulté avec le D- -

Que le témoin étoit la maîtresse de la maison et le Dr. y allait de temps à autre -

Sosette Guillerain, en Janv<sup>r</sup> dernier elle restoit dans la même maison avec le Dr - ou le D- et venoit souvent à la maison - est venu vers les 5 heures du 2 Janv<sup>r</sup> der. et y a passé la soirée - et ne paraissait pas malade - et étoit dans une chambre voisine à celle du Dr. le Dr. étoit avec le D- dans la même chambre. Que le Dr. est sortie vers les 8 h. - et est rentrée vers les 11 h. - n'a pas entendu le bruit dans la chambre après son retour - elle a entendu que le D- chantait & parlait comme à l'ordinaire et le Dr. étoit couché - n'a pas entendu le P<sup>r</sup>. Le Dr. se querelle avec battu - Qu'avant de partir elle

elle a entendu ces personnes se chianner, et elle a entendu le D. dire, laisse moi tranquille - une couple de fois - cela étoit vers les 8 h que le P<sup>r</sup> est entré en la chambre où le témoin étoit près son retour, elle n'a pas attention et il avoit du sang sur le visage - Quelle me s'en est apperçue que le lendemain matin - étoit sur le côté gauche du visage -

Que vous ministre Ant-Delaunay ut entrouvu un nomme Day - et alors elle ut passée dans la chambre où étoit le D. et étoit couché par terre, et étoit nu à l'exception de ses culottes - a vu du sang sur le visage - a vu une blessure sur le temple droit - Day étoit avec elle lorsqu'elle a vu cette blessure - elle a dé insurte se coucher laissant le D. là et n'étoit pas mort alors, comme il parlait - elle a jeté quelque chose sur lui - Elle a couché dans la chambre voisine - Elle a entendu le D. se plaignre sans rien parler - En se levant le lendemain, elle s'est apperçue que Dauphin étoit mort - et n'y avoit alors personne dans la chambre -

x<sup>o</sup>

Que le D. n'étoit pas sobre lorsqu'il fut arriver à la maison le 2 Janv<sup>r</sup> vers les 5 heures - et débarqua en train lorsqu'elle fut partie vers les 8 h - elle fut de retour vers les 11<sup>es</sup> heures - le D. chantait lorsqu'elle fut sortie - Que le D. a encore bu dans la maison après son arrivée - Le tém. n'a rien entendu après son retour - Que

le tems, a entendu le D- se plaindre vers les -  
minuit - elle ne bout pas surprie, parcequ'il se  
plaignoit souvent -

N'a pas entendu de vacarme ni bruit dans  
la maison - -

A connuassene que le P<sup>r</sup> a eu beaucoup d'egard  
pour le D- l'a lavé, lui a donné à manger,  
et lui a fourni des habits & a lui faire la barbe -

Alexander Bayf <sup>avec A. Delamare</sup> - a connu le D- est entré chez le D<sup>r</sup> ~  
le soir de sa mort vers les 9 ou 10 heures du soir  
y a vu le D- couché par terre ayant du sang  
sur le visage - ayant une blessure au dessus  
de l'œil - il en avoit epu ses culottes sur lui;  
il vivoit encore - il a demandé au Sem. de  
lui allumer sa pipe - Avant de partir il a  
pris le capot de D<sup>r</sup> Léonard sur le D. et est parti  
un quart d'heure après -

Qui quand il est entré dans la maison, il  
n'y a vu que le P<sup>r</sup> s'est a vu peu de tems  
apres sonne Cullerin entre ~~avec~~



Marie Louise Lete, veuve Baker - says nothing -

Jillie Hoole, says nothing -

James Pool - says nothing -

In Marie Cleveland, Esq<sup>r</sup> si Coroner further directed  
Lwas as such called upon to hold an Inquest  
on

on the body of the Dr. Found Dr in a  
dark room & poor y arrived on marchant  
dans le sang, c'étoit le 4 Janv 1830 - il a  
vu des blessures sur la tête du défunt -  
Qu'il a fait appeler le Dr Robertson pour  
visiter le corps -

M<sup>r</sup> Robertson, Surgeon - On the 4, Janv 1830 he  
was appelle' de visiter le corps du défunt,  
il a été requis par Mr Arnaud comme Meurtre.  
Le Dr lui a été montré comme la personne qui  
avait été dans la maison dans le temps - il  
l'a fait arrêter - a aussi dirigé l'officer de police  
d'arrêter les deux fem<sup>e</sup> qui ont été exp. iiii  
aujourd'hui - le Dr a 2 fem. par si elle  
n'avaient encore parfaitement recouvrer leur  
santé au matin - a vu du sang sur le  
plancher à la margue d'une main ensanglantée  
sur le muraille -

Le Coroner a examiné le corps. Il a trouvé  
plusieurs petites blessures sur le corps d'accord  
convenu - il n'y avoit pas de blessure sur le  
temple droit qu'quel beaucoup sang étoit  
sorti - mais le cœur n'en étoit pas affecté -  
cette blessure avoit pu produire la mort.  
mais il ne peut le dire positivement - qu'un  
homme adonné à la boisson exposé au froid  
seroit plus sujet à mourir que s'il n'eust  
été adonné à la boisson -

Verdict. Not Guilty —

The King -

vs  
Joseph Adams  
Sous Serment  
Joseph Parsons

An Indictment for house breaking

Sevill Adams - dem. a Russel town Beauharnois  
dans la même maison avec son père W<sup>m</sup> Adams  
que cette maison a été entrée par effraction le 1er  
Janv. dernier, <sup>2<sup>me</sup> à son la déposition</sup> ses & son frère ont quitté la maison  
pour aller chez un des voisins, vers les 9 heures  
du matin - ont laissé personne dans la maison  
et ils l'ont fermé au laguet - l'ont quitté pour  
revenir le soir - toute la maison était fermée -  
Que vers les 8 ou 9. sont revenues & mais n'ont  
pas pris garde dans le moment, mais Isaac Sampson  
est venu dire qu'il avait vu trois personnes  
entrer dans la maison, alors ils ont appris  
que sa montre manquait - elle étoit pendue dans  
un fenêtre de la chambre de devant - et y avoit  
une hache aussi de manque - elle étoit dans la  
maison dans un Armoire - environ 12<sup>th</sup> fromage  
valant 8 sols la livre. 6 a 8<sup>th</sup> Sauf valant 12 sols.  
Le fromage & sauf appartenent au père du témoin,  
et étoit dans une Armoire - Went & got a warrant  
from S<sup>r</sup> Manning - went in pursuit of them -  
a trouvé un de ces hom. chez W<sup>m</sup> Craig - & le  
Pr d'un autre un mile plus bas que village de  
Bowron - Ils ont arrêté - après les avoir  
conduit chez un nommé French ce même soir

is

ils ont vu d'avoir pris les effets - Mais  
d'un des Offs Blondin a été un'il avait  
pris la montre, mais qu'il l'avait jeté  
la veille après avoir été arrêté - Il a  
retourné avec le tenu. à la place où il a  
dit l'avoir jeté pris de la maison où ils  
avaient été arrêtés. & l'ont trouvée - la  
même montre qu'il avait quitté dans la  
maison lorsque il est parti avec son père -  
Qui ayant été informé que la bache avait  
été vendue chez Lighthall, il y a été -  
et a trouvé la bache d le Dr a avoué  
que c'étoit lui qui avait pris la bache -  
A trouvé une grande partie du fromage  
à monté cela au Dr d Blondin où ils ont  
dit l'avoir pris - & pour le fromage qu'ils  
l'avaient mangé. —

P-

~~Desprentz~~ n'a pas pris garde particulierement  
que la porte fut fermée - on peut dire qu'il étoit  
le dernier qui a quitté la maison -

Il y a des fenêtres à cette maison qui sont  
scellées en plâtre. —

Il a vu la montre le matin avant de parler  
de la maison - c'étoit lui qui la portoit -

Croft

croit avoir pris garde à l'heure ce même matin  
mais ne peut le jurer positivement mais il  
peut avoir vu ce même matin —

Il peut dire qu'aujourd'hui il a vu la bache  
avant le lever. mais croit que c'étoit 3 ou 4  
heures avant — ou croit que personne n'en est  
sorti parce qu'il n'étoit pas appelé — il  
peut dire que personne aperçue ayant été cette  
bache —

Qu'il a été absent de la maison dans les  
deux derniers jours auparavant, mais que les personnes  
de la maison n'avaient pris pres, comme elles lui  
ont dit —

Isaac Sampson — Voisin de Miss Adams Dr. témoin  
a vu ces gens quitter leur maison le matin du  
1<sup>er</sup> Janvier dernier il y a vu des étrangers y entrer  
à vu une charrette à la porte de Adams — a vu  
3 personnes sortir de la Côte — le Dr en étoit  
un, & un est entré en la voiture & les deux  
autres l'ont suivi à pied — Qu'il a rencontré  
Mr. Adams le même jour, et lui a dit avoir  
vu trois personnes sortir de sa Côte — que le tems  
s'est en allez chez lui. A peu de tems après le dernier  
temoin est venu lui dire qu'il avoit perdu sa  
montre & du formage il a été lever un warrant  
et au magasin de Mr. Long il a trouvé le  
Dr. La graff. ils l'ont mené chez le Magistrat

la où il a tout crevés, avoir pris la monte  
le fromage, l'enlever une hache, dont on  
n'avait pas encore découvert la perte - Ils  
ont poursuivi les deux autres, l'enlever  
en tombé d'abri et ont trouvé les deux  
autres. Blondin & Berthelot - Il connaissent  
Blondin auparavant - ils l'ont arrêté, et  
ont amarré chez Mr French, alors les  
deux ont reconnu avoir entré dans la  
maison de Adams & volé la monte des  
fromage & la hache - <sup>Berthelot a</sup> ~~Berthelot a~~  
dit avoir donné la monte à Berthelot,  
et après a avoir avoué avoir jeté la monte  
en chemin, & ils ont été à l'endroit ou il  
a dit le avoir jeté, et l'ont trouvé avec  
Berthelot & Cie

Qui ils ont déclaré avoir vendu la hache  
au magasin de Lightfoot & Co le matin,  
l'accusent vendre & ils l'ont trouvé aussi  
qu'il a été vendue - Ils s'étaient servi du  
fromage -

2

That Lagriff had been en déjeuner, mais  
had got over it - Il étoit sobre lorsque le  
 témoign l'a vu - That Berthelot a confessé  
avoir pris la hache - et étoit sobre dans le

tours

lens. Est sûr que le P<sup>r</sup> était un des personnes  
qui s'est sortis de la Cour d'Adams —  
Qu'il avait vu le P<sup>r</sup> plusieurs fois dans le  
cours des deux mois auparavant —

Que P<sup>r</sup> a dit que lui & Lagrave avaient  
entrepris dans la maison censée —

*Joseph Stafford* — Qu'il a été chargé avec un warrant  
contre le P<sup>r</sup> et les deux autres — le P<sup>r</sup> a avoué  
avoir entré dans la maison de Adams avec les  
deux autres ou les effets avoués être près —

Verdict: Guilty, as laid in the Indictment  
but without breaking. —

The King — }  
Joseph Blondin }  
and  
Frank Lagrave }

Mr P<sup>r</sup> apparaît au trial of the  
Indictment for breaking ~~in the~~  
breaks entering house in day time  
& steals — and agreed to withdraw  
their plea of not guilty, and to  
plead guilty of stealing as laid in the Indictment  
but without breaking, which was done  
accordingly — and their confession recorded

The King }  
Mr Denot }      On indictment for Petty Larceny -

Alex<sup>r</sup> Hamilton Pearce, le P. a été employé  
par le tenu : en Nov. der. pour couper de lard  
pour la sale - en quittant son emprise le P.  
a passé devant la porte du magasin avec une poche  
sur le dos - il a envoyé un bouchon pour voir  
ce qu'il y avoit dedans, et lui a rapporté que  
c'étoit du lard, alors le tenu. a demandé au  
P. de la porter dans le magasin, le P. le pris  
de ne point l'exprimer devant tout le monde  
mais de venir le visiter dans un endroit où  
il n'y aurait pas de monde - le tenu a permis  
au P. de la porter dans une chambre séparée  
du magasin sur le bas - a vu que il y avoit  
25 ou 30 livres de lard - et lui a dit de  
revenir le lundi - le lundi il lui a fait  
la cause pour laquelle il se renvoya -  
devant tout le monde -

Le tenu. a compris la raison pour laquelle le  
P. ne voulloit pas montrer la poche devant  
le monde, parce qu'il se sentoit coupable  
d'avoir le lard à 3<sup>r</sup> au 7/6 - il le cleroit sur  
propreté.

<sup>22</sup>  
Sur c'étoit paroysse tout de fait à du lard  
il y avoit des gueux, de cochons, avec une buse  
ou une demi livre de lard apres - Qu'il y  
peut étre 3 ans qu'il travaille pareillement -

Qu'il

De'il n'a pas battu le Dr mais il lui a donné  
des coups de poing

Joseph Masson - Quant à Dr est passé, il a  
demandé au bon - s'il voulait que des greffes  
et en a donné deux quinze à l'âge de 15 ans  
caché sa peur quelque part, comme il craignait  
que M<sup>r</sup> Price ne servit pas content de le  
voir si gros -

N'a pas vu ce qu'il y avait dans la poche  
du Dr

William Ley - was employed in selling dispensary  
bags for Mr Price in Nov last - The man  
came into butchery except Dr when Price asked  
Mr what he was doing there - a job he did not  
come across - Mr Dr he did not know - They  
had start up the butchery, when every one had  
what they wanted & had it marked to their account  
On this Price observed that Dr had but nothing  
& his bag is bigger than any of the others - So told  
Mr to look after him - The Mr went to when  
Dr put his bag & found his tools w<sup>t</sup> pack  
it was about the size of half a bushels might  
be worth 5/- Mr returned his answer of what  
he had seen to Mr Price - on this Price requested  
to see the different bags - came at last to Dr.  
I asked him for his bag - he said it was behind  
the store - on this the Dr took his bag, and  
counted

went with Pearce into the back store —

P.  
The P<sup>r</sup> worked in the hangard

Verdict. Guilty

The King & co  
Benjamin Lauren }  
otherwise called Benjamin  
Fardon

James Hardy Dady, kept a tavern at  
Lockport in Augt. last — on the 10<sup>th</sup> Augt. last, all  
his doors were closed, except one of which never been  
opened — next morn. perceived that sundry articles  
had been stolen 3 q dotts in Park notes — some old Bay  
Crown & half Crown, ~~other~~ coins to amount of 20 dotts  
also a gold watch worth 30 dotts a man cloth  
coat, worth 5 dotts & other articles of the description  
and value stated in the Indictment belonging to  
the Wit.

It was about 4 o'clock when he missed these effects —  
In Oct last he heard that his watch had been  
opened at Mr. Cleare's for sale — he came to the  
Police office when he saw his watch — he also  
recognized the gilt of P<sup>r</sup> had on to be the  
coat of had been stolen that night — when  
he saw P<sup>r</sup> before —

It was on the night between 9 & 10 & 11<sup>th</sup> Augt last  
the door of Magazin was shut by barrels put  
ap<sup>t</sup> at 2<sup>o</sup> so far that without breaking the door  
no person could have come in by that door —

There

There were but few persons at his house that day  
that Mr. friend the door of the Store from in the  
morning, and the person who opened it, must  
have been concealed in the Store, or must have  
passed through the house to open it -

Sam<sup>l</sup> Mc Clellan, watch maker, in Montreal in Oct last  
the P<sup>r</sup> took a gold watch to store of Dr. for sale &  
recognized the watch to belong to the wife of Dady -  
he stopped at - caused the man to be arrested &  
sent to the Police office with the Watch -

J<sup>r</sup> Martens, keeper of stolen effects at Police office  
in Oct last a gold watch was handed to him  
by bank M<sup>rs</sup> -

Sam<sup>l</sup> Mc Clellan, says, this watch was delivered to him  
by P<sup>r</sup> -

James Hardy Dady - says, the same watch was stolen  
from his house on night between 10<sup>th</sup> & 11<sup>th</sup> Aug last,  
that P<sup>r</sup> had a blue jacket on when at the  
Police office, is positive that this was part of the  
coat of one who was robbing -

The wife is positive that from the marks on  
the sleeve & on the Collar it is the coat stolen  
from him -

Defense -

Paul Archambault can't be Vaudreuil known Dr  
J

for 14 years - knows nothing of his watch  
the time of this accusation - always considered  
to be an honest man - is a sober man -  
has not reason to have worse opinion of him  
than he had before -

The Dr. has not the means of having a  
gold watch - it would not produce any  
bad opinion in his mind of him his having  
such a watch -

Mr. B. Leiboeuf, dom. a Vanderveil. His Dr. for 16 years  
lives about 3/4 league from Dr. has a large family -  
he has worked for Mr. all last harvest, and  
used to sleep at house of Mr. all that time -  
during all the 16 years he has known him he  
has always lived at Vanderveil & never left  
the parish -

The Dr. entered the service of Mr. on the 2<sup>d</sup>  
Augt. last - discontinued all the time till harvest  
was finished - Does not think he could have  
abandoned him self at night a few 8 leagues

Frank Dethorne old inhabitant of Vanderveil.  
Mr. here for 26 years - is a man of good  
character has been in his service - -

Laurent

Laurent Martine knows Dr for several years  
part he has always enjoyed a good character

Jean Marie Chabot, lives at Vandreuil - Is Dr  
who enjoys the character - That serves the  
part to the best of my best he has seen  
the Dr who has not absented himself  
from his home -

Narcisse Valois, lives at Vandreuil - Is Dr for no  
a 12 years - has always recognized him to be an honest  
man - He began the harvest on the 3<sup>rd</sup> Augt and  
continued all the harvest w<sup>t</sup> Jn Bl Lalande - That  
he does not think that it is possible th Dr could  
have gun & leaves have crossed two farms & get  
back in time to his work -

He has heard that some persons had slept at  
the house of Dr - This person was called Jn Verdon

Verdict. Not Guilty -

Monday 7<sup>th</sup> March 1831. -

Prest

Mr Ch. Just: & Justice Ryke & Rolland.

The King  
n  
William Hammond

}

On Indictment for stealing a  
heifer. —

John Schutt - lives in Ogdensburg - had a heifer  
in Oct last, about 3 years old, value 16 dollars.  
of a red colour - missed her the 30<sup>th</sup> Oct - when  
he last saw her was in his pasture near his  
house 5 or 6 days before - Was informed some  
time after that P<sup>r</sup> had killed a heifer - he  
went to Champlain to Whipple's house where  
there was a heifer of a heifer, of Mr recognized  
to be the heifer of his heifer he had so lost - on  
this he had P<sup>r</sup> arrested - the P<sup>r</sup> on being questioned  
about this, S. ~~sometimes~~ he had brought it in  
the States -

x<sup>2</sup>

Accollects having arrested P<sup>r</sup> for stealing another  
heifer. & was discharged for this - soon however  
of the loss of this heifer had him arrested again -  
There were no particular marks on this heifer  
there was some white on the belly and on  
the back - there was no white about the nose  
or face - That the P<sup>r</sup> was a poor man &  
that he had killed more than one heifer in the

woods

woods and out of the way places - understood  
that a boy, servant of P<sup>r</sup> had assisted in killing  
this heifer - never saw a heifer exactly like this

Thomas Whipple, lives at Champlain - in October last  
about the 28<sup>th</sup> day he purchased the hide of a  
red heifer from Mr P<sup>r</sup> gave him \$5 for it -  
bought also  $\frac{1}{4}$  of the beef from him - The P<sup>r</sup>  
<sup>said</sup> before this  $\frac{1}{4}$  he was going to get a heifer, over the lake -  
asked if he would sell the fat - o<sup>d</sup> N.Y. & 10. adms said  
he would buy the hide - The W<sup>r</sup> was informed by  
P<sup>r</sup> that he had got the heifer & killed it, & w<sup>t</sup> went  
to his house for the hide - P<sup>r</sup> is a labouring  
man and a poor man - That Mr Schult.  
came to his house about a week after to claim  
the hide as his property - he o<sup>d</sup> he had lost a  
heifer - said it was a red heifer - as white on it  
as he rem<sup>d</sup> then o<sup>d</sup> there was some white on the  
back - asked him if there was any mark, said  
no - 10. said there was a mark like a swallow's  
tail on <sup>one of the ears of</sup> it - o<sup>d</sup> it must have been beat off by the  
dogs - Schult. o<sup>d</sup> the hide was his - The  
P<sup>r</sup> o<sup>d</sup> he had got the heifer from Paul Allard,  
<sup>in the State</sup> the P<sup>r</sup> said before he had got the hide, that he  
was going across the lake, on Canada side  
to get -

The

The Cut on the ear, was an old cut -

X<sup>o</sup>

The cut was a smooth one, but must have been done by a dog - a cut of this kind would heal in 6 months -

Not much. There were some white hairs under the tail, and under the belly -

By Mr. Schult's, there was white on head

John Glass lives at Larole about 4 miles from Schults  
the Dr. lives about 40 rods from Dr. in a house  
of W<sup>t</sup>. The Dr. came up to Dr. while he was  
killing a heifer in the morn<sup>g</sup>. about 12 or 15  
rods from road to the woods - he had a boy  
along w<sup>t</sup> him - the animal was not yet dead  
it was a red heifer, about 3 years old -  
Dr. had Dr. he was going across the Lake to get  
a heifer - understood it was to Caldwell's manor  
this was the night before - This was about the  
27 or 28 Oct<sup>r</sup>.

The Dr. is a cooper by trade - he has no farm  
and but one Cow of his own -

That Schult came to W<sup>t</sup> to call on him as in  
distress - That it is not customary to  
kill cattle on the woods - The Dr. said that  
the heifer had escaped from the fence -

That there was another road, but with frequented  
about 2 rods. when Dr. killed the heifer -

That

that the P<sup>r</sup> did not seem to look right when  
we came up to him - but did not look bad  
either - P<sup>r</sup>, the herds had run away from  
him - the boy did not contradict this -

Cornelius Claesdien, lives at Leevale, about 6 arpents  
from Schult's - He said that Schult had a  
3 year old heifer among his cattle, & it was missing  
about end of July last - & that he found a  
hyde of he considered to be his - has seen  
the hyde when exam<sup>d</sup> before the Dragislate -  
this was the hyde of the heifer of which was that of  
the heifer of Mr Schult - & he had lost

X

There were no particular mark on the hyde  
but he had been acquainted with the creature for 2 years  
before by having seen her pass 2 or 3 times a day.  
This was before Mr Hoyle the Dragislate -  
that Mr Schult was not in the habit of marking  
his cattle

Wm Schryver neighbour of Schult's - he also said  
Schult was on the poss<sup>s</sup> of a 3 year old heifer  
she was along with the cattle of W<sup>r</sup> - she was  
lost - a skin was produced as being that of the  
heifer before Mr Hoyle. Is of opinion that it is  
the hyde of the same animal -

White on body & legs. Brown white about the tail -  
has oxen very much alike

Allan Cameron - about 1<sup>1</sup>/<sub>2</sub> miles from Schutt - knows  
the cattle - strip in question Schutt found  
him - it was produced before Mr. Hoyle -  
had known the heifer for 2 years before - took  
particular notice of it - and has no doubt.  
that it is the same skin of same heifer,

### Defense -

Thomas Whipple - called up again - does not think the  
cut in the ear was over 2 inches long - but  
easily perceived -

Schutt took away the hide, & it was produced  
before the magistrate -

Went to place where the heifer was killed, and  
got the skin of her - it was 2 rods from a  
road - P. S. the heifer had escaped from him  
she had caught it - altho' it was not a place  
one would choose to kill cattle -

### Verdict. Guilty. -

The King }  
Gabriel Raymond }  
otherwise called  
Gabriel Thoulouse }

On Indictment for an assault with  
intent to commit a rape -

Maria Ann Gregoire, den. a Beauharnois

5. Ainsi dès le Défendeur est venu chez elle, vers les 7 heures du Soir, & y a couché - il a apporté des liqueurs froides, & a fait boire un coup à son mari, qui étoit mort voilà lorsque le Dr est venu - Que le Dr s'est trouvé dans la nuit il venait à son lit, & le a mis sa main sur sa poitrine - il est venu une seconde fois & l'a saisi - et s'est mis sur elle - elle a eu la force de se relever - elle s'est levé a fait de la peur, lorsque le Dr. a enroulé ~~un~~ ~~un~~ ~~un~~ ~~un~~ drap. & l'a poussé contre la porte - Que son opinion étoit qu'il voulait jocund d'elle.

¶

Que le Dr avait bu avec son mari avant de venir chez lui -

Que le Dr étoit habillé -

Defense -

Mari ~~le Dr~~ Vincent - con. le Dr. depuis longtems - nomme nom -

Catherin Berthiaume - le Dr. salvo Mari an. ignoré -

Faute - Not Guilty -

The King  
William M<sup>r</sup> Cowleff } On his mission for persuading a  
soldier to desert —

James Colston, Supt. in 66<sup>th</sup> Regt. of Foot  
In June last there was a discharge at Isle aux Noix —  
on 13 June 3 men had deserted — From company  
or the men on 7 July, was met Capt Duncan  
who told him that Dr. & Hamelin had gone  
down to a house together — Went there and  
discovered the house of Dark Yards — saw Hamelin  
alone — A few minutes after saw Dr. going  
towards Soldier — They talked together — went  
into the house & staid a few minutes, and  
afterwards heard foot steps into water. A broad  
paddle in the water — The Soldier had a  
coloured coat on across his shoulders — when  
Dr. arrested the Soldier — & drew up the coat  
in the Canot over the Regimentals of arms  
of Soldier —

When M<sup>r</sup> saw soldier stand near the house  
he had his regimentals on —

That very day M<sup>r</sup> went to town of Dr.  
searched for soldiers necessary, & found a  
pair of pantaloons & a pair of boots being  
part of military clothing —

— Other Dr. or he was going to take the Soldier  
to his house as he was a friend of his —

— That 3 soldiers had deserted from Isle aux  
Noix a few days before —

W

It is easy for a soldier to desert from one  
any now -

The soldiers name is James Hamlin, &  
had been in Regt about 2 years before —

Knew P<sup>r</sup> before — he passed by the name of Garrow  
in time about 2  $\frac{1}{2}$  miles from Island & a little  
below it — is a farmer & has a family —

Bridge was present when P<sup>r</sup> was hot up before  
Jobson — That Bridge proved he had sold the  
boat to P<sup>r</sup>

James Swan. Corporal in 66 Regt. Ith says he was  
in time last — about 10 June last the P<sup>r</sup>  
came up from wharf — & he had just come  
from Yankee town — had some ale — refused  
to sell any — he could go & get some — sat  
down to smoke — & refused to give his pipe  
That made the P<sup>r</sup> say that the Corporal  
was the best looking man she would make  
him a free man in 2 hours — Forces asked  
if he meant him to desert & P<sup>r</sup> said he meant  
only to make a Free Marion of him — That  
P<sup>r</sup> said he could make more free with the 2d  
Regt. than we theirs in bds.

That P<sup>r</sup> first spoke w<sup>t</sup> private Thos Hazen  
this morn afterwards despatched on the 13 June

Thomas Ferries - Soldier in 66<sup>th</sup> Regt - was on a fatigue party on 10 June last, when O<sup>r</sup> came to steam boat wharf 25<sup>th</sup> he had come Yankee town w<sup>t</sup> some ale - We asked him for some of ale - refused - & I refused his pipe -  
That he spoke to O<sup>r</sup> that he could make Corporal Swan a free man in two years or three what would you get the man to desert - no, he would make a free man of him, turning off the master in this way -

Edward French Soldier in 66<sup>th</sup> Regt - was on a fatigue party on 10 June last at Arbre aux Nez - O<sup>r</sup> came up & speak to party - heard him say, they were a distant sett of men, that he could do something with them 24<sup>th</sup>. & could do nothing w<sup>t</sup> them -

That they assisted the master of lantern to carry up a barrel of beer, & p<sup>d</sup> then O<sup>r</sup> to Hagan to put his shoulder to it - Observation as to Hagan's being acquainted with O<sup>r</sup> -

Corporal - free man - 2 hours - to desert now - sent to make a free man of him -

Heard O<sup>r</sup> say to 3 men Holden, Hagan & Foster the 2<sup>nd</sup> or 3rd that he would not deceive them

Holden

Holden came to ask M' to come out & take  
a walk - M' s<sup>d</sup> he had no money - s<sup>d</sup> he  
had money, and he might have his share of  
it -

That the same night or next morning he met  
these men w<sup>t</sup> the P<sup>r</sup> and they soon  
afterwards deserted -

### Defense

James Hamlin - Soldier no 66<sup>a</sup> R. P.  
After parade on 13 July last we had been  
drinking - it was out side barracks gate he  
met w<sup>t</sup> P<sup>r</sup> that the P<sup>r</sup> to be also in liquor  
asked him to take a glass - & both went to lantern  
where they both drank - We asked him if he  
was going home - s<sup>d</sup> he had a boat - & W<sup>r</sup> s<sup>d</sup>  
he wished to go across w<sup>t</sup> him, P<sup>r</sup> asked if he  
had a pass - & s<sup>d</sup> he had, wished to go &  
see Mr. McCarty who lived on the other side  
R River - went down towards River,  
when they met Major Duncan - that they  
went down to the water side to the Canoe, when  
the P<sup>r</sup> again asked if W<sup>r</sup> had a pass he said no -  
by this time the P<sup>r</sup> had thrown off his coat and  
put it in the canoe, in order to paddle them over  
and the W<sup>r</sup> took up the Coat and put it on him,

that

that Mr had his foot in Canoe, when the  
Sergeant came up & made him. Or as the  
P<sup>r</sup> had <sup>not</sup> agreed to take him across without  
a pass - they were arguing about this when  
the Sgt - came up -

There was an order that no Soldier should  
go in a boat & Canoe -

That it was in order to conceal his regimental  
dress that he had put on the Dr Coat -

That the P<sup>r</sup> never asked Mr to desert -

Had seen the P<sup>r</sup> on the Island several times  
before this -

X-

That McCarty is a labouring man - Mr  
that he might get across the river at night -  
never was at McCarty's house -

- That McCarty had invited Mr to go and see him -  
that he might return same night -

- Took his Regimentals, but intended to bring them  
back, & put on Dr Coat to prevent his being noticed -

- Did not go into a house to change his dress  
before he went down to the Canoe -

- That he changed his dress betwixt the house  
& the Canoe - there was only 3 yards between  
the house & Canoe -

- Was tried by Martial for attempting to  
desert -

Christopher

Christopher McCormick - R. H. P. for 3 years  
& 3 months & always considered him as an honest  
man - has worked as a tailor at the Island -  
The Dr. has a wife and 5 children - he lent him  
5 dollars, &c. The Dr. returned to him -

He has a small farm below the Island - where  
he lives -

Jamer Colton called up - The Dr. or the soldier was a  
friend of his and he ~~had~~ was to take him to his  
house about a mile below island -

Verdict. Guilty.

The King  
Luke Bowen } On Indictment for a Rape -

Melanie Pontet - aged 13 years, after having  
been questioned by the Court, was sworn -  
Is daughter of Fabien Pontet - That her father last  
Summer & Autumn was neighbour of Dr. That in  
the evening she was boiling potatoes told Dr. to get some  
bread - The Dr. got hold of her & threw her on the  
bed, he put up her cloaths and he unbuttoned his  
breches & got upon her - he put something between  
her legs - he hurt her - between her legs - that it  
hurt her when he put his thing - but she cannot  
say he put any thing into her body

On this the Court directed the Dr. to be acquitted  
which was done accordingly -

Tuesday 8<sup>th</sup> March 1831.-

Prest.

Ch. Justice & Justices Dyke & Rolland.

The King  
n  
Morse Camaraire

{ Our Indictment for Grand Larceny

Even all Master Lewis in Deendee near Salmon River - in May last he was convey<sup>e</sup> a raft of timber to Quebec being near Sorel - he had on his raft a cloth coat of a cloth jacket of trousers of Wanton, other articles of the description and value as stated in the Indictment - the notes were in pocket of the blue coat in the trunk - the pork in a barrel - Stopt opposite Sorel - on 4<sup>th</sup> May - the effects were taken away about 1 or 2 o'clock in the night - they were then about 12 o'clock I went to Sorel next morning to get a search man & was told that there was a man who used to take things in that way, supposed he staid about Buthier - We went to Mr Morrison J. P. Buthier - stated all the things he had lost, & on this got a warrant at the Or Mr. gave the warrant to Tagnant who made search at Desjoules, - they did not find the Or but found the cloaths of Mr under the bed they found the dark grey Coat & Baskit and trousers, of Mr recognized to be same stolen from him - ret'd to Mr Morrison's - who declared the effects to be sent to Montreal - & returned to raft -

There were 12 men on his raft - hired men -  
they had been hired at different places. They  
had all been with him all winter - they were  
all the rafle when the things were taken from  
the rafle - none of them were suspected of  
having taken and having from the rafle -  
None saw or till this day -

Thomas Fagnan. Mus. a Berthiau - En Mai der.  
en consept d'un warrant de recherche il a  
été dans la maison du Dr ou et a trouvé  
sous la parlaisse un habit, un gilet, une  
pr de Culotte, qui ont été remis par  
elle. M. Master comme à lui appartenant -  
Le Dr lui dit avoir acheté ces hardes d'une  
personne qu'il ne connaît pas, mais qu'il  
avait eu de la chance comme il y avait de  
l'argent dedans -

Gro. Homeny. Dem. a Berth au com. de Mar  
der. a aidé comme accusé à la recherche dans  
la maison du Dr ils ont trouvé plusieurs  
pièces de hardes habit, gilet culottes & Vesle  
cachés sous un lit - le Dr n'eût pas pu me  
dans le temps - Le Dr lorsqu'il fut arrêté,  
a dit avoir acheté ce paquet de l'utile d'un  
étranger - ils ont trouvé du lard comme du  
lard de lage & non du lard d'habitant -  
Qui en chemin à bord du Steam boat, le coffre

qui va

quelcon avait a bord, a été jeté à l'eau  
& croit que c'était le Dr qui l'avait jeté  
à l'eau - comme ayant le plus d'intérêt -  
chez les habitants on n'échange pas le lard.

Louis Marteau - gardien des effets volés de l'Office de Police  
le payant maintenant produit <sup>un</sup> et été remis par  
le nommé Fagnan de Berthier, & est dans le même  
état qu'il a reçu de lui -

Thomas Fagnant, bro. teach says - le payant maintenant  
produit est le même -

Even McMurter - naming up the cloaths, says they are  
his property, and are the same of those stolen  
from him on board the raft -

Henry Judah - does not know the Dr <sup>was told</sup> there was  
a man of the name of Lamarcus who  
changed bank notes, but does not know  
him to be Dr

Verdict Guilty

The King  
Luke Socowtch

On Indictment for an assault with  
an intent to commit a rape

Melanie Poutet - is daughter of Fabien Poutet  
is aged 13 years - about Sept. lost her father had  
an acre from Dijon in one of Dijon's houses

It was after hay harvest - her sister was hungry -  
asked if she would go w/ her for bread, she refused -  
W<sup>r</sup> was in the house of P<sup>r</sup> during absence of her father  
at fishing - & she meant to go to her father's house  
for bread - on this P<sup>r</sup> went w/ her as far as the  
Stable of her father's house, went in, & it was in  
the Stable where she lived w/ her father - the  
Dr<sup>r</sup> scratched on boards so<sup>t</sup> he could not find  
the place - & com<sup>d</sup> to show me - & he then threw  
her on her father's bed & took up her cloaths  
and unbuttoned his trousers & put his thing  
between her legs - & hurt her where she makes  
water - She bled, and her skirt was all stained -  
this was done without her consent - she attempted  
to cry, but he put his hand on her mouth -

That she used to go every day to P<sup>r</sup>. & used to  
eat there - she cannot say what day of the  
week it was - She has stated at Dr<sup>r</sup> a part  
of that day - That P<sup>r</sup> remained at home  
all that day - She had not been in the field that  
day, nor the day before, nor after - That her father  
<sup>when</sup> used to make her to tell what she has  
said or furt - That her father left Bowen's  
house three days after -

That she acquainted her father the same day -

Fabrice Pontre - last summer he lived in one of the  
buildings of P<sup>r</sup> w/ his family - In despite last  
he was acquainted by last news of having been  
ill treated

heated by Dr. W<sup>r</sup> had been absent from that day - when before he came to the place he heard his little child crying out, Papa - papa - come, Mr. Bo in calling Melanie - the Dr. very fearful of his life, he went into a shop between the Dr. house & his own house - he there called Melanie - she did not come - so he but he saw Dr. coming out of the Stable he was buttoning up his breeches a-neckl away went into the Stable, found Melanie, who was on the bed, unable to walk, <sup>in that</sup> covered with blood - she also appeared to be injured in her parts -

That 2<sup>d</sup> days after he went to Mr. Dr. Gibbons about 7 or 8 miles from his place, Melanie was examined by him - he went in search of a magistrate but Mr. Cameron was uncertain whether he could get - but he made his complaint as soon as he could at the Dr. and he was arrested -

R-

Is a taylor has no fixed residence - he had lived in Dr. house about 4 weeks - thinks it was about 2<sup>d</sup> elish this happened - he had been about that day selling his fish - he took back only his money - but no work - he was not in liquor that day -

He landed his canoe near Dr. door - he looked

in to see if Melami was there - finding he was  
not there, he returned & went to the place where  
his shop was - was afraid - there he saw the  
Dr buttoning up his breeches & putting up his  
shirt sleeves out of the stable when his daughter  
was -

The took went into the stable, and saw from  
the situation of his daughter the injury she had  
and - she was on the bed her legs spread  
and full of blood - he took her into the shop  
& up arms her shirt found it full blood &  
stained - he took her to the doctor - who  
examined her and said, her womb had been  
injured -

It was about ~~2 weeks~~<sup>3<sup>rd</sup> days</sup> after he took the girl to the  
Doctor -

That the same night he slept in the stable of Dr -  
where he was used to stay -

That Bowen threatened him if he heard anything  
from him, - he should report it -

That Mr never charged Dr with the crime during  
the ~~same~~<sup>3<sup>rd</sup> days</sup> he lived with in the house of Dr

### Defence -

In P'to Longton About the 13 Sept, last came to Pontres  
lodging told him to ask Bowen, so he went to  
Bowen - who asked, is not my house here good  
you may sleep here do not at Pontres - Next

Morn's Ponte came there made a sign to  
Mr. he followed him - asked Mr. what Dr.  
had s<sup>t</sup> of him - Mr. s<sup>t</sup> he had said nothing -  
on this Ponte s<sup>t</sup> it is all over I'll be -  
conviced of him - I'll say he has taken my  
charts by force - That is it possible -  
Mr. P. would have done such a thing - but  
the Ponte s<sup>t</sup> he may not have done it - but  
it is the same thing - the D<sup>r</sup> will rather give  
40 or 50 dollars than go to jail -

When Mr. arrived Ponte was in liquor -  
there was a bottle w<sup>t</sup> whisky on it -

That the cause of the complaint w<sup>t</sup> Ponte had  
against Brown, was that he was sending him  
away, & it caused him injury -

Louis Knudle - lives at Salmon River - about 2 p miles  
from Brown - R<sup>t</sup> Ponte - he lived ~~about 6 weeks~~ <sup>2 or 3 days</sup>  
w<sup>t</sup> Mr. He is a man who is fond of drinking  
by far too much for his comfort - he passes  
for a drunkard -

Ponte s<sup>t</sup> he would not find a place & it was  
obliged to keep him -

Mr. Brown for 4 years - has always known  
him for a respectable & honest man a man  
of property -

about 12 or 15 days after this happen'd - about  
his daughter - he s<sup>t</sup> he wanted to have Brown  
taken

taken up - We abjured - not in it would  
come to nothing - Pau'te, it would come to  
something - That 12 or 15 days ~~or~~ <sup>was</sup>  
arrested - Saw Pau'te take his daughter by  
the ear, shake her, if Bowen did not do  
any wrong w<sup>t</sup> her - she said our papa - did  
he take up your pathways - our papa -  
he then <sup>s</sup> all cut you throat & throw you  
open in the river if you do not say as I tell  
you - the child answ<sup>r</sup> our papa -

Sacré Jésus si tu m'as dit par la vérité - je  
<sup>crois</sup> ~~te~~ ~~comme~~ je te dis, la vérité comme je te dis  
je te crois la Col -

This conversation he has heard 2 or 3 different  
times - I am threatening her - & scolding her -

Does not know where Pau'te lives -

Magdeleine Haule - his Bowen - for 3 years - an  
honest man - his Pau'te - about 3 or 4 months.  
sees him but seldom - he is a man who likes  
to drink like others - saw him unoccupied twice -  
Is wife of last Mr - after Bowen was arrested  
Pau'te came to her house - he asked for something  
to eat from his daughter - he got it - asked us  
to come & sat down here as there had something to  
say - he called to his daughter come here - We  
was alone w<sup>t</sup>. Pau'te - he asked the girl - did  
not Bowen try to do ~~bad~~ with you - Yes -

did or not attempt to pull up your  
cloaths to do so too wet you - she said  
yes papa - he d? ma sacre Bougresse -  
if you do not say so too, as I tell you  
I'll cut open throat & throw you in the  
River -

that the Child appeared not disposed to  
speak and was crying - it was a kind  
of lesson he wanted to teach her -

Luke Bowen Jr - son of Dr on 9<sup>th</sup> Sept last  
he was in a Corn field picking corn with  
Children of Daubé - in the mornin he  
had gone to Salmon River swam from all  
day - he remained in the field all day  
from 8 o'clock until about an hour before  
sun down & the children we hear  
the father of us was at home all day  
at work -

He had not returned home about 5 minutes  
when Daubé arrived - His father was in  
the house - the children went to their home -  
Daubé had a gallon of whiskey for his father -  
he went into his father's house & remained  
there all the evening till about 1/2 past  
nine when he returned to his own house  
and his father then went to bed in the

same

same room w<sup>t</sup> Mr.

That men of the Children came in the house -  
After this accusation the s<sup>t</sup> Pantie remained  
14 days after and never made any complaint  
ag<sup>t</sup> Mr P<sup>r</sup>

Donald Grant - has known Dr for 12 or 15 Years  
honest man - his Pantie - is considered to  
be a worthless man & given to drink -  
He said Pantie say he had been put up to  
make this press ag<sup>t</sup> Brown by one person

Allan M'Gowan, Esq. Dr for 8 years -

That Pantie asked Mr. if Dr had not  
asked him to settle this matter on consideration  
of a sum of money spent by Dr £100 or so -  
no - Then Pantie told Mr. that he should  
say he had done so

Dr Dr saying to Pantie - that he had been put  
up to this - In s<sup>t</sup> that Cameron put him up to  
it first -

That Pantie passes for a man of bad character -

Joseph Valle - Cur<sup>t</sup> of St Regis - Esq. Dr for 8 years  
good character - Pantie does not pass for a  
man of good reputation

Griff<sup>t</sup> Lorimier, Cap<sup>t</sup> of Indian Department  
knows Ponte - he passes for a man  
of poor character - he has directed the  
Chaps to mob & have him sent away on  
acc<sup>t</sup>. of the bad order he was said to have  
kept in his house -

The P<sup>r</sup> has a good character -  
Verdict. Not Guilty

The King

Benj<sup>n</sup>. Lorraine  
alias Verdon

An Indictment for receiving  
stolen goods, knowing them to have  
been stolen

James Hardy Duddy, lives at Lachine, y a dem.  
en tout du - le 10 Aout der. dans la nuit sa  
maison a été défoncé & de l'ayant a été volé  
ses hardes qu'il avoit porté la veille - et  
beaucoup de marchandises qu'il avoit - Il  
y avoit une montre d'or, & un habit & drap  
qu'il portoit lui-même estime montre à 30 francs  
& le habit à 8 francs -

N'a pas pu découvrir les voleurs - En octobre  
a sur que sa montre d'or avait été offerte en  
vente chez le monsieur ell<sup>e</sup> Glare a Charlospur  
elle - Un bon. a vu la <sup>mme</sup> montre à l'offre  
de Police - a vu sur le P<sup>r</sup> un partie de  
l'habit bleu volé - il portoit en facon de gilet

X

He had left the watch in the same room in  
of he slept - has <sup>3</sup> servants in his house -  
One of the buttons was off at the wrist &  
the other marked. ~~The collar of~~ there was also  
a mark on the sleeve, and the collar was worn,  
never saw Dr before he saw him at Police office -

Samuel McClellan - watchmaker in Montreal - on Octo  
last the Dr. brot a gold watch for sale - the  
Abba had reappeared twice for the wife of Mrs  
Dady - knew it was the property of Dady -  
The Mrs. said he had got the watch from a  
person who died <sup>in his house</sup> at his house and had left  
him the watch. After Dr. brot the watch Dr  
to police office - thinks that the Dr. gave  
his name as Verdun at his place, but that he  
gave a different name at Police office, but he  
will not be positive

he cannot here tell <sup>X</sup> the name of the watch  
he cannot speak french well but there was  
a person who interpreted between them

Louis Martineau - the watch in question was brot  
to the Police office at the Dr in October last,  
the watch now produced is the same -

Sam McClellan - watch now produced is the same  
as mad from the Dr

James

James Hardy Dady - says watch same as 26 hrs  
from his house on 10<sup>th</sup> Aug last -

Hippolyte St George In October last was clk in Police  
Office, the Dr was brot there - the first day  
he did not called himself Verdun - thinks  
he called himself Laramie - but on the third  
day when he came up, he said he was afraid  
to take name of Verdun, but that his name  
was Verdun -

The Dr or he had no<sup>t</sup> the watch had been  
given him by a man who had staled in  
his house sold them & he got it for his  
pension & bon retralement, afterwards said  
that he had got the watch from his brother  
Bn Verdun -

Holland. Keeper of Gaol - Had a person  
of the name of Verdun, Belrose, & Robert.  
under Capital Convictions - Then and some  
others escaped from Gaol about the 9<sup>th</sup>  
August last - has been told that Jos. Verdun  
was the brother of the Dr

The Dr has always conducted himself well  
Ante Lafresniere Police office - knew a man of the  
name of Mr Bn Verdun, understood he  
was the brother of the Dr

Defense

Defenses

In P<sup>r</sup> Chals - Re P<sup>r</sup> he is a man of good  
of character, lives about 1/2 acre from his  
house - a sober and industrious man, with  
a large family - That M<sup>r</sup> Verdon was  
as his P<sup>r</sup> - he had a watch w/ a chain &  
pocket - he said about a day or P<sup>r</sup>  
he said he had gained a good deal of money -  
would not think it extraordinary if the  
P<sup>r</sup> Verdon should have given his brother the  
P<sup>r</sup> a watch -

Knew M<sup>r</sup> Verdon by reputation before he  
saw him -

that P<sup>r</sup> lives on an emplacement -

Antoine Chals - lives at Vandreade - about 6 acres  
from P<sup>r</sup> - he enjoys the character of an  
honest man - he is a sober & industrious  
man - saw M<sup>r</sup> Verdon at house of P<sup>r</sup>  
a short time - saw he had a chain of a  
watch w/ M<sup>r</sup> Verdon - does not think it  
extraordinary that M<sup>r</sup> Verdon should have  
given the P<sup>r</sup> this watch -

Is the brother in law of P<sup>r</sup> - never saw a watch  
in hands of P<sup>r</sup> neither gold nor silver - he is a poor  
man & gains his livelihood by his industry -

Jacques Leger de Parisien - lives at Vandoeuvre -  
has Dr. for 12 or 13 years - he is a man of good  
character -

Saw M<sup>r</sup> Verdon at house of Dr. - saw him  
have a gold watch - he acted like a man  
who had gained money - and had been for  
7 years he had not seen the Dr. That he has  
not paid it extraordinary that he should have  
given the Dr. this watch - that had the Dr.  
that the watch was stolen he would have  
accepted of it - but would have carried  
it to a magistrate - The Dr. is a straight  
going man -

Chas. L. Dr. lives - watchmaker in Montreal - keeps  
a register of the watches sold to him - It is  
not a common watch - is horizontal watch -  
Verdict. Guilty recommended  
by the Jury

The King  
Jared Butts {      On information for encouraging a  
Jared Butts }      soldier to desert -

David Mahony - Soldier in 66 Regt of foot  
in May last he fell in w<sup>r</sup> Dr. behind the Champs  
de Mars w<sup>r</sup> Park Terry - the Dr. on passing  
S. some soldiers & I'll give you a glass -

he went w<sup>t</sup> them to a public house d' Tivoli  
called Ju 2. others - when they came out - he  
asked if he was a soldier, he would not be  
so long - he would get away in 24 hours -  
he told them that he had one coloured coat  
and knew where he could get another - that  
he could get a hat in some Hall of a Gentleman's  
house &c. He turned his forrign cap inside  
out - said he had a shirt & cap belonged to  
one of the 24 - and he could give him that -  
the waiter took off his own coat and put on  
the coat of <sup>the Dr.</sup> of the Dr. had written - that has  
to be <sup>my Dr. said you will</sup> bilt <sup>the</sup> he had thrown it in the river, and the  
bayonet could be used on a stick -

They went towards the Steam boat wharf  
and they met another civilian. They went into  
another Tavern where the Dr. & the Civilian  
began to talk together, and said - I can  
do this fellow in quick steps - Mr. does not  
know what he meant by this - After coming  
out the Dr. you have a huf some money &  
a watch -

This was in the summer time, after evening  
Roll - it was before 8 o'clock and Dr. beyond the  
bridge - Mr. had his usual allowance of 2 huf pants  
allowed him that day - drank 2 glasses in the tavern

When in the tavern, and after he came out the  
P. S. if he was a soldier he would not be so long.  
S. he could take a boat & get away in 24 hours -  
Took a glass of beer at another tavern same evening -  
Saw the P. get one coat from the man of the house  
and when he came out he had two coats - the  
wife p[er]f[or] what Terny & P. drank -

The P. gave one coat to Mr. a h[an]d & some money  
and a watch q[ui] the S. would tell them the  
time on the road -

In the last Tavern it was late before he left  
it - and the drums beat - the wife was  
not drunk - does not know whether Terny  
was so -

Didn't P. at the Regiment Guard - he arrested  
P. and called to Terny to help him - at last  
the M. and let him go - but Terny could  
not - That that the P. was bringing W. to  
barracks to clean him up to get a flogging for  
intending to desert <sup>having a colored coat on</sup> & they therefore arrested him  
when they were near the barracks -

Does not think the P. meant to get W. to desert  
but s. if he would go along w/ him, he could  
show him the way -

By Jove - He had a colored coat on when he  
took off P. - he had his own coat under his  
arm - he afterwards took the blue coat off, put  
on the red coat, and put the blue coat over it -

We did this in order to see how far the P. would  
carry his intentions -

Had

Had no conversation w<sup>r</sup> Dr while on ~~guard~~<sup>guard</sup> at Guard last Sunday -

By all's sent - The Dr intended that they should depart that night and in going toward the barracks it was to get at the Canal, as he d<sup>r</sup> the Canal was beyond the barracks

Patt<sup>r</sup> Tierney - He met with Dr in May last with Mahoney - he was coming up to where W<sup>r</sup> was marked off to take a glass - went to a tavern each called for a glass - the Dr's notes in hand when he came out - so he had cloaths for him - that he could get him a coat - & notes to W<sup>r</sup> about a hat - Came to Cross-keys - got more spirits w<sup>r</sup> another Civilian - after coming out there, he gave a coat to W<sup>r</sup> and another to Mahoney told them to put them on as wanted Mahoney to throw belt & scabbard into River - & to take the bayonet w<sup>r</sup> him - so he had a boat on the river to take them across the river - did not say where it was - Came on w<sup>r</sup> Dr till within 200 yds of the barracks when they arrested him - That it was always intention of W<sup>r</sup> to do so -

Delivered up the Dr to the Lieutenant of the Guards Capt. Kin - who took up W<sup>r</sup> & Mahoney - Adjutant Sturt was acquainted -

Met Dr first in the St Law a drub - Had not known Dr before - proposed to meet each other - W<sup>r</sup> took two glasses & Mahoney same manner - 3 time they drank them - & thinks Mahoney had drunk as much -

Got the house cloaths at the third house they  
came to - after O' came out & gave Mr a  
coat & Mahony another - they then went on  
by the water side towards the barracks

Mr put on the coat about 100 yds from the house  
when O' gave him -

Mahony also put on the other coat - turned  
their fowling caps outside in -

Began that O' intended to play them a trick  
and they drew their bayonets & made him a

O'

He always intended to inform of the O' at  
the bar -

O' gave a watch & some money to the Mahony

O' & he has been in Gaol - for enlisting soldiers -

He did not take off his blue coat after he had  
got into the guard house -

James Chym - <sup>Sgt. in 66<sup>th</sup></sup> about in May last, 20: saw the  
O' & his last Mr about 9 o'clock at night  
the 2 soldiers were in the O' & each of them  
had on a Coloured Coat - heard them say in  
the presence of O' that he wanted to them to  
dine - The O' was detained -

That Mahony & Terny had coloured coats  
on -

The character of Mahony is not very good in this  
part - Terny is a <sup>very</sup> good character -

They had been drinking - but were not very drunk

Robert Steel, adjt. in 66<sup>th</sup> Regt rem. that on  
May last the Capt of Guard told him that  
a man had been brought guardhouse with an  
intention to desert - & the Dr had given them  
coloured coats to desert. The Dr & the soldiers  
had stolen the coats -

The 2 soldiers & Dr <sup>are</sup> up<sup>t</sup> to have been drinking  
thinks that Dr <sup>s</sup> that one of them had stolen  
the coat - thinks that Dr <sup>s</sup> that he wanted  
to inform of the soldiers -

The character of Mahony is bad - that of  
Tierney is better -

### Defence -

Capt Tierney - was present when Mahony gave his evidence  
at Dr in Sept. last -

He said Dr. saw in Guardhouse that Mahony had stoh  
the coat, but not the wit. -

It was beyond the Capt's belief, that he suspected the  
Dr was going to inform on them, when they arrested him

That Dr had the coloured coat over the belt -

Capt. Johnston 66<sup>th</sup> Regt - Mahony is a private in his  
~~company~~ he is a bad character and a thief -

Not Guilty

Wednesday 9<sup>th</sup> March 1831. —

Prest.

Ch. Just: & Justicis Pyke & Rolland

The King  
James Mountain  
John Griffiths

On Indictment for Burglary —

Robert Hunter - is a watchmaker in Montreal in Oct last he occupied a shop in house of Mr James - it was under same roof w<sup>t</sup> Mr James, there is no communication internally between his shop & house of Mr James - on the morn<sup>g</sup> of the 18<sup>th</sup> he discovered his shop to have been broken open - he found front door shutter of window quite safe - that on looking up he saw the glass over the door had been forced open, and there was an inside shutter of had been broken also - and the inside bars of the back door were open - there was a quantity of watches were taken - a gold watch value 30 doll - above ten silver watches, worth £25 - thinks there were also 3 or 4 small watches, worth 25<sup>l</sup> each - went to watch house to enquire if any suspicious characters had been seen - went about the town - without success - He received a letter from Quebec notifying that persons had been seen w<sup>t</sup> watches - slept at Mr Whelford's who showed him one of the watches, & he had been

been stolen out of his shop - & he had bought it from  
2 men, who <sup>he</sup> thought were sailors - The watch had  
the wallet to broken open - Went to Quebec, and  
found that Mr Denys had sold a set of watch  
cases, & told Mr also that Drs had been arrested on  
suspicion - Recd. the watch cases from Denys - Went  
to Gaol where Drs were, spoke to Griffeths - asked  
him if he sold the watch to Whiteford at Three  
Rivers - & told Mr also, that it was his brother Dr  
who broke the shop - & that it had been premeditated  
In three weeks by Dr Mountjoy -  
The other Dr denied the matter altogether -

Rents the shop from Mr James - pays rent for it,  
the shop was shut the night before, and also the  
back door.

Griffeths told Mr that his brother Mr took an apple  
stand up to the window - between 3 & 4 in morning -  
There is a watchman stationed at no great distance  
from his shop -

John Whiteford, ~~watch~~ Three Rivers - watchmaker -  
Some time last summer two men called at his  
house in his absence w<sup>t</sup> a watch for sale - they  
afterwards came in offered it, insisted on Mr buying  
it, as they were sailors wanted money - that  
Mr <sup>but</sup> sold it from the one of them for 3 $\frac{1}{2}$  dollars -  
Having heard that a watchmakers shop in Montreal  
had been broken open he kept the watch - The  
same

same watch he afterwards delivered to Mr. Hunter, who said it had been stolen from one -  
He cannot recognize the <sup>one</sup> to be the same person - That one of them had a black jacket but not the one who sold him the watch appeared interested in the watch - as the other asked if the his comrade had sold his watch for how much, whereupon <sup>for</sup> 3<sup>1</sup>/<sub>2</sub> dols. said it was too little -

Saw two men on board Steam boat about a fort' night afterwards, and recognized the black jacket he had seen on the person who accompanied the individual who sold him the watch, but could not recognize the man who wore it -

\*2

Wm Christie. In Ash last lived in neighborhood of Mr. Hunter early in the morn'g he heard some noise at <sup>the</sup> gr. led him to suppose that some one was breaking into a house -

Henry Moody - Came up w<sup>t</sup> <sup>the</sup> <sup>one</sup> on Steam boat from Quebec, he heard Mr. Macmillan say he had been very lucky, for as the affair was coming in board on one side the boat, he had had time to throw a bundle over board on the other, in <sup>from Boston says</sup> gte there were 95 dols & some watches -

on this a woman on board asked if he had sold any ~~articles~~ - he said he had, taking money at two different times out of his pocket and showing it said there is the money - adding that he had sold some & that some were gone home before him -

x

The Dr said this in the presence of all the persons present - The Dr had a Velvet jacket on - never saw the Dr before -

James Bentley - ne'er left having made a passage on board Steam boat last fall we Dr heard them say, that they had thrown some Sheldon Keys, of 5 dollars & some watches over board of a Vessel at Quebec - It was the late Dr Mountain who did so -

Never saw the Dr before he saw him on board the Steam boat nor since till this day -

James Bell - Has been confined some time in Gaol on Mrs Mountain - Heard him say Mountain say, after Griffeths pleaded guilty, that he hoped to get clear, as they had nothing at all at him, and addressed Griffeths in P. I. you are called as a witness about stealing the watches - You need not swear that I was there at all -

x

The Dr. Mountain often said that he had  
nothing to do with the robbery —

Louis Martean keeper of stolen effects at Police office —  
That late in the fall he rec<sup>d</sup> some watches  
were deposited by him by Mr. Hunter.

Robert Hunter — recognizes the watches now produced  
to have been deposited by him to Martean  
and one of them watches now produced by  
rec<sup>d</sup> from Mr. Whelby at Three Rivers  
and the watch case from Mr. Dennis at  
Dumber —

John Whelby recognizes the watch now produced  
to be same he lost at Three Rivers which  
he deliv<sup>r</sup> to Mr. Hunter —

Mr. Gull<sup>s</sup> care decided that this was burglary  
1 each 396 — to show offense more severe

The Court however charged the Jury to acquit the  
ps of the Burglary as there appeared to be no  
communication between the shop occupied by  
Hunter with the dwelling house of James — 2 East  
507. — Verdict. Not guilty of breaking entering  
but guilty of stealing as laid in  
the indictment —

The

The King  
or  
James Nicolas

On Indictment for Forgery.

Jn. Romuald Pare', curé de St Jacques - il n'a jamais passé sous le nom de Hyacinthe ou d'aucun autre nom que celui de Jean Romuald Pare' - Il n'a jamais connu aucun curé sous le nom de Hyacinthe Pare' ou du nom de Pare', dans cette paroisse - ne con. aucune personne de ce nom dans cette paroisse - Il n'y a que la paroisse de St Jacques sur l'Acadian qu'il connaît, <sup>sous ce nom</sup> dans ce district - Ne con. aucune personne du nom de Hyacinthe Pare' - demandé s'il a jamais <sup>connue</sup> ~~connue~~ la signature d'aucune personne <sup>elle que celle apposée</sup> ~~de son père~~ au bas du billet à lui mandaté montré ? - Objection to - admitted

Asked by Pr Que le billet a été payé par le témoin démis -

Dit qu'il n'a jamais vu ni se rappelle pas d'avoir jamais vu une telle signature - elle n'est pas la sienne -

It a un frere à Quebec -  
By Mr Léon Rolland - Il a payé le billet par Charité sans espoir de jamais recevoir l'argent -

From Thibault dem. chez le curé de St Jacques - le nom du Curé est Jean Romuald Pare' - n'a jamais connu ni entendu parler d'un curé à St Jacques à ce nom de Hyacinthe Pare' - n'a connu aucun autre personne dans cette paroisse ni dans la Province de ce nom - N'a jamais vu une telle signature ~~connue~~

elle

celle au bas du billet à lui maintenant monté  
et elle n'est pas la signature du Curé de St  
Jacques - Que Mr Jean Romé Pare est Curé  
depuis onze ans -

Michel Bibaud, com. le Curé de St Jacques - connaît  
la signature du Curé - croit que les initiales  
du nom ne sont pas le même que celles du  
nom de Mr Pare -

Il n'a jamais vu écrire Mr Pare, et a reçu  
des lettres de lui -

Joseph Benoit - Quand Mr Pr

A connu le Pr il a présenté au témoin  
qui n'a pas encore écrit, & a voulu que le  
témoin lui en paye le montant, en qui il sent  
a en retour le montant - il a dit qu'il  
devait recevoir le montant du Curé de St Jacques  
il ~~est~~ a donné £35 pour le billet - Avant  
de prendre le billet il l'a porté monter à Mr  
Benoit ambuliste en ville, qui lui a dit qu'il  
était bon -

À l'échéance du billet il fut chez Mr Pare  
demander le montant, Mr Pare a dit que ce n'était  
pas son billet - il a eu conséquence fait arrêter  
le Pr - Que le Pr a demander des permission  
d'aller chez Pare lui-même & le billet seraient  
payé

payé - Que lorsqu'il a fait arrêter le P<sup>r</sup> il a  
renvié le billet à Mr Ross - J.P. -

Que la première fois qu'il a acheté chez le Curé il a porté  
une lettre pour lui du P<sup>r</sup> ne peut contenir le contenu  
mais a remis la lettre au Curé - C'était alors que  
le Curé a dit que ce n'était pas son billet & ne  
voulait pas le payer - lui a rendu le billet & la  
lettre -

Il a remis la lettre à Mr Ross qu'il a gardé -

Que par après il a eu une lettre de Mr Pare -  
en conséquence il fut chez Mr Pare, & il a reçu son  
argent pour son billet -

x

Qu'il est Charlier - Que le P<sup>r</sup> ne lui devait rien -  
Qu'il a eu une lettre du P<sup>r</sup> pour parler chez Mr  
Pare & a rapporté une réponse, en Nov<sup>r</sup> der -  
ce qu'il a déchiffré devant le témoin -

Que d'après que le P<sup>r</sup> lui a dit il a accepté le  
billet -

Ne peut dire que le billet produit ici est le  
même billet qu'il a présenté au Curé - sait lire -

Que le Curé a dit, qu'il ne devait pas ce billet  
lui & qu'il ne le payerait pas. -

Qu'après qu'il a eu le billet, le P<sup>r</sup> a été en  
Haut Can. & est de retour de là - et il est même  
venu chez le témoin -

François Bertrand - hab. en ville - en Nov. dernière le Dr. Léon  
est

et renv. le montre un billet lui demandé  
s'il doit bon - c'est le même billet maintenant  
produit - Il a fait venir la lettre adressée  
à Mr le Curé pour avoir le paiement du  
billet - croit que la lettre est la même à l'or  
même maintenant produite

David Ross. In Nov. last was I. A. for the Sheriff  
of Montreal - Qui étoit devant lui que M.  
Benoit a rendu plainte pour un billet commen-  
çant faux - c'est le même billet qu'il a  
renv. de Benoit & la lettre est la même  
que Benoit qui a renv. un même billet -  
Qui le P<sup>r</sup> a admis que la lettre étoit écrit  
par lui - F-

Qui le P<sup>r</sup> a demandé permission pour aller  
faire honnor le billet - il a dit qu'il n'a  
honoré pas, mais de procurer quelqu'un  
pour y aller - a remis le billet à Benoit pour  
en obtenir le paiement -

Qui il n'a pas vu le billet après

### Defense

Jos: Carmel - Cape of Watch - was at Watch the  
night Benoit took the warrant to arrest the  
P<sup>r</sup> - he o<sup>d</sup> he had an order from Mr Ross to arrest  
the P<sup>r</sup> because he had given a bait q<sup>o</sup> we  
murray

manner - and he wished to arrest the Dr<sup>r</sup> as  
he was afraid he would go away -

Robert McRobb his Dr<sup>r</sup> was 12 years - he was in the  
employ of the N. W. Co. He had charge of property -  
never heard of any bad conduct in his part, &  
his character has always been good -

Dr De Pochetblanc -

Joseph Larocque - was in service of N. W. Co and  
the Dr<sup>r</sup> was also at same time in their service -  
always enjoyed a good character -

Fredk Goeduka - was in employ. of N. W. Co was  
and Dr<sup>r</sup> was in their service at some time - he  
never knew anything of his character -

Jos: Berrier - quite n<sup>o</sup> avoid aucun agent entre ses  
mains appartenans a Mr Paul, & le Dr le saroit

Verdict of Guilty on 3<sup>d</sup> & 4<sup>th</sup> Count  
of Indictment -

The King  
Barde &  
Bennet

An action in arrest of Judgment

Mr Atk's Gut - The Jury have found  
the facts alleged in the Indictment  
The crime of forgery is making a writing to defraud  
altho' the instrument be not valid or effectual -  
1. Hawk. 265. Sec. 1. ch. 21. sec. one of a protection -

The instrument not invalid but imperfect -  
2. East. 948 - This case within the great exception  
here stated, as the instrument is not illegal, but  
imperfect - Not capable of being rendered effectual  
by getting another person to sign it, which  
renders it authentic - still it might effectuate  
Fraud - refers to Cook's Case - where the property  
in the deed was wrong described, whereby nothing  
could be conveyed by it

Case of Cogan - Will of a man living -  
Great injury would arise if a contrary doctrine  
could be admitted -

Butler's definition applies here -

Hawkeswood's Case - bill of exchange not stamped  
and no evidence in a Civil Court - and in the  
case of Rep v Morton - not necessary that the  
Instrument should be unable to be liable to be  
forged -

Anne Lewis's Case - the falsity of the instrument  
and the intention to defraud, are all that is requisite

Thursday 10<sup>th</sup> March. 1831.

Pres.

Ch. Justice Reid

W<sup>m</sup> Justice Pyke.

W<sup>m</sup> Justice Rolland

The following Sentences were pronounced on  
the Convictions had during the present Term

The King

Geo. Powell }

On conviction for encouraging soldiers  
to desert -

Judge - One month in Gaol & to stand  
in the Pillory one hour on the 11<sup>th</sup> inst.

The King

W<sup>m</sup> Cowell }

On conviction for a similar Office  
Same Judgment - Pillory on 18<sup>th</sup> inst.

The King

Fran<sup>c</sup>co<sup>r</sup> Normand }

On Conviction for Perjury -

Sentence - 3 months in Gaol & fine £20

The King

Benj<sup>n</sup> Lorraine }  
alias Verdon - }

On conviction for receiving Stolen goods  
Sentence - 3 months in Gaol -

The King

David Darling }

On conviction for Petty Larceny -  
Judge - 10 days in Gaol -

- The King  
Joseph Sacham }  
On conviction for Petty Larceny -  
Judge. 3 months in Gaol -
- The King  
Pierre Berivot }  
On conviction of a similar offence  
same Judge -
- The King  
Charles Martenbault }  
On conviction of a similar offence  
same Judge -
- The King  
Pierre Normand }  
On conviction of a similar offence  
same Judge -
- The King  
André Kellerten  
Anne Newman }  
On conviction of a similar offence  
same Judge -  
Margaret Handley who had been  
convicted as accessory after the fact, was  
discharged, -
- The King  
Joseph Blondin  
Louis Berthelot  
Fran<sup>r</sup> Lagaffe }  
On conviction for Grand Larceny  
Judge. 6 months in Gaol -
- The King  
Moise Cameraine }  
On Conviction for Grand Larceny  
Judge. 6 months in Gaol -

The King -  
or  
James Mountain }  
John Griffiths }

On conviction for Grand Larceny  
Judge 6 months in Gaol -

The King  
Mary Remneway }

On a conviction for Similar Offense  
Judge 6 months in Gaol

The King  
Thos Gibron }

On Conviction for steals cattle  
Sentence of Death recorded

The King  
Wm Hammond }

On conviction of Similar Offense  
Sentence of death recorded

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

On Conviction for Burglary  
Sentence of death recorded

The King  
Stanislas Nicolas }

On conviction for Forgery  
Sentence of Death recorded

